



Shire of Northam  
*Heritage, Commerce and Lifestyle*

**Shire of Northam  
2018/19**

**Delegated Authority  
Register**

## Version Control

| <b>Amendments</b>             |                      |                      |                    |
|-------------------------------|----------------------|----------------------|--------------------|
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## EXPLANATION NOTES

### General

Section 5.42 of the Local Government Act 1995 allows for a local government to delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the Act.

Section 5.44 of the Act provides for the Chief Executive Officer to delegate any of their powers to another employee, this must be done in writing. The Act allows for the Chief Executive Officer to place conditions on any delegations if desired. The powers cannot, however, be further sub delegated.

The purpose of this document is to detail which authorities have been delegated by Council to the Chief Executive Officer. The document also indicates delegations which the Chief Executive Officer intends to delegate to other staff, however this is for information/indication purposes only and may change from time to time at the discretion of the Chief Executive Officer. The register details the related document(s) where the power to delegate is derived from, which includes legislation and policies of the Council.

### Transfer of Authority Due to Absence

Where an Officer not named has been appointed by Council or by an Officer authorised to make the appointment to act in a position to which the named Officer is appointed, the authority shall transfer to the Officer acting as appointed, for the duration of Council authorisation.

Where a named Officer holding a delegation, is temporarily absent and no Officer has been appointed to act in the position, the authority will transfer to the relevant Executive Manager for the period of absence.

### Register of, and Records Relevant to, Delegations - Section 5.46

A register of delegations, being this manual, relevant to the Chief Executive Officer and other employees is to be kept and reviewed at least once every financial year.

If a person is exercising a power or duty that they have been delegated, the Act requires them to keep necessary records to the exercise of the power or discharge of the duty. The written record is to contain:

- How the person exercised the power or discharged the duty;
- When the person exercised the power or discharged the duty; and

The persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.

# SECTION A

## DELEGATIONS FROM COUNCIL TO CHIEF EXECUTIVE OFFICER (OTHER OFFICERS, WHERE APPROPRIATE)

## Administration

|                          |   |   |
|--------------------------|---|---|
| <b>DELEGATION NUMBER</b> | - | <b>A01</b>  |
| LEGISLATIVE POWER        | - | Local Government Act 1995, s9.49A (2) & (3), s9.49A (4) |
| DELEGATION SUBJECT       | - | <b>Affixing of Common Seal</b>                          |
| DELEGATE                 | - | Chief Executive Officer                                 |
| SUB DELEGATE             | - | Nil.  |

The Chief Executive Officer is delegated authority to;

- Affix the common seal of the Shire of Northam to any document which has been authorised by Council either specifically or generally.
- Sign documents on behalf of the local government.

**REFER TO SEPARATE USAGE REGISTER KEPT BY CEO EA.**

## 2018/19 Delegated Authority Register



|                          |  |
|--------------------------|--|
| <b>DELEGATION NUMBER</b> | - <b>A02</b>   |
| LEGISLATIVE POWER        | - <i>Local Government Act 1995, s3.39, s3.40A, s3.42, s3.44, s3.46, 3.48</i>       |
| DELEGATION SUBJECT       | - <b>Power to Remove &amp; Impound Goods</b>                                       |
| DELEGATE                 | - Chief Executive Officer  |
| SUB DELEGATE             | - Executive Manager Development Services<br>Executive Manager Engineering Services |

The Chief Executive Officer is delegated authority to:

1. Authorise an employee in accordance with s3.39 and 3.40A to remove and impound any goods that are involved in a contravention that can lead to impounding.
2. Take appropriate action in respect to impounded non-perishable goods in accordance with s3.42.
3. Give notice in accordance with s3.44 to collect goods.
4. Refuse to allow goods to be collected until all costs have been paid in accordance with s3.46.
5. Take action to recover expenses in accordance with s3.48.

**NO DECISIONS RECORDED UNDER DELEGATED AUTHORITY DURING 2018/19**



## 2018/19 Delegated Authority Register



|                          |   |  |
|--------------------------|---|--|
| <b>DELEGATION NUMBER</b> | - | <b>A03</b>   |
| LEGISLATIVE POWER        | - | Local Government Act 1995, S3.43 & s3.47.            |
| DELEGATION SUBJECT       | - | <b>Disposing of Confiscated or Uncollected Goods</b> |
| DELEGATE                 | - | Chief Executive Officer                              |
| SUB DELEGATE             | - | Nil.   |

The Chief Executive Officer is delegated authority to dispose of, in accordance with s3.47, any vehicles or goods that have been impounded/seized/confiscated under the provisions of s3.39 and 3.40A (Delegation A02) or any goods that have been ordered to be confiscated under section 3.43 of the Act.

In disposing of said goods by way of auction or after calling public tenders in accordance with Part 4 of the Local Government (Functions and General) Regulations, the Chief Executive Officer is authorised pursuant to s5.43(b) to accept any auction outcomes or tender up to the value of \$20,000. Auction outcomes and tenders for amounts considered to exceed \$20,000 shall be referred to the Council for consideration prior to sale.

**NO DECISIONS RECORDED UNDER DELEGATED AUTHORITY DURING 2018/19**

## 2018/19 Delegated Authority Register



|                          |   |
|--------------------------|---|
| <b>DELEGATION NUMBER</b> | - <b>A04</b>  |
| LEGISLATIVE POWER        | - Caravan Parks And Camping Grounds Regulations 1997, (Reg. 11)             |
| DELEGATION SUBJECT       | - <b>Approval of Camping Other than at a Caravan Park or Camping Ground</b> |
| DELEGATE                 | - Chief Executive Officer   |
| SUB DELEGATE             | - Executive Manager Development Services<br>Manager Health and Environment  |

The Chief Executive Officer is delegated authority to:

1. Provide a written approval for a person to camp on land in accordance with regulation 11 (2) (a) for longer than 3 nights up to 3 months in any period 12 months.
2. Provide a written approval for a person to camp on land in accordance with regulation 11 (2)(c)(i) & (ii) providing the approval will not result in the land being camped on for longer than 12 consecutive months.

### Conditions

1. The approval is to be in accordance with Council Policy H6.4 Temporary Accommodation during Construction of a Dwelling.

**NO DECISIONS RECORDED UNDER DELEGATED AUTHORITY DURING 2018/19**

## 2018/19 Delegated Authority Register



|                          |   |
|--------------------------|---|
| <b>DELEGATION NUMBER</b> | - <b>A05</b>  |
| LEGISLATIVE POWER        | - Local Government Act 1995<br>Local Government (Miscellaneous Provisions) Act 1960<br>Dog Act 1976<br>Cat Act 2011<br>Control of Vehicles (Off Road Areas) Act 1978<br>Caravan Parks & Camping Grounds Act 1995<br>Litter Act 1979<br>Planning & Development Act 2005<br>Building Act 2011<br>Food Act 2008<br>Public Health Act 2016 & Health (Miscellaneous Provisions) Act 1911 |
| DELEGATION SUBJECT       | - <b>Authorised &amp; Designated Officers – Appointment</b>   |
| DELEGATE                 | - Chief Executive Officer   |
| SUB DELEGATE             | - Nil.  |

The Chief Executive Officer is delegated authority to appoint “authorised Officers” and “Designated Officers” to perform functions under the Local Government Act and Regulations, Local Laws and other regulations and acts including but not limited to the following:

- Local Government Act 1995;
- Local Government (Miscellaneous Provisions) Act 1960;
- Dog Act 1976 and Regulations there under;
- Cat Act 2011 and Regulations there under;
- Control of Vehicles (Off Road Areas) Act 1978 and Regulations there under;
- Caravan Parks & Camping Grounds Act 1995
- Litter Act 1979 and Regulations there under;
- Planning & Development Act 2005.
- Building Act 2011
- Food Act 2008
- Public Health Act 2016 & Health (Miscellaneous Provisions) Act 1911
- Health (Asbestos) Regulations 1992

## **The following is a list of Authorised Officers:**

### Planning & Development Act 2005:

Chief Executive Officer, Executive Manager Development Services; Manager Planning Services; Planning Officer/s.

### Litter Officers:

Chief Executive Officer; Executive Manager Corporate Services; Executive Manager Community Services; Executive Manager Development Services; Executive Manager Engineering Services; Manager Health and Environment Environmental Health Officer/s; Ranger/s.

### Dog Act Officers:

Chief Executive Officer; Executive Manager Corporate Services; Executive Manager Engineering Services; Executive Manager Development Services; Executive Manager Community Services; Environmental Health Officer/s, Ranger/s, Senior Building Surveyor.

### Cat Act Officers:

Chief Executive Officer; Executive Manager Development Services; Ranger/s.

### Swimming Pool Inspections:

Chief Executive Officer, Executive Manager Development Services; Senior Building Surveyor, Technical Officer; Ranger/s.

### Building Act 2011

Chief Executive Officer, Executive Manager Development Services, Senior Building Surveyor.

### Food Act 2008

Chief Executive Officer, Executive Manager Development Services, Manager Health and Environment, Environmental Health Officer/s.

### Public Health Act 2016

Chief Executive Officer, Executive Manager Development Services, Manager Health and Environment, Environmental Health Officer/s.

### Health (Miscellaneous Provisions) Act 1911

Chief Executive Officer, Executive Manager Development Services, Manager Health and Environment, Environmental Health Officer/s.

### Caravan Parks and Camping Ground Act 1995

## 2018/19 Delegated Authority Register

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Chief Executive Officer, Executive Manager Development Services, Manager Health and Environment, Environmental Health Officer/s and Compliance Officer.

### Health (Asbestos) Regulations 1992

Chief Executive Officer, Executive Manager Development Services, Manager Health and Environment, Environmental Health Officer/s.

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|                          |  |
|--------------------------|--|
| <b>DELEGATION NUMBER</b> | - <b>A06</b>   |
| LEGISLATIVE POWER        | - Local Government Act 1995, s3.27, Schedule 3.1                       |
| DELEGATION SUBJECT       | - <b>Authority to undertake work on land not controlled by Council</b> |
| DELEGATE                 | - Chief Executive Officer  |
| SUB DELEGATE             | - Nil.   |

In accordance with Section 3.27 of the Local Government Act 1995, the Chief Executive Officer is delegated authority to perform the general function of the local government and do any of the things prescribed in Schedule 3.2 of the Local Government Act 1995 even though the land on which it is done is not local government property and the local government does not have consent to do it.

| <b>A06 - Delegation Use</b> |  |  |  |
|-----------------------------|--|--|--|
| <b>Date of Decision</b>     | <b>Person/party impacted by decision</b> | <b>How power / discharge of duty was exercised</b>     | <b>Name of Officer Exercising Delegation</b> |
| 7/09/2018                   | J. Wiltshire                             | Schedule 3.2 of Local Government Act [section 3.27(1)] | Jason Whiteaker - CEO                        |
| 7/09/2018                   | K. Cameron                               | Schedule 3.2 of Local Government Act [section 3.27(1)] | Jason Whiteaker - CEO                        |
| 7/09/2018                   | S. Nayler                                | Schedule 3.2 of Local Government Act [section 3.27(1)] | Jason Whiteaker - CEO                        |
| 7/09/2018                   | B. Daniels                               | Schedule 3.2 of Local Government Act [section 3.27(1)] | Jason Whiteaker - CEO                        |
| 7/09/2018                   | B. Price                                 | Schedule 3.2 of Local Government Act [section 3.27(1)] | Jason Whiteaker - CEO                        |
| 7/09/2018                   | I. Arnold                                | Schedule 3.2 of Local Government Act [section 3.27(1)] | Jason Whiteaker - CEO                        |
| 28/03/2019                  | A. Hawser                                | Schedule 3.2 of Local Government Act [section 3.27(1)] | Jason Whiteaker - CEO                        |

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|                   |          |  |                       |
|-------------------|----------|--|-----------------------|
| <b>28/03/2019</b> | I.Barton | Schedule 3.2 of Local Government Act [section 3.27(1)] | Jason Whiteaker - CEO |
|-------------------|----------|--|-----------------------|

## 2018/19 Delegated Authority Register

|                          |  |
|--------------------------|--|
| <b>DELEGATION NUMBER</b> | - <b>A07</b>   |
| LEGISLATIVE POWER        | - Shire of Northam Local Laws  |
| DELEGATION SUBJECT       | - <b>Shire of Northam Local Laws Administration</b>  |
| DELEGATE                 | - Chief Executive Officer  |
| SUB DELEGATE             | - Executive Manager Development Services<br>Executive Manager Engineering Services<br>Environmental Health Officer/s<br>Planning Officer/s<br>Senior Building Surveyor<br>Compliance Officer<br>Ranger/s |

The Chief Executive Officer is delegated authority to administer the Shire's local laws and to do all other things that are necessary or convenient to be done for, or in connection with, performing the functions of the local government under the Shire's Local Laws.

Conditions:

- Determinations and decisions under the Shire of Northam's Local Laws having regard to the relevant Council policies in force at the time.



## 2018/19 Delegated Authority Register

|                          |  |
|--------------------------|--|
| <b>DELEGATION NUMBER</b> | - <b>A08</b>   |
| LEGISLATIVE POWER        | - Caravan Parks and Camping Grounds Act 1995   |
| DELEGATION SUBJECT       | - <b>Perform the functions of the “local government” pursuant to the Caravan Parks and Camping Grounds Act 1995</b>            |
| DELEGATE                 | - Chief Executive Officer  |
| SUB DELEGATE             | - Executive Manager Development Services<br>Manager Environmental Health<br>Environmental Health Officer<br>Compliance Officer |

The Chief Executive Officer is delegated authority to perform the functions of the “local government” pursuant to the *Caravan Parks and Camping Grounds Act 1995* to exercise and discharge the following powers and functions, including:

1. Determine applications for licences, undertake inspections and carry out the provisions of under *Caravan Parks and Camping Grounds Act 1995* in accordance with the relevant provisions.

Condition

1. A license may only be issued for a renewal, or Council approved, caravan park or camping ground.

## Building

|                          |  |
|--------------------------|--|
| <b>DELEGATION NUMBER</b> | - <b>B01</b>   |
| LEGISLATIVE POWER        | - <i>Building Act 2011, s20, s127</i>                                |
| DELEGATION SUBJECT       | - <b>Buildings – Grant or Refusal of Building Permits</b>            |
| DELEGATE                 | - Chief Executive Officer  |
| SUB DELEGATE             | - Executive Manager Development Services<br>Senior Building Surveyor |

The Chief Executive Officers of the Shire of Northam is delegated authority to grant or refuse building permits, subject to the provisions of s20 *Building Act 2011*.

### **Special Conditions or Guidelines**

An officer to whom this authority is delegated cannot, in accordance with the provisions of the Building Act 2011, approve plans in which he/she has an interest.

An Officer must have the prescribed qualifications to be delegated authority to approve or refuse plans of buildings or unauthorised building works.

**REFER TO SEPARATE USAGE REGISTER KEPT BY SENIOR BUILDING SURVEYOR.**

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|                          |  |
|--------------------------|--|
| <b>DELEGATION NUMBER</b> | - <b>B02</b>   |
| LEGISLATIVE POWER        | - <i>Building Act 2011, s21, s127</i>                                |
| DELEGATION SUBJECT       | - <b>Buildings – Grant or Refusal of Demolition Permits</b>          |
| DELEGATE                 | - Chief Executive Officer  |
| SUB DELEGATE             | - Executive Manager Development Services<br>Senior Building Surveyor |

The Chief Executive Officer of the Shire of Northam is delegated authority to grant or refuse demolition permits, subject to the provisions of s21 *Building Act 2011*.

### **Special Conditions or Guidelines**

An officer to whom this authority is delegated cannot, in accordance with the provisions of the Building Act 2011, approve plans in which he/she has an interest.

An Officer must have the prescribed qualifications to be delegated authority to approve or refuse plans of buildings or unauthorised building works.

Any buildings or structure on the Shire of Northam Municipal Inventory being referred to Council for decision.

| <b>B02 - Delegation Use</b> |  |  |  |
|-----------------------------|--|--|--|
| <b>Date of Decision</b>     | <b>Person/party impacted by decision</b> | <b>How power / discharge of duty was exercised</b> | <b>Name of Officer Exercising Delegation</b> |
| <b>29/01/2019</b>           | Aska Demolition                          | Issue Demolition Permit                            | Andrew Hawthorne - A/SBS                     |
| <b>26/02/2019</b>           | Andrew Draffin                           | Issue Demolition Permit                            | Andrew Hawthorne - A/SBS                     |
| <b>17/04/2019</b>           | Aska Demolition                          | Issue Demolition Permit                            | Jason Whiteaker - CEO                        |

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|                          |  |
|--------------------------|--|
| <b>DELEGATION NUMBER</b> | - <b>B03</b>   |
| LEGISLATIVE POWER        | - <i>Building Act 2011, s22, s127</i>                                |
| DELEGATION SUBJECT       | - <b>Buildings – Further Grounds for Not Granting an Application</b> |
| DELEGATE                 | - Chief Executive Officer  |
| SUB DELEGATE             | - Executive Manager Development Services<br>Senior Building Surveyor |

The Chief Executive Officer of the Shire of Northam is delegated authority to refuse building or demolition permits due to errors in information or documentation submitted, subject to the provisions of s22 *Building Act 2011*.

### **Special Conditions or Guidelines**

An officer to whom this authority is delegated cannot, in accordance with the provisions of the Building Act 2011, approve plans in which he/she has an interest.

An Officer must have the prescribed qualifications to be delegated authority to approve or refuse plans of buildings or unauthorised building works.

**NO DECISIONS RECORDED UNDER DELEGATED AUTHORITY DURING 2018/19**

## 2018/19 Delegated Authority Register

|                          |   |
|--------------------------|---|
| <b>DELEGATION NUMBER</b> | - <b>B04</b>  |
| LEGISLATIVE POWER        | - <i>Building Act 2011, s58, s127</i>   |
| DELEGATION SUBJECT       | - <b>Buildings – Grant of Occupancy Permit, Building Approval Certificate</b> |
| DELEGATE                 | - Chief Executive Officer   |
| SUB DELEGATE             | - Executive Manager Development Services<br>Senior Building Surveyor          |

The Chief Executive Officer of the Shire of Northam is delegated authority to grant, modify or refuse Occupancy Permits or Building Approval Certificates, subject to the provisions of s58 *Building Act 2011*.

### **Special Conditions or Guidelines**

An officer to whom this authority is delegated cannot, in accordance with the provisions of the Building Act 2011, approve plans in which he/she has an interest.

An Officer must have the prescribed qualifications to be delegated authority to approve or refuse plans of buildings or unauthorised building works.

| <b>B04 - Delegation Use</b> |  |   |  |
|-----------------------------|--|---|--|
| <b>Date of Decision</b>     | <b>Person/party impacted by decision</b> | <b>How power / discharge of duty was exercised</b>    | <b>Name of Officer Exercising Delegation</b> |
| <b>11/07/2018</b>           | WBS Group                                | Occupancy Permit for Farm Shed                        | Sam Neale - SBS                              |
| <b>18/07/2018</b>           | Pindan Construction                      | Occupancy Permit for Boulevard Shopping Centre        | Sam Neale - SBS                              |
| <b>19/07/2018</b>           | Richard Bagshaw                          | Occupancy Permit for Showroom                         | Sam Neale - SBS                              |
| <b>18/07/2018</b>           | Joseph Zbigniew                          | Building Approval Certificate for unauthorised Patio  | Sam Neale - SBS                              |
| <b>25/07/2018</b>           | Joseph Zbigniew                          | Building Approval Certificate for unauthorised Chalet | Sam Neale - SBS                              |

## 2018/19 Delegated Authority Register

|                   |                              |   |                 |
|-------------------|------------------------------|---|-----------------|
| <b>9/08/2018</b>  | Herbert Hayes                | Building Approval Certificate for unauthorised additions to shed                | Sam Neale - SBS |
| <b>22/08/2018</b> | Zippo Pty Ltd                | Occupancy Permit for Poultry Shed No 3 at Farms 1 & 3                           | Sam Neale - SBS |
| <b>10/09/2018</b> | Kyle Large & Melissa Thacker | Building Approval Certificate for unauthorised ancillary accommodation          | Sam Neale - SBS |
| <b>18/09/2018</b> | Darleen Clausen              | Building Approval Certificate for an unauthorised shed                          | Sam Neale - SBS |
| <b>26/09/2018</b> | St Joseph's Catholic Church  | Occupancy Permit Granted for Change of Classification                           | Sam Neale - SBS |
| <b>10/09/2018</b> | John Thacker                 | Building Approval Certificate Granted for Retrospective Ancillary Accommodation | Sam Neale - SBS |
| <b>14/09/2018</b> | Lui Marcelli                 | Building Approval Certificate Granted for Retrospective Shed                    | Sam Neale - SBS |
| <b>8/10/2018</b>  | Elvis Todorovic              | Building Approval Certificate for Unauthorised Shed & Verandah                  | Sam Neale - SBS |
| <b>18/10/2018</b> | Willowfield Pty Ltd          | Occupancy Permit issued for Ultrasound Facility                                 | Sam Neale - SBS |
| <b>3/10/2018</b>  | Stallion Building Company    | Occupancy Permit for Office   | Sam Neale - SBS |
| <b>18/10/2018</b> | Willowfield Pty Ltd          | Occupancy Permit issued for the Lawyers Office                                  | Sam Neale - SBS |
| <b>9/11/2018</b>  | William Draffin              | Occupancy Permit for Place of Worship   | Sam Neale - SBS |
| <b>12/11/2018</b> | Alan Rowe                    | Building Approval Certificate for Unauthorised Patio, Utility & Lounge          | Sam Neale - SBS |
| <b>3/12/2018</b>  | Phillip Smith                | Building Approval Certificate for unauthorised Shed                             | Sam Neale - SBS |

## 2018/19 Delegated Authority Register

|                   |   |   |                          |
|-------------------|---|---|--------------------------|
| <b>21/12/2018</b> | Five E's Pty Ltd                          | Occupancy Permit for Dokta Daycare Centre           | Sam Neale - SBS          |
| <b>18/01/2019</b> | Troy Hall                                 | Occupancy Permit for Jewellers                      | Andrew Hawthorne - A/SBS |
| <b>12/02/2019</b> | Stallion Building Co                      | Occupancy Permit for Bushfire Shed                  | Andrew Hawthorne - A/SBS |
| <b>18/02/2019</b> | Oak Building & Construction               | Occupancy Permit for Hangar 15                      | Andrew Hawthorne - A/SBS |
| <b>18/02/2019</b> | Nick Kostov                               | Occupancy Permit for Hangar Site 16                 | Andrew Hawthorne - A/SBS |
| <b>21/02/2019</b> | Gloria Ellis                              | Building Approval Certificate for unauthorised Shed | Andrew Hawthorne - A/SBS |
| <b>18/03/2019</b> | Wheatbelt Steel                           | Occupancy Permit for Hay Shed                       | Gordon Tester - SBS      |
| <b>18/03/2019</b> | Patrick Bettridge                         | Building Approval Certificate for Earthworks        | Gordon Tester - SBS      |
| <b>29/05/2019</b> | Perdaman Commercial                       | Occupancy Permit for Lume Restaurant                | Chadd Hunt - EMDS        |
| <b>1/04/2019</b>  | <a href="#">Click here to enter text.</a> | Occupancy Permit for Dental Surgery                 | Gordon Tester - SBS      |
| <b>10/04/2019</b> | Poulton                                   | Occupancy Permit for Restaurant & Brewery           | Gordon Tester - SBS      |
| <b>15/04/2019</b> | Roman Catholic Church                     | Occupancy Permit - Classroom                        | Gordon Tester - SBS      |

## 2018/19 Delegated Authority Register

|                          |  |
|--------------------------|--|
| <b>DELEGATION NUMBER</b> | - <b>B05</b>                             |
| LEGISLATIVE POWER        | - <i>Building Act 2011, s110, s127</i>   |
| DELEGATION SUBJECT       | - <b>Buildings – Building Orders</b>     |
| DELEGATE                 | - Chief Executive Officer                |
| SUB DELEGATE             | - Executive Manager Development Services |

The Chief Executive Officer is delegated authority to issue Building Orders in relation to:

- Stop work, demolish/remove a building, alter a building or evacuate a building, where there is a contravention of a provision of the Building Act;
- Take specific action to prevent contravention of the Act;
- Finish an outward facing side of a wall;
- Buildings which are considered as being unsafe or not fit for human habitation.

Subject to the provisions of *Building Act 2011*.

### **Special Conditions or Guidelines**

An Officer to whom this authority is delegated cannot, in accordance with the provisions of the Building Act 2011, approve plans in which he/she has an interest.

An Officer must have the prescribed qualifications to be delegated authority to approve or refuse plans of buildings or unauthorised building works.

| <b>B05 - Delegation Use</b> |  |  |  |
|-----------------------------|--|--|--|
| <b>Date of Decision</b>     | <b>Person/party impacted by decision</b> | <b>How power / discharge of duty was exercised</b> | <b>Name of Officer Exercising Delegation</b> |
| <b>22/11/2018</b>           | Debrah Lee Harnett                       | Notice of Intention to Issue a Building Order      | Chadd Hunt - EMDS                            |
| <b>17/05/2019</b>           | Forrest Carey                            | Issue Building Order                               | Chadd Hunt - EMDS                            |



## 2018/19 Delegated Authority Register

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|                          |                                   |
|--------------------------|-----------------------------------|
| <b>DELEGATION NUMBER</b> | - <b>B06</b>                      |
| LEGISLATIVE POWER        | - Building Act 2011, s133, s127   |
| DELEGATION SUBJECT       | - <b>Buildings – Prosecutions</b> |
| DELEGATE                 | - Chief Executive Officer         |
| SUB DELEGATE             | - Nil.                            |

The Chief Executive Officer is delegated authority to commence prosecution for an offence against this Act, subject to the provisions of *Building Act 2011*.

**NO DECISIONS RECORDED UNDER DELEGATED AUTHORITY DURING 2018/19**

## 2018/19 Delegated Authority Register

|                          |  |
|--------------------------|--|
| <b>DELEGATION NUMBER</b> | - <b>B07</b>   |
| LEGISLATIVE POWER        | - <i>Building Act 2011, s127</i><br><i>Building Regulations 2012, r53</i><br><i>Local Government Act 1995, s5.42 &amp; s9.10</i> |
| DELEGATION SUBJECT       | - <b>Recover the Charge Imposed for Private Swimming Pool Inspections</b>  |
| DELEGATE                 | - Chief Executive Officer  |
| SUB DELEGATE             | - Executive Manager Corporate Services   |

The Chief Executive Officer is delegated authority to recover the amount of a charge imposed for the inspection of a private swimming pool in a court of competent jurisdiction, subject to Reg 53 of the Building Regulations 2012.

**REFER TO SEPARATE USAGE REGISTER KEPT BY EXECUTIVE MANAGER CORPORATE SERVICES.**

## 2018/19 Delegated Authority Register



|                          |  |
|--------------------------|--|
| <b>DELEGATION NUMBER</b> | - <b>B08</b>   |
| LEGISLATIVE POWER        | - <i>Local Government (Uniform Local Provisions) Regulations 1996 r. 5, 6</i>                                  |
| DELEGATION SUBJECT       | - <b>Issue Permit to Deposit Material on or Excavate on or Adjacent Street</b>                                 |
| DELEGATE                 | - Chief Executive Officer  |
| SUB DELEGATE             | - Executive Manager Development Services<br>Executive Manager Engineering Services<br>Senior Building Surveyor |

The Chief Executive Officer is delegated authority to:

1. Serve written notice on a person who is carrying out plastering, painting or decorating operations (the work) over or near a footpath on land that is local government property, require the person to cover the footpath during the period specified in the notice so as to:
  - (a) Prevent damage to the footpath; or
  - (b) Prevent inconvenience to the public or danger from falling materials.
2. Grant permission for a person to place on a specified part of public thoroughfare one or more specified things that may obstruct the public thoroughfare and impose such conditions as the CEO thinks fit on granting permission.

**NO DECISIONS RECORDED UNDER DELEGATED AUTHORITY DURING 2018/19**

## 2018/19 Delegated Authority Register



|                          |  |
|--------------------------|--|
| <b>DELEGATION NUMBER</b> | - <b>B09</b>   |
| LEGISLATIVE POWER        | - <i>Building Act 2011, s65</i>  |
| DELEGATION SUBJECT       | - <b>Buildings - Extending the period of duration an Occupancy permit or a Building Approval Certificate</b> |
| DELEGATE                 | - Chief Executive Officer  |
| SUB DELEGATE             | - Executive Manager Development Services<br>Senior Building Surveyor   |

The Chief Executive Officer is Delegated Authority to extend the period of duration of an Occupancy permit or a Building Approval Certificate, subject to the provisions of s65 *Building Act 2011*.

**NO DECISIONS RECORDED UNDER DELEGATED AUTHORITY DURING 2018/19**

## 2018/19 Delegated Authority Register

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|                          |  |
|--------------------------|--|
| <b>DELEGATION NUMBER</b> | - <b>B10</b>   |
| LEGISLATIVE POWER        | - <i>Building Act 2011, s117</i>                                     |
| DELEGATION SUBJECT       | - <b>Buildings – Revoke Building Orders</b>                          |
| DELEGATE                 | - Chief Executive Officer  |
| SUB DELEGATE             | - Executive Manager Development Services<br>Senior Building Surveyor |

The Chief Executive Officer is Delegated Authority to Revoke Building Orders, subject to the provisions of s117 Building Act 2011.

**NO DECISIONS RECORDED UNDER DELEGATED AUTHORITY DURING 2018/19**

## Engineering

|                          |  |
|--------------------------|--|
| <b>DELEGATION NUMBER</b> | - <b>E01</b>   |
| LEGISLATIVE POWER        | - <i>Local Government Act 1995, s3.50 &amp; s3.50A</i><br><br><i>Local Government (Functions and General) Regulations – Part 2 – Thoroughfares</i><br><br><i>Road Traffic Act 1974, s92 &amp; s81D</i> |
| DELEGATION SUBJECT       | - <b>Temporary Closure of Thoroughfares to Vehicles</b>  |
| DELEGATE                 | - Chief Executive Officer  |
| SUB DELEGATE             | - Executive Manager Engineering Services<br><br>Executive Manager Development Services   |

The Chief Executive Officer is delegated authority:

- a) In accordance with Section 3.50(1) of the Local Government Act 1995, close any thoroughfare, wholly or partially, for a period of up to 4 weeks after giving local public notice of the intention to do so;
- b) In accordance with Section 3.50(1)(a) and 3.50(4) of the Local Government Act 1995, close a thoroughfare managed by the Shire (wholly or partially) to vehicles for a period of more than 4 weeks, but not exceeding 3 months, after giving local public notice of the intention to do so and allowing submissions to be made and considered; and
- c) In accordance with Section 3.50A of the Local Government Act 1995, partially and temporarily close a thoroughfare, without giving local public notice, if the closure is for the purpose of carrying out repairs or maintenance and is unlikely to have a significant adverse effect on users of the thoroughfare.

*(Note: Not for the permanent closure of a road/road reserve: refer Land Administration Act).*

## 2018/19 Delegated Authority Register

| <b>E01 - Delegation Use</b> |  |   |  |
|-----------------------------|--|---|--|
| <b>Date of Decision</b>     | <b>Person/party impacted by decision</b> | <b>How power / discharge of duty was exercised</b>  | <b>Name of Officer Exercising Delegation</b> |
| <b>5/07/2018</b>            | General Public                           | Temporary closure of Beavis Place, Gordon Pl, Minson Avenue for the running of the Opening Ceremony for the BKB Centre.   | Clinton Kleynhans - EMES                     |
| <b>3/07/2018</b>            | General Public                           | Temporary closure of Beavis Place, Gordon Pl, Fitzgerald Street, Grey Street, Minson Avenue, Nind St, Ord St, Broome Tce, Hampton St and Weld St. Katrine Road Bridge for the running of the Avon Descent festival and Avon Descent | Clinton Kleynhans - EMES                     |
| <b>12/07/2018</b>           | General Public                           | Temporary closure of Mount Ommanney Drive, Northam to facilitate drainage works   | Clinton Kleynhans - EMES                     |
| <b>3/12/2018</b>            | General Public                           | Temporary closure of Foreman Street(4th December to 18th December 2018),Mervyn Street (14th December 2018 to 18th December 2018)and Cody Street(10th December to 14th December 2018) to facilitate resurfacing roadworks            | Chadd Hunt - EMDS                            |
| <b>10/01/2019</b>           | General Public                           | Temporary closure of Coates Road,   | Clinton Kleynhans - EMES                     |

## 2018/19 Delegated Authority Register

|                   |                |   |                          |
|-------------------|----------------|---|--------------------------|
|                   |                | Wundowie to facilitate clearing works   |                          |
| <b>30/01/2019</b> | General Public | Temporary closure of Beavis Place, Gordon Pl, Fitzgerald Street, Grey Street, Minson Avenue, Gordon Street and Wellington Street, for the running of the Ring Criterium Cycling Event.  | Clinton Kleynhans - EMES |
| <b>30/11/2018</b> | General Public | Temporary closure of Beavis Place, Gordon Pl, Fitzgerald Street, Grey Street, Minson Avenue for the running of the Christmas on Fitzgerald Event  | Clinton Kleynhans - EMES |
| <b>8/03/2019</b>  | General Public | Temporary Closure of Beavis Place, Minson Avenue, Gordon Place, Nind Street, O'Hara Lane, Grey Street, Fitzgerald Street, Wellington Street, Elizabeth Place, Gordon Street, For the running of the Northam Motorsport Festival | Clinton Kleynhans - EMES |
| <b>10/04/2019</b> | General Public | Temporary Closure of Fitzgerald Street, Grey Street and Gordon Street for the ANZAC Day Parade  | Clinton Kleynhans - EMES |
| <b>2/10/2018</b>  | General Public | Frankish Road to facilitate sewer extension   | Clinton Kleynhans - EMES |



## 2018/19 Delegated Authority Register

|                   |                |  |                          |
|-------------------|----------------|--|--------------------------|
| <b>7/06/2019</b>  | General Public | Frenches Road bridge #4124 inspection works                        | Clinton Kleynhans - EMES |
| <b>25/06/2019</b> | General Public | Byfield Street to facilitate resurfacing works                     | Clinton Kleynhans - EMES |
| <b>18/04/2019</b> | General Public | East Street to Facilitate Road Pavement Repairs                    | Clinton Kleynhans - EMES |
| <b>5/07/2019</b>  | General Public | Charles Street to Facilitate Road Reconstruction and Repairs       | Clinton Kleynhans - EMES |
| <b>18/03/2019</b> | General Public | Balga Terrace, Wundowie facilitate Road Reconstruction and Repairs | Clinton Kleynhans - EMES |

## 2018/19 Delegated Authority Register

|                          |   |
|--------------------------|---|
| <b>DELEGATION NUMBER</b> | - <b>E02</b>  |
| LEGISLATIVE POWER        | - <i>Local Government Act 1995, s3.50 &amp; s3.50A</i><br><br><i>Road Traffic (Events on Roads) Regulations 1991</i><br><br><i>Local Law – Activities on Thoroughfares and Trading in Thoroughfares and Public Places</i> |
| DELEGATION SUBJECT       | - <b>Events on Roads</b>  |
| DELEGATE                 | - Chief Executive Officer   |
| SUB DELEGATE             | - Executive Manager Engineering Services<br><br>Executive Manager Development Services  |

The Chief Executive Officer is delegated authority to determine applications for the temporary closure of thoroughfares under its management for the purpose of conducting events in accordance with the Road Traffic (Events on Roads) Regulations 1991.

| <b>E02 - Delegation Use</b> |  |   |  |
|-----------------------------|--|---|--|
| <b>Date of Decision</b>     | <b>Person/party impacted by decision</b> | <b>How power / discharge of duty was exercised</b>  | <b>Name of Officer Exercising Delegation</b> |
| <b>5/07/2018</b>            | General Public                           | Temporary closure of Beavis Place, Gordon Pl, Minson Avenue for the running of the Opening Ceremony for the BKB Centre.   | Clinton Kleynhans<br>- EMES                  |
| <b>3/07/2018</b>            | General Public                           | Temporary closure of Beavis Place, Gordon Pl, Fitzgerald Street, Grey Street, Minson Avenue, Nind St, Ord St, Broome Tce, Hampton St and Weld St. Katrine Road Bridge for the running of the Avon | Clinton Kleynhans<br>- EMES                  |

## 2018/19 Delegated Authority Register

|                   |                |   |                          |
|-------------------|----------------|---|--------------------------|
|                   |                | Descent festival and Avon Descent   |                          |
| <b>30/01/2019</b> | General Public | Temporary closure of Beavis Place, Gordon Pl, Fitzgerald Street, Grey Street, Minson Avenue, Gordon Street and Wellington Street, for the running of the Ring Criterium Cycling Event.  | Clinton Kleynhans - EMES |
| <b>30/11/2018</b> | General Public | Temporary closure of Beavis Place, Gordon Pl, Fitzgerald Street, Grey Street, Minson Avenue for the running of the Christmas on Fitzgerald Event  | Clinton Kleynhans - EMES |
| <b>8/03/2019</b>  | General Public | Temporary Closure of Beavis Place, Minson Avenue, Gordon Place, Nind Street, O'Hara Lane, Grey Street, Fitzgerald Street, Wellington Street, Elizabeth Place, Gordon Street, For the running of the Northam Motorsport Festival | Clinton Kleynhans - EMES |
| <b>10/04/2019</b> | General Public | Temporary Closure of Fitzgerald Street, Grey Street and Gordon Street for the ANZAC Day Parade  | Clinton Kleynhans - EMES |

## 2018/19 Delegated Authority Register



|                          |   |
|--------------------------|---|
| <b>DELEGATION NUMBER</b> | - <b>E03</b>  |
| LEGISLATIVE POWER        | - <i>Local Government Act 1995, Sch 9.1, cl 5(1)</i><br><i>Local Government (Uniform Local Provisions) Regulations 1996 Reg 9</i> |
| DELEGATION SUBJECT       | - <b>Gates across Public Thoroughfare</b>   |
| DELEGATE                 | - Chief Executive Officer   |
| SUB DELEGATE             | - Executive Manager Engineering Services  |

The Chief Executive Officer is delegated authority to determine applications for permission to erect gates or other devices across public thoroughfares under Council control or management to enable traffic to pass across the public thoroughfare and prevent livestock from straying. This authority relates to all of the provisions of Regulation 9, Local Government (Uniform Local Provisions) Regulations 1996.

**NO DECISIONS RECORDED UNDER DELEGATED AUTHORITY DURING 2018/19**

## 2018/19 Delegated Authority Register

|                          |   |
|--------------------------|---|
| <b>DELEGATION NUMBER</b> | - <b>E04</b>  |
| LEGISLATIVE POWER        | - <i>Local Government Act 1995, Schedule 9.1, Clause 7</i><br><br><i>Local Government (Uniform Local Provisions) Regulations 1996 Regs 12 to 16 (Inclusive)</i> |
| DELEGATION SUBJECT       | - <b>Crossovers</b>   |
| DELEGATE                 | - Chief Executive Officer   |
| SUB DELEGATE             | - Executive Manager Engineering Services  |

The Chief Executive Officer is delegated authority to determine applications for the construction of a crossing giving access from a public thoroughfare to private land or a private thoroughfare serving the land and may agree to construct the crossing for the applicant subject to Council policy.

The Chief Executive Officer is delegated authority to give notice to an owner or occupier of private land requiring the person to construct or repair a crossing from a public thoroughfare to the land or a private thoroughfare serving the land in accordance with the provisions of Schedule 9.1 Clause 7 of the Act.

This delegated authority relates to all of the provisions of Local Government (Uniform Local Provisions) Regulations 1996; Regulation numbers 12 to 16 inclusive.

| <b>E04 - Delegation Use</b> |  |   |  |
|-----------------------------|--|---|--|
| <b>Date of Decision</b>     | <b>Person/party impacted by decision</b> | <b>How power / discharge of duty was exercised</b>            | <b>Name of Officer Exercising Delegation</b> |
| <b>9/08/2018</b>            | Benella Bingham                          | Approval for crossover construction at 5 Queen Street Northam | Clinton Kleynhans - EMES                     |
| <b>10/08/2018</b>           | New Phase Homes                          | Approval for crossover rebate at 5 Turner Street Northam      | Clinton Kleynhans - EMES                     |
| <b>20/07/2018</b>           | James Hitsert                            | Approval for crossover rebate at 7 Atkinson Street Northam    | Clinton Kleynhans - EMES                     |

## 2018/19 Delegated Authority Register

|                   |                     |  |                          |
|-------------------|---------------------|--|--------------------------|
| <b>27/08/2018</b> | Glenn Beveridge     | Approval for crossover construction at 5 Gerald Terrace Northam      | Clinton Kleynhans - EMES |
| <b>27/08/2018</b> | Gary Armstrong      | Approval for crossover rebate at Lot 247 Jose Road Bakers Hill       | Clinton Kleynhans - EMES |
| <b>10/12/2018</b> | Procon Developments | Approval for crossover construction at Lot 860 Great Eastern Highway | Clinton Kleynhans - EMES |
| <b>7/12/2018</b>  | David Ho            | Approval for crossover rebate at 51 Stirling Street Northam          | Clinton Kleynhans - EMES |
| <b>15/02/2019</b> | Craig Gibson        | Approval for crossover at 4 Heaton Drive Northam                     | Clinton Kleynhans - EMES |
| <b>4/04/2019</b>  | Sarah Isbill        | Approval for crossover at 45 Robinson Street Northam                 | Clinton Kleynhans - EMES |
| <b>1/05/2019</b>  | Matthew Wiktorski   | Approval for crossover rebate at 27 Golf Crescent Northam            | Clinton Kleynhans - EMES |
| <b>15/02/2019</b> | Craig Gibson        | Approval for crossover rebate at 27 Golf Crescent Northam            | Clinton Kleynhans - EMES |
| <b>27/02/2019</b> | Barry Pearson       | Approval for crossover at 79 Gordon Street Northam                   | Clinton Kleynhans - EMES |
| <b>18/06/2019</b> | Nathan Good         | Approval for crossover at 278 Duke Street Northam                    | Clinton Kleynhans - EMES |

## 2018/19 Delegated Authority Register

|                          |   |
|--------------------------|---|
| <b>DELEGATION NUMBER</b> | - <b>E05</b>  |
| LEGISLATIVE POWER        | - Local Government Act 1995, s3.51  |
| DELEGATION SUBJECT       | - <b>Public Thoroughfares – Fixing or Altering Levels or Alignments or Drainage onto Adjoining Land</b> |
| DELEGATE                 | - Chief Executive Officer   |
| SUB DELEGATE             | - Executive Manager Engineering Services  |

The Chief Executive Officer is delegated authority to give the required notices as specified in s3.51(3) and (4) before fixing or altering the level of, or the alignment of a public thoroughfare and before draining water from a public thoroughfare or other public place onto adjoining land.

Further, the Chief Executive Officer is delegated authority to consider submissions received and proceed with the proposal if no objection is received.

**NO DECISIONS RECORDED UNDER DELEGATED AUTHORITY DURING 2018/19**

## 2018/19 Delegated Authority Register

|                          |  |
|--------------------------|--|
| <b>DELEGATION NUMBER</b> | - <b>E06</b>   |
| LEGISLATIVE POWER        | - <i>Local Government Act 1995, s3.52</i>  |
| DELEGATION SUBJECT       | - <b>Public Thoroughfares – Public Access &amp; Plans – s3.52 (within designated Town sites)</b> |
| DELEGATE                 | - Chief Executive Officer  |
| SUB DELEGATE             | - Executive Manager Engineering Services   |

The Chief Executive Officer is delegated authority to ensure that public thoroughfares are kept open for public use except if they are closed or have restricted use subject to:

1. In fixing or altering the level of, or the alignment of a public thoroughfare, ensure that access by vehicle to land adjoining the thoroughfare can be reasonably provided. (Reference s3.52 (3)).
2. Keeping plans of the levels and alignments of public thoroughfares that are under Council's control or management and make those plans available for public inspection. (Reference s3.52 (4)).

**NO DECISIONS RECORDED UNDER DELEGATED AUTHORITY DURING 2018/19**



## Finance

|                          |  |
|--------------------------|--|
| <b>DELEGATION NUMBER</b> | - <b>F01</b>   |
| LEGISLATIVE POWER        | - <i>Local Government Act 1995, s6.10</i><br><i>Local Government (Financial Management) Regulations 1996, Reg 12</i>   |
| DELEGATION SUBJECT       | - <b>Creditors, Payment of</b>   |
| DELEGATE                 | - Chief Executive Officer  |
| SUB DELEGATE             | - Executive Manager Corporate Services<br>Executive Manager Development Services<br>Executive Manager Community Services<br>Executive Manager Engineering Services |

The Chief Executive Officer is delegated authority to make payments from the Municipal fund or the Trust fund in accordance with the provisions of Local Government (Financial Management) Reg 12

**REFER TO SEPARATE USAGE REGISTER KEPT BY EXECUTIVE MANAGER CORPORATE SERVICES.**

## 2018/19 Delegated Authority Register

|                          |   |
|--------------------------|---|
| <b>DELEGATION NUMBER</b> | - <b>F02</b>  |
| LEGISLATIVE POWER        | - <i>Local Government Act 1995, s3.58</i><br><br><i>Local Government (Functions General) Regulations, Reg. 30</i> |
| DELEGATION SUBJECT       | - <b>Disposal of Council Property (Public Auction, Public Tender or Private Treaty)</b>                           |
| DELEGATE                 | - Chief Executive Officer   |
| SUB DELEGATE             | - Nil.  |

The Chief Executive Officer is delegated authority to dispose of property to the highest bidder, at public auction, public tender or by private treaty subject to the following limits:

- Up to \$10,000
- Between \$10,000 and \$100,000 for the purpose of disposal (including trading plant and equipment) specified to be disposed of in the Annual Budget.

Subject to the disposal complying with the following requirements:

- If the disposal is for land with a budget value of great than \$10,000 the disposal must be within 10% of a written valuation.

| <b>F02 - Delegation Use</b> |  |   |  |
|-----------------------------|--|---|--|
| <b>Date of Decision</b>     | <b>Person/party impacted by decision</b> | <b>How power / discharge of duty was exercised</b>  | <b>Name of Officer Exercising Delegation</b> |
| <b>22/05/2019</b>           | Members of public                        | PN1501 Water Tanker via Public auction              | Jason Whiteaker - CEO                        |
| <b>30/01/2019</b>           | Members of public                        | PN0908 Backhoe via Public Auction                   | Jason Whiteaker - CEO                        |
| <b>29/11/2018</b>           | Members of public                        | PN1202 BCI Wheelchair Bus via Public Auction        | Jason Whiteaker - CEO                        |
| <b>12/11/2018</b>           | Members of public                        | PN1222 Hino 300 series Tip Truck via Public Auction | Jason Whiteaker - CEO                        |
| <b>10/10/2018</b>           | Members of public                        | PN009 Toyota Coaster Bus via Public Auction         | Jason Whiteaker - CEO                        |

## 2018/19 Delegated Authority Register

|                   |                   |  |                       |
|-------------------|-------------------|--|-----------------------|
| <b>25/09/2018</b> | Members of public | PN1221 Hino 500series Tip Truck via Public Auction | Jason Whiteaker - CEO |
| <b>19/09/2018</b> | Members of public | PN1218 Mitsubishi Fuso Truck via Public Auction    | Jason Whiteaker - CEO |
| <b>12/09/2018</b> | Members of public | PN0820 Toyota Hiace Commuter Bus via Direct Trade  | Jason Whiteaker - CEO |

## 2018/19 Delegated Authority Register

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|                          |   |
|--------------------------|---|
| <b>DELEGATION NUMBER</b> | - <b>F03</b>  |
| LEGISLATIVE POWER        | - Local Government Act 1995<br><br>Recovery of Rates and Charges, s6.55 & s6.56 |
| DELEGATION SUBJECT       | - <b>Recovery of Unpaid Debtors</b>   |
| DELEGATE                 | - Chief Executive Officer   |
| SUB DELEGATE             | - Executive Manager Corporate Services  |

The Chief Executive Officer is delegated authority to recover outstanding rates and service charges and take the legal action necessary for recovery in accordance with the provisions of Part 6, Division 6, subdivisions 5 and 6 of the Local Government Act 1995.

**REFER TO SEPARATE USAGE REGISTER KEPT BY EXECUTIVE MANAGER OF CORPORATE SERVICES.**

|                          |  |
|--------------------------|--|
| <b>DELEGATION NUMBER</b> | - <b>F04</b>   |
| LEGISLATIVE POWER        | - <i>Local Government Act 1995</i><br><br><i>Inviting of Tenders s3.57</i><br><br><i>Local Government (functions and general) Regulations cl. 14, 18, 20</i> |
| DELEGATION SUBJECT       | - <b>Inviting Tenders</b>  |
| DELEGATE                 | - Chief Executive Officer  |
| SUB DELEGATE             | - Nil.   |

The Chief Executive Officer is delegated authority to;

1. Invite tenders before for the local government to enter into a contract of a prescribed kind under which another person is to supply goods or services.
2. Determine an appropriate selection criteria based on one or more of the following criteria;
  - a. Price
  - b. Ongoing Operational costs
  - c. Quality
  - d. Timeliness of deliver
  - e. Fit purpose
  - f. Community benefit
  - g. Application of regional price preference in accordance with Council policy
  - h. Relevant experience
  - i. Reliability
3. Make minor variations to awarded tenders within the following parameters;
  - a. Cost to Council not to exceed available budget allocations.
4. Make a determination to accept or reject tenders up to \$150,000.
5. Make determinations on purchases under \$250,000 for the supply of the goods or services obtained through the Council Purchasing Service of WALGA.

## 2018/19 Delegated Authority Register

| <b>F04 - Delegation Use</b> |  |  |  |
|-----------------------------|--|--|--|
| <b>Date of Decision</b>     | <b>Person/party impacted by decision</b>           | <b>How power / discharge of duty was exercised</b>   | <b>Name of Officer Exercising Delegation</b> |
| <b>12/07/2018</b>           | Road construction contractors                      | Advertisement of Tender 5 of 2018 – Reinstatement Repairs to Flood Damaged Infrastructure  | Jason Whiteaker - CEO                        |
| <b>4/07/2018</b>            | General Public                                     | Advertisement of Tender V1 / 2018 – Sale & Removal of Impounded Vehicles   | Jason Whiteaker - CEO                        |
| <b>14/08/2018</b>           | Various members of public having submitted tenders | Awarded tender for Tender V1 / 2018 - Sale & Removal of Impounded Vehicles   | Jason Whiteaker - CEO                        |
| <b>19/09/2018</b>           | Tree Pruning Contractors                           | Advertisement of Tender 6 of 2018 – Provision of Tree Pruning, Tree Removal and Associate Works  | Jason Whiteaker - CEO                        |
| <b>2/10/2018</b>            | Sport Surface specialists / suppliers              | Advertisement of Tender 7 of 2018 – Supply and Lay of Artificial Hockey Playing Surface  | Jason Whiteaker - CEO                        |
| <b>2/10/2018</b>            | Street sweeping contractors                        | Advertisement of Tender 8 of 2018 – Provision of Road and Footpath Sweeping  | Jason Whiteaker - CEO                        |
| <b>19/11/2018</b>           | Consultants  | Advertisement of Tender 9 of 2018 Consultancy Services for Reinstatement Repairs to Flood Damaged Infrastructure via Council Purchasing Service of WALGA | Jason Whiteaker - CEO                        |
| <b>14/11/2018</b>           | Road Surfacing Contractors                         | Advertisement of Tender 10 of 2018 Bitumen Seal Coat   | Jason Whiteaker - CEO                        |

## 2018/19 Delegated Authority Register

|                   |                               |  |                       |
|-------------------|-------------------------------|--|-----------------------|
|                   |                               | package Over Road Widening and Reconstruction via Council Purchasing Service of WALGA.   |                       |
| <b>13/12/2018</b> | Road Surfacing Contractors    | Advertise Tender 11 of 2018 – Reconstruction and Resurfacing for Various Roads via Council Purchasing Service of WALGA                               | Jason Whiteaker - CEO |
| <b>14/12/2018</b> | Consultants                   | Award of contract C.201819-06 Consultancy Services for Reinstatement Repairs to Flood Damaged Infrastructure via Council Purchasing Service of WALGA | Jason Whiteaker - CEO |
| <b>14/12/2018</b> | Road Surfacing Contractors    | Award of contract C.201819-07 Bitumen Seal Coat package Over Road Widening and Reconstruction via Council Purchasing Service of WALGA.               | Jason Whiteaker - CEO |
| <b>20/12/2018</b> | Road Surfacing Contractors    | Advertise Tender 12 of 2018 – Maintenance Grading of Gravel Roads via Council Purchasing Services of WALGA   | Jason Whiteaker - CEO |
| <b>9/02/2019</b>  | Road Construction Contractors | Advertise Tender 1 of 2019 Reinstatement Repairs to Flood Damaged Infrastructure AGRN 822  | Jason Whiteaker - CEO |
| <b>26/03/2019</b> | Shed building contractors     | Advertise Tender 2 of 2019 Supply and Construction of Bakers Hill Fire Shed  | Jason Whiteaker - CEO |

## 2018/19 Delegated Authority Register

|                   |                               |   |                       |
|-------------------|-------------------------------|---|-----------------------|
| <b>18/04/2019</b> | Road Construction Contractors | Advertise RFQ 9 of 2019 – Coates Road Shoulder Widening via Council Purchasing Services of WALGA            | Jason Whiteaker - CEO |
| <b>18/06/2019</b> | GDR Civil Contracting         | Award Purchase Order 54662 for the Dry hire of Plant and machinery via Council Purchasing Services of WALGA | Jason Whiteaker - CEO |
| <b>18/06/2019</b> | Fulton Hogan                  | Award Purchase order 54706 for the supply of bitumous materials via Council Purchasing Services of WALGA    | Jason Whiteaker - CEO |



## 2018/19 Delegated Authority Register

|                          |  |
|--------------------------|--|
| <b>DELEGATION NUMBER</b> | - <b>F05</b>   |
| LEGISLATIVE POWER        | - <i>Local Government Act 1995</i><br><br><i>Local Government (functions and general) Regulations cl. 14, 18, 20</i> |
| DELEGATION SUBJECT       | - <b>Write Off / Waive Small Fees or Debts</b>   |
| DELEGATE                 | - Chief Executive Officer  |
| SUB DELEGATE             | - Nil.   |

The Chief Executive Officer is delegated authority to make a determination to waive or grant concessions in relation to any amount of money or write off any amount of money that is owed to the local government [subject to section 6.12(2)] – up to a maximum of \$500.

| <b>F05 - Delegation Use</b> |  |  |  |
|-----------------------------|--|--|--|
| <b>Date of Decision</b>     | <b>Person/party impacted by decision</b> | <b>How power / discharge of duty was exercised</b>   | <b>Name of Officer Exercising Delegation</b> |
| <b>24/07/2018</b>           | Directions Workforce Solutions           | Waiver of hire fees at the Northam Recreation Centre on 18/09/2018 for a Careers Expo. Totalling \$360.00. | Jason Whiteaker<br>- CEO                     |
| <b>27/07/2018</b>           | Julie Purslowe                           | Waiver of hire fees for Sound Shell for Charity Yoga booking totalling \$14.                               | Jason Whiteaker<br>- CEO                     |
| <b>6/08/2018</b>            | Springfield Football Club                | Waiver of additional hire fees to use indoor courts while Henry Street Oval is closed. Totalling \$80.00.  | Jason Whiteaker<br>- CEO                     |
| <b>23/08/2018</b>           | Grass Valley Bush Fire Brigade           | Waiver of community bus fee (\$1 per km travelled) for Councillor and staff                                | Jason Whiteaker<br>- CEO                     |

## 2018/19 Delegated Authority Register

|                   |  |  |                          |
|-------------------|--|--|--------------------------|
|                   |  | tour of Grass Valley District).  |                          |
| <b>19/09/2018</b> | Department of Water and Environmental Regulation & Surrounding Shire's | Waiver of hire fees at Northam Recreation Centre to hold a workshop for cost recovery model for water and environmental regulation services consultation. Shire of Northam requested to host workshop. Totalling \$367.50. | Jason Whiteaker<br>- CEO |
| <b>28/09/2018</b> | Clackline / Muresk Bush Fire Brigade                                   | Waiver of community bus fee, \$1 per km travelled, estimated 80km for tour of district. Excluding bond and fuel.   | Jason Whiteaker<br>- CEO |
| <b>5/10/2018</b>  | Bakers Hill Progress and Recreation Association                        | Waiver of event application fees totalling \$154 to hold the Bakers Hill Country Christmas Fair on 8th December 2018.  | Jason Whiteaker<br>- CEO |
| <b>15/10/2018</b> | Northam RSL  | Waiver of Sound Shell hire fees for Remembrance Day Celebrations (Sun 11 Nov 2018, Bernard Park) totalling \$98.00.  | Jason Whiteaker<br>- CEO |
| <b>17/10/2018</b> | Wundowie Primary School P&C Association                                | Waiver of \$154 event application fee and \$160 blanket stallholder fee for Motor Mania Show & shine Fundraiser  | Jason Whiteaker<br>- CEO |

## 2018/19 Delegated Authority Register

|                   |   |   |                           |
|-------------------|---|---|---------------------------|
| <b>17/10/2018</b> | Bakers Hill Primary School P&C Association              | Waiver of \$154 event application fee for 'Class on the Grass' fundraiser.  | Jason Whiteaker - CEO     |
| <b>24/10/2018</b> | Wundowie Primary School P&C Association                 | Waiver of event application fee for Wundowie Primary School Quiz Night 2 November 2018, totalling \$154.00  | Jason Whiteaker - CEO     |
| 20/11/2018        | Clontarf Academy  | Waiver of hire fees, booking #3327 totalling \$300 for Clontarf Carnival.   | Jason Whiteaker - CEO     |
| <b>28/12/2018</b> | Seniors Recreation Council WA                           | Waiver of hire fees for 2 x Indoor Courts and the Kitchen at the Northam Recreation Centre for the Live Lighter Aged Care Games – Northam. Totalling \$495.00   | Jason Whiteaker - CEO     |
| <b>16/01/2019</b> | Holyoake – Wheatbelt Community Alcohol and Drug Service | Waiver of hire fees at the Northam Recreation Centre on 21/02/2019 totalling \$150 for consultation with young people to develop a digital portal/space where young people can talk safely about their mental health and wellbeing, suicide, suicidal idealisations and help seeking. | Clinton Kleynhans - A/CEO |

## 2018/19 Delegated Authority Register

|                   |   |   |                          |
|-------------------|---|---|--------------------------|
| <b>22/02/2019</b> | The Vintage Sports Car Club of WA (Inc) | Waiver of community bus hire fees up to a maximum of \$500 to provide shuttle bus for Northam Motorsport Festival free of charge for community, visitors and participants to access the various areas of interest associated with this free public event.                   | Jason Whiteaker<br>- CEO |
| <b>13/03/2019</b> | Northam RSL                             | Waiver of application fees for the 2019 ANZAC Day event, totalling \$154.00. NOTE: while it doesn't comply with policy, the CEO believes the intent would be to support and will be putting an amendment to the policy at the next Council meeting. Refer to record N10158. | Jason Whiteaker<br>- CEO |
| <b>22/03/2019</b> | Northam Swimming Club                   | Waiver of spectator fees & hire including operator for the Northam Swimming Club Reunion on 7 April 2019, 50 guests totalling \$490.00.   | Jason Whiteaker<br>- CEO |
| <b>3/05/2019</b>  | Wheatbelt Relay for Life                | Waiver of Recreation Centre booking fees totalling \$110 for Relay for Life meeting for the   | Jason Whiteaker<br>- CEO |

## 2018/19 Delegated Authority Register

|                   |                       |  |                          |
|-------------------|-----------------------|--|--------------------------|
|                   |                       | 2020 Relay for Life event.   |                          |
| <b>20/05/2019</b> | LifeCycle for CanTeen | Waiver of hire fees at Town Hall totalling \$168.00 for bike ride event.                         | Jason Whiteaker<br>- CEO |
| <b>30/05/2019</b> | Triple M              | Fee waiver of \$120 booking fees at Recreation Centre for Give Me 5 for Kids Disco on 20/06/2019 | Jason Whiteaker<br>- CEO |

|                          |  |
|--------------------------|--|
| <b>DELEGATION NUMBER</b> | - <b>F06</b>                                       |
| LEGISLATIVE POWER        | - Section 3.58 Local Government Act 1995           |
| DELEGATION SUBJECT       | - <b>Disposing of Property by Lease or Licence</b> |
| DELEGATE                 | - Chief Executive Officer                          |
| SUB DELEGATE             | - Nil.   |

The Chief Executive Officer is delegated authority for the disposal of property in accordance with section 3.58 of the Local Government Act 1995 by lease or licence.

*NOTE: Section 3.58(1) defines:*

*'dispose' as includes to sell, lease, or otherwise dispose of, whether absolutely or not; and*

*'property' as includes the whole or any part of the interest of a local government in property, but does not include money.*

The Chief Executive Officer and Shire President are authorised to execute leases and licences on behalf of the Shire of Northam subject to:

Subject to the disposal;

1. complying with the requirements of:
  - i. Section 3.58 of the Local Government Act 1995;
  - ii. The exclusions set out in Regulation 30 of the Local Government (Functions and General) Regulations 1996;
  - iii. Council Policies or Management Procedures;

The grant of a lease or licence in relation to:

1. freehold land owned by the Shire; or
2. crown land managed/leased by the Shire.

is further subject to:

1. Disposal by Lease
  - a) The disposal of property by lease being subject to:
    - i. The lease being in accordance with the Shire's Leasing Policy (as then applicable);
    - ii. The term of the lease being no greater than twelve (12) years for Northam Airport Hangar Sites and five (5) years for all other property;
    - iii. The rental fee payable being no greater than \$20,000 (plus GST) per annum during the initial year of the lease term; and

- iv. The area leased being no greater than 1000m<sup>2</sup>.
    - b) The agreement for the varying the terms of a lease including but not limited to terminations, renewal options, assignments, subletting, special conditions or payment schedules of a lease subject to:
      - i. The variation being minor in nature in accordance with the Shire's Leasing Policy (as then applicable);
      - ii. The lease providing for an option for extension and specifying the applicable terms of that option term;
      - iii. The exercise of the lease being in accordance with the terms of the option provisions of the original lease, and in particular that the lessee is not in a material and un-remedied breach of that lease; and
      - iv. The extension being in accordance with the option provisions of the original lease.
- 2. Disposal by Licence
  - a) The disposal of property by licence being subject to:
    - i. The licence being in accordance with the Shire's Leasing Policy (as then applicable);
    - ii. The granting of a licence being permitted under the Shire's management order or lease;
    - iii. The term of the licence being no greater than five (5) years;
    - iv. The fee payable being no greater than \$20,000 (plus GST) per annum during the initial year of the licence term; and
    - v. The area licenced being no greater than 1000m<sup>2</sup>.
  - b) The agreement for the varying the terms of a licence including but not limited to terminations, renewal options, assignments, sublicensing, special conditions or payment schedules of a licence subject to:
    - i. The variation being minor in nature in accordance with the Shire's Leasing Policy (as then applicable);
    - ii. The licence providing for an option for extension and specifying the applicable terms of that option term;
    - iii. The exercise of the licence being in accordance with the terms of the option provisions of the original licence, and in particular that the licensee is not in a material and un-remedied breach of that licence; and
    - iv. The extension being in accordance with the option provisions of the original licence.

## 2018/19 Delegated Authority Register

| <b>No. - Delegation Use</b> |   |   |  |
|-----------------------------|---|---|--|
| <b>Date of Decision</b>     | <b>Person/party impacted by decision</b>  | <b>How power / discharge of duty was exercised</b>                        | <b>Name of Officer Exercising Delegation</b> |
| <b>11/09/2018</b>           | Raymond Peter Challen & Sassy Projects Pty Ltd ATF S. Watts & Shire of Northam. | Deed of Assignment of Northam Airport Site 9. Refer to Record No. 180988. | Jason Whiteaker - CEO                        |
| <b>1/11/2018</b>            | Lease, Hangar 15, Northam Airport   | Shire of Northam & Malcolm Vivian   | Jason Whiteaker - CEO                        |
| <b>28/03/2019</b>           | Shire of Northam & Monet Soaps & Gifts  | Lease Agreement for Pop Up Shop 182 Fitzgerald Street, Northam            | Jason Whiteaker - CEO                        |



## Health

|                                     |  |
|-------------------------------------|--|
| <b>DELEGATION NUMBER</b>            | - <b>H01</b>   |
| LEGISLATIVE POWER OR DUTY DELEGATED | - All powers exercisable by the Local Government under the Public Health Act 2016, the Health (Miscellaneous Provisions) Act 1911 and Regulations made there under; and the Shire's Health Local Laws. |
| LEGISLATIVE POWER TO DELEGATE       | Public Health Act 2016 s21(1)(b)<br>Enforcement agency may delegate<br><br>Health (Miscellaneous Provisions) Act 1911<br>s26 Powers of Local Government  |
| DELEGATION SUBJECT                  | - <b>Public Health Act 2016 and the Health (Miscellaneous Provisions) Act 1911 – Power or duty of the local government (enforcement agency) under any provision of these Acts</b>                      |
| DELEGATE                            | - Chief Executive Officer  |
| SUB DELEGATE                        | - Executive Manager Development Services<br><br>Manger Health and Environment<br><br>Environmental Health Officer  |

The Chief Executive Officer is delegated authority to exercise and discharge all or any of the powers and functions of the local government (enforcement agency) as prescribed in the Public Health Act 2016 and associated Regulation.

**REFER TO SEPARATE USAGE REGISTER KEPT BY ENVIRONMENTAL HEALTH OFFICER/S.**

## 2018/19 Delegated Authority Register

|                                     |  |
|-------------------------------------|--|
| <b>DELEGATION NUMBER</b>            | - <b>H02</b>   |
| LEGISLATIVE POWER OR DUTY DELEGATED | - Food Act 2008:<br>s65(1) Prohibition orders<br>s66 Certificate of clearance to be given in certain circumstances<br>s67(4) Request for re-inspection<br>s110 Registration of food businesses<br>s112 Variation of conditions or cancellation of registration of food businesses<br>s125 Institution of proceedings |
| LEGISLATIVE POWER TO DELEGATE       | Food Act 2008 s118(2)(b) Local Government (Enforcement Agency)   |
| DELEGATION SUBJECT                  | - <b>Food Act 2008 – Functions of enforcement agency</b>   |
| DELEGATE                            | - Chief Executive Officer  |
| SUB DELEGATE                        | - Executive Manager Development Services<br>Manger Health and Environment<br>Environmental Health Officer  |

The Chief Executive Officer is delegated authority to perform the functions of an enforcement agency :

1. Serve a Prohibition Order on the proprietor of a food business in accordance with s65 of the Food Act 2008.
2. Give a Certificate of Clearance, where inspection demonstrates compliance with a Prohibition Order and any Improvement Notices in accordance with s66 of the Food Act 2008.
3. Give written notice to the proprietor of a food business on whom a Prohibition Order has been served of the decision not to give a certificate of clearance after an inspection in accordance with s67 of the Food Act 2008.
4. Grant, apply conditions, refuse, vary or cancel registration of a food business in accordance with s110 and s112 of the Food Act 2008.

**REFER TO SEPARATE USAGE REGISTER KEPT BY ENVIRONMENTAL HEALTH OFFICER/S.**

## Planning

- DELEGATION NUMBER** - **P01**
- LEGISLATIVE POWER** - *Local Government Act 1995*  
*Planning and Development Act 2005, gazetted Local Planning Schemes, the Local Government (Miscellaneous Provisions) Act 1960*
- DELEGATION SUBJECT** - **Instruct Legal Action**
- DELEGATE** - Chief Executive Officer
- SUB DELEGATE** - Executive Manager Development Services

The Chief Executive Officer is delegated authority to instruct Council's Solicitors to take legal action in respect of any breach, contravention or offence under the Planning and Development Act 2005, gazetted Local Planning Schemes, the Local Government (Miscellaneous Provisions) Act 1960 and all subsidiary legislation made under those acts including signing and executing documents on behalf of the Shire.

| P01 - Delegation Use |   |   |                                       |
|----------------------|---|---|---------------------------------------|
| Date of Decision     | Person/party impacted by decision       | How power / discharge of duty was exercised                                     | Name of Officer Exercising Delegation |
| <b>2/08/2018</b>     | S.O'Malley – 29 McMullen Road, Wundowie | Instruction given to McLeods Barristers and Solicitors to commence legal action | Chadd Hunt - EMDS                     |

## 2018/19 Delegated Authority Register



|                          |   |
|--------------------------|---|
| <b>DELEGATION NUMBER</b> | - <b>P02</b>  |
| LEGISLATIVE POWER        | - Local Planning Scheme No. 6   |
| DELEGATION SUBJECT       | - <b>Development Applications - Advertising</b>                       |
| DELEGATE                 | - Chief Executive Officer   |
| SUB DELEGATE             | - Executive Manager Development Services<br>Manager Planning Services |

The Chief Executive Officer is delegated authority to advertise development applications for public comment where the Chief Executive Officer considers such applications should have public comment prior to consideration by Council, and to make available from Council's file's, information regarding the development application so the public are in a position to make a proper assessment, in accordance with Council policy which may exist from time to time.

**NO DECISIONS RECORDED UNDER DELEGATED AUTHORITY DURING 2018/19**

|                          |   |
|--------------------------|---|
| <b>DELEGATION NUMBER</b> | - <b>P03</b>  |
| LEGISLATIVE POWER        | - Local Planning Scheme No 6  |
| DELEGATION SUBJECT       | - <b>Planning Determinations</b>                                      |
| DELEGATE                 | - Chief Executive Officer   |
| SUB DELEGATE             | - Executive Manager Development Services<br>Manager Planning Services |

## **General Delegation**

The Chief Executive Officer, Pursuant to Clause 82, Part 10 of Schedule 2 of the Deemed Provisions for Local Planning Schemes, is delegated authority to approve or refuse applications for development approval made under Shire of Northam Local Planning Scheme No. 6 (the Scheme), with or without conditions subject to consistency with the Scheme, including giving due regard to relevant Local Planning Policies, and/or WAPC/State Planning Policies, and the exclusions/conditions set out below.

## **Exclusions/Conditions**

### General Exclusions

1. Applications for development approval for development exceeding \$3M in value and/or a net increase of in excess of 10 dwellings and/or uses listed as 'P', 'D' or 'A' within the Scheme at variance with Scheme requirements and standards.

### Specific Exclusions and Exceptions for Minor Works etc.

1. Subject to 7 below, with respect to applications for development approval for development other than advertising signage, domestic outbuildings, fencing and residential additions/alterations, any delegated decision must be consistent with, rather than giving due regard to, relevant Local Planning Policies.
2. Subject to 7 below, applications for development approval for development of land within a Local Reserve may only be approved under delegated authority where it is consistent with the purpose of the Reserve.
3. Subject to 7 below, applications for development approval for the types of land-use or development listed below may only be refused under delegated authority:
  - a) Animal Establishment in other than the 'Rural' Zone;
  - b) Equestrian Activity in other than the Rural Zone;
  - c) Hotel;
  - d) Industry - Extractive;
  - e) Industry – Mining in other than the 'Rural' Zone;

- f) Liquor Store (small and large);
  - g) Motel in other than the 'Commercial' Zone;
  - h) Night Club;
  - i) Restricted Premises;
  - j) Tavern;
  - k) Telecommunications Infrastructure; and/or
  - l) Any other development associated with racing, gaming or the sale of liquor, other than where development is of a temporary nature (no more than 48 hours duration).
4. Subject to 7 below, unless specifically provided for in a Local Planning Policy or Policies, applications for development approval that must be assessed under the provisions of Clauses 3.4.2 or 3.4.3 of the Scheme (uses not listed in the Zoning Table) may only be refused under delegated authority. (Note: Should the delegated officer feel that the application may warrant approval, the application shall be reported to Council for consideration prior to the undertaking of consultation, if consultation is considered necessary).
5. Subject to 7 below, applications for development approval that must be assessed under the provisions of Part 3, Clauses 3.8 up to and including 3.12 of the Scheme (the 'non-conforming uses' provisions) may only be refused under delegated authority. (Note: Should the delegated officer feel that the application may warrant approval, the application shall be reported to Council for consideration).
6. Subject to 7 below, unless specifically provided for in a Local Planning Policy or Policies, applications for development approval that must be assessed under the provisions of Clause 4.13.7 of the Scheme (the 'Cash Payment in Lieu of the Provision of Car Parking' provisions) may only be refused under delegated authority. (Note: Should the delegated officer feel that the application may warrant approval, the application shall be reported to Council for consideration).
7. Subject to 8 below, the provisions of 1 - 6 above do not apply to applications for renewals of development approval, alterations and/or expansions affecting a maximum area of 10% of the existing development, or 200m<sup>2</sup> (in terms of floorspace or land area in use, as appropriate), whichever is the lesser, and which are associated with existing, lawful land-uses, wherein the application may be refused or approved, with or without conditions, under delegated authority.
8. Where a renewal of development approval is issued pursuant to 7 above, the term of any renewal shall not exceed 12 months, however, an unlimited number of renewals may be granted under delegated authority.

**An officer to who this authority is delegated cannot approve plans in which he/she have an interest.**

**REFER TO SEPARATE USAGE REGISTER KEPT BY MANAGER PLANNING SERVICES**

## 2018/19 Delegated Authority Register

|                          |   |
|--------------------------|---|
| <b>DELEGATION NUMBER</b> | - <b>P04</b>  |
| LEGISLATIVE POWER        | - Strata Titles Act 1985, s23   |
| DELEGATION SUBJECT       | - <b>Strata Titles – Certificate of Local Government</b>              |
| DELEGATE                 | - Chief Executive Officer   |
| SUB DELEGATE             | - Executive Manager Development Services<br>Manager Planning Services |

Under s23(4) of the Strata Titles Act 1985 the Chief Executive Officer is delegated to issue certificates relating to Strata Title developments confirming various obligations have been met under s23 of the Strata Titles Act 1985, excluding modifications to existing buildings (s23(3) and s24).

**NO DECISIONS RECORDED UNDER DELEGATED AUTHORITY DURING 2018/19**

## 2018/19 Delegated Authority Register



|                          |   |
|--------------------------|---|
| <b>DELEGATION NUMBER</b> | - <b>P05</b>  |
| LEGISLATIVE POWER        | - Strata Titles Act 1985, s19(10)                                     |
| DELEGATION SUBJECT       | - <b>Consent to the Lease of Common Property</b>                      |
| DELEGATE                 | - Chief Executive Officer   |
| SUB DELEGATE             | - Executive Manager Development Services<br>Manager Planning Services |

The Chief Executive Officer is delegated to give consent to the mortgage and/or lease of common property on Strata Plans where the provisions of the Act are met and in accordance with Council Policy.

**NO DECISIONS RECORDED UNDER DELEGATED AUTHORITY DURING 2018/19**



## 2018/19 Delegated Authority Register

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|                          |   |   |
|--------------------------|---|---|
| <b>DELEGATION NUMBER</b> | - | <b>P06</b>  |
| LEGISLATIVE POWER        | - | Local Planning Schemes No 6   |
| DELEGATION SUBJECT       | - | <b>Advertising Signs</b>  |
| DELEGATE                 | - | Chief Executive Officer   |
| SUB DELEGATE             | - | Executive Manager Development Services<br>Manager Planning Services |

The Chief Executive Officer is delegated authority to approve signs that require such approval and where appropriate the licensing of signs that comply with the Local Planning Schemes, any Council Policy which may exist from time to time and Local Laws of the Council.

**NO DECISIONS RECORDED UNDER DELEGATED AUTHORITY DURING 2018/19**

## 2018/19 Delegated Authority Register

|                          |   |   |
|--------------------------|---|---|
| <b>DELEGATION NUMBER</b> | - | <b>P07</b>  |
| LEGISLATIVE POWER        | - | Local Government Act 1995, s5.42<br><br>Local Planning Scheme No 6<br><br>Local Planning Policy |
| DELEGATION SUBJECT       | - | <b>Illegal Development, Giving Written Direction</b>  |
| DELEGATE                 | - | Chief Executive Officer   |
| SUB DELEGATE             | - | Executive Manager Development Services<br><br>Manager Planning Services                         |

The Chief Executive Officer is delegated authority to exercise the power under s5.42(1) of the Local Government Act 1995, to give an owner or developer a direction requiring them to comply under Section 214 of the Planning & Development Act, with the Local Planning Scheme, Policy or Planning requirement. The Chief Executive Officer should inform the owner if the developer is not the owner.

| P07 - Delegation Use |                                   |   |                                       |
|----------------------|-----------------------------------|---|---------------------------------------|
| Date of Decision     | Person/party impacted by decision | How power / discharge of duty was exercised   | Name of Officer Exercising Delegation |
| 28/05/2018           | AM Keyes                          | Direction Notice under Section 214(2) of Planning And Development Act 2005 relating to Sea Container on property at 23 Tamarillo Court, Bakers Hill | Chadd Hunt - EMDS                     |
| 26/06/2018           | JJ Jacobsen                       | Direction Notice under Section 214(2) of Planning And Development Act 2005 relating to storage of materials at 269 Duke Street, Northam.            | Chadd Hunt - EMDS                     |

## 2018/19 Delegated Authority Register

|                  |             |   |               |      |   |
|------------------|-------------|---|---------------|------|---|
| <b>1/03/2018</b> | TJ McCarthy | Direction Notice under Section 214(2) of Planning And Development Act 2005 relating to storage of materials at 29 Greengage Place, Bakers Hill.                   | Chadd<br>EMDS | Hunt | - |
| <b>4/10/2018</b> | DS Renshaw  | Direction Notice under Section 214(2) of Planning And Development Act 2005 relating to storage of materials at 33 Burn Street, Northam.                           | Chadd<br>EMDS | Hunt | - |
| <b>7/12/2018</b> | A Keyes     | Withdrawal of Direction Notice under Section 214(2) of Planning And Development Act 2005 relating to Sea Container on property at 23 Tamarillo Court, Bakers Hill | Chadd<br>EMDS | Hunt | - |

## 2018/19 Delegated Authority Register

|                          |  |
|--------------------------|--|
| <b>DELEGATION NUMBER</b> | - <b>P08</b>   |
| LEGISLATIVE POWER        | - <i>Local Government Act 1995, s5.42</i><br><i>Local Planning Scheme No 6</i> |
| DELEGATION SUBJECT       | - <b>Amended Plans</b>   |
| DELEGATE                 | - Chief Executive Officer  |
| SUB DELEGATE             | - Executive Manager Development Services<br>Manager Planning Services          |

The Chief Executive Officer is delegated authority to amended plans relating to applications determined by Council, where:

- The amended plan, if submitted as a new application, could have been determined under delegated authority; and/or
- The amended plans do not differ from the determined plans in any respect which generates a need to undertake consultation pursuant to Clause 64 of the Deemed Provisions for Local Planning Schemes and/or Part 4 (Neighbour Consultation) of the R-Codes; and/or
- The amended plans do not differ from the determined plans in respect of the number of residential units or an increase in floorspace of more than 10% or 200m<sup>2</sup> (in terms of floorspace or land area in use, as appropriate) whichever is the lesser.

| <b>P08 - Delegation Use</b> |  |  |  |
|-----------------------------|--|--|--|
| <b>Date of Decision</b>     | <b>Person/party impacted by decision</b> | <b>How power / discharge of duty was exercised</b> | <b>Name of Officer Exercising Delegation</b> |
| <b>12/3/2019</b>            | Wheatbelt Steel                          | Approved Amended Plans                             | Kobus Nieuwoudt                              |

## 2018/19 Delegated Authority Register

|                          |  |
|--------------------------|--|
| <b>DELEGATION NUMBER</b> | - <b>P09</b>   |
| LEGISLATIVE POWER        | - <i>Local Government Act 1995, s5.42</i><br><i>Local Planning Scheme No 6</i> |
| DELEGATION SUBJECT       | - <b>Conditions Related to Consultation</b>                                    |
| DELEGATE                 | - Chief Executive Officer  |
| SUB DELEGATE             | - Executive Manager Development Services<br>Manager Planning Services          |

The Chief Executive Officer is delegated authority to determine applications for development approval that have been advertised for consultation purposes, in accordance with the provisions of Clause 64 of the Deemed Provisions for Local Planning Schemes and/or Part 4 of the R-Codes, if:

- a) No submissions were received, or only supportive submissions that do not request any change to the development were received; or
- b) Submissions that raise concerns with the proposed development were received and those concerns are, in the opinion of the delegated officer, clearly not material planning considerations;
- c) Submissions that raise concerns with the proposed development were received, and those concerns are material planning considerations, but;
  - i) Through liaison with the party or parties that lodged the submissions and/or amendments to the application and/or the application of conditions, the matters raised in the submissions can be resolved to the satisfaction of the delegated officer, the applicant, and the party or parties that lodged the submissions (the delegated officer must also ensure that the interests of fourth parties are protected and undertake further consultation if considered necessary), and
  - ii) Prior to approval of the application, the applicant and/or party or parties who lodged the submissions have provided written (including via fax or email) confirmation of their acceptance of the terms of the proposed delegated decision.

*(Note: Should (a), (b) or (c) above not apply, or the delegated officer feel that the application should be refused, the application shall be reported to Council for consideration).*

**NO DECISIONS RECORDED UNDER DELEGATED AUTHORITY DURING 2018/19**

## 2018/19 Delegated Authority Register

|                          |  |
|--------------------------|--|
| <b>DELEGATION NUMBER</b> | - <b>P10</b>   |
| LEGISLATIVE POWER        | - <i>Local Government Act 1995, s5.42</i>  |
| DELEGATION SUBJECT       | - <b>Recommendations to the WAPC Regarding Applications for Subdivision/Amalgamation or Strata Title</b> |
| DELEGATE                 | - Chief Executive Officer  |
| SUB DELEGATE             | - Executive Manager Development Services<br>Manager Planning Services                                    |

The Chief Executive Officer is delegated authority to make recommendations to the WAPC with regards to applications referred to Council pursuant to Part 10 (Subdivision and development control) of the Planning and Development Act 2005, subject to consistency with the Scheme, relevant Local Planning Policies, and/or WAPC/State Planning Policies, and the exclusions/conditions set out below.

### Exclusions/Conditions

Applications that, were they approved by the WAPC, might result in a net increase of more than 10 lots, a recommendation to the WAPC may only be made under delegated authority if-

- a) The application is consistent with a strategy, local structure plan, local development plan or other plan endorsed by Council, or which forms part of the Scheme and/or a Local Planning Policy; and/or
- b) The application is for amended plans for an application that has been considered by Council within the last two years and the amendments are, in the opinion of the delegated officer, of a minor nature.

| <b>P10 - Delegation Use</b> |  |  |  |
|-----------------------------|--|--|--|
| <b>Date of Decision</b>     | <b>Person/party impacted by decision</b> | <b>How power / discharge of duty was exercised</b> | <b>Name of Officer Exercising Delegation</b> |
| <b>8/04/2019</b>            | Aver Equipment Pty Ltd                   | Subdivision Referral                               | Jacky Jurmann - Manager Planning Services    |

## 2018/19 Delegated Authority Register

|                          |  |
|--------------------------|--|
| <b>DELEGATION NUMBER</b> | - <b>P11</b>   |
| LEGISLATIVE POWER        | - <i>Local Government Act 1995, s5.42</i><br><br><i>Deemed Provisions for Local Planning Schemes (Cl. 82)</i>                |
| DELEGATION SUBJECT       | - <b>Clearance of Conditions of Development Approval, or Conditions of Subdivision/Amalgamation or Strata Title Approval</b> |
| DELEGATE                 | - Chief Executive Officer  |
| SUB DELEGATE             | - Executive Manager Development Services<br><br>Manager Planning Services  |

The Chief Executive Officer is delegated authority to advise the Western Australian Planning Commission with regards to clearance of conditions of development approval, clearance of conditions set pursuant to Part 10 (Subdivision and development control) of the Planning and Development Act 2005 and for which Council is nominated as a clearance agency, subject to consistency with the Scheme, Local Planning Policies, and the exclusions/conditions set out below.

Exclusions/Conditions  
Nil.

| P11 - Delegation Use                        |   |   |   |
|---|---|---|---|
| Date of Decision                            | Person/party impacted by decision       | How power / discharge of duty was exercised | Name of Officer Exercising Delegation     |
| 07/03/2019                                  | Civil Technology                        | Cleared                                     | Kobus Nieuwoudt                           |
| 26/03/2019                                  | Charles (Bush) Parker                   | Cleared                                     | Kobus Nieuwoudt                           |
| <a href="#">Click here to enter a date.</a> | <a href="#">C &amp; M Chipper</a>       | Subdivision Clearance                       | Chadd Hunt - EMDS                         |
| <a href="#">Click here to enter a date.</a> | <a href="#">Westco Holdings Pty Ltd</a> | Subdivision Clearance                       | Jacky Jurmann - Manager Planning Services |
| <a href="#">Click here to enter a date.</a> | <a href="#">C &amp; M Chipper</a>       | Subdivision Clearance                       | Chadd Hunt - EMDS                         |

## 2018/19 Delegated Authority Register



|                          |   |
|--------------------------|---|
| <b>DELEGATION NUMBER</b> | - <b>P12</b>  |
| LEGISLATIVE POWER        | - <i>Local Government Act 1995, s5.42</i>   |
| DELEGATION SUBJECT       | - <b>Advice to the Department for Lands Regarding Matters Associated with the <i>Land Administration Act 1997</i></b> |
| DELEGATE                 | - Chief Executive Officer   |
| SUB DELEGATE             | - Executive Manager Development Services<br>Manager Planning Services   |

The Chief Executive Officer is delegated authority to advise the Department of Lands with respect to proposed changes of tenure, changed/new management orders, and/or granting or renewing of leases and/or licences relating to Crown Land.

Exclusions/Conditions

Nil.

**NO DECISIONS RECORDED UNDER DELEGATED AUTHORITY DURING 2018/19**



## 2018/19 Delegated Authority Register



|                          |   |
|--------------------------|---|
| <b>DELEGATION NUMBER</b> | - <b>P13</b>  |
| LEGISLATIVE POWER        | - <i>Local Government Act 1995, s5.42</i>                             |
| DELEGATION SUBJECT       | - <b>Advising other Regulatory Authorities</b>                        |
| DELEGATE                 | - Chief Executive Officer   |
| SUB DELEGATE             | - Executive Manager Development Services<br>Manager Planning Services |

The Chief Executive Officer is delegated authority to advise other regulatory authorities (other than the Western Australian Planning Commission with respect to applications for subdivision) with respect to matters where planning-related advice is required subject to consistency with existing planning or other local government approvals, as appropriate, and the Scheme, relevant Local Planning Policies and/or WAPC/State Planning Policies, and the exclusions/conditions set out below.

Exclusions/Conditions

Nil.

**NO DECISIONS RECORDED UNDER DELEGATED AUTHORITY DURING 2018/19**

## 2018/19 Delegated Authority Register



|                          |   |
|--------------------------|---|
| <b>DELEGATION NUMBER</b> | - <b>P14</b>  |
| LEGISLATIVE POWER        | - <i>Local Government Act 1995, s5.42</i>                             |
| DELEGATION SUBJECT       | - <b>Appeals, Requests for Reconsideration</b>                        |
| DELEGATE                 | - Chief Executive Officer   |
| SUB DELEGATE             | - Executive Manager Development Services<br>Manager Planning Services |

The Chief Executive Officer is delegated authority to respond to appeals made to the State Administrative Tribunal (including appointment of Counsel), or requests for reconsideration lodged with the WAPC, subject to consistency with any resolution of Council relating to the matter subject of an appeal or request for reconsideration, the Scheme, Local Planning Policies (in the event of any inconsistency between the Scheme, Local Planning Policies and any resolution of Council relating to the matter subject of an appeal or request for reconsideration, then the resolution of Council shall prevail), and the exclusions/conditions set out below.

Exclusions/Conditions

Nil.

**NO DECISIONS RECORDED UNDER DELEGATED AUTHORITY DURING 2018/19**

## 2018/19 Delegated Authority Register



|                          |   |
|--------------------------|---|
| <b>DELEGATION NUMBER</b> | - <b>P15</b>  |
| LEGISLATIVE POWER        | - <i>Local Government Act 1995, s5.42</i>                             |
| DELEGATION SUBJECT       | - <b>Road Names</b>   |
| DELEGATE                 | - Chief Executive Officer   |
| SUB DELEGATE             | - Executive Manager Development Services<br>Manager Planning Services |

The Chief Executive Officer is delegated authority to advise the Geographic Names Committee with respect to the application of names to new or extended roads within the Shire of Northam.

### Exclusions/Conditions

1. With respect to new roads, the delegated officer may only advise the Geographic Names Committee to apply names previously endorsed by Council for inclusion on the Shire's Reserved List of Road Names.
2. With respect to new roads, within areas affected by Native Title, the delegated officer may only advise the Geographic Names Committee to apply aboriginal names previously endorsed by Council for inclusion on the Shire's Reserved List of Road Names.
3. A register of names endorsed by Council for inclusion on the Shire's Reserved List of Road Names shall be maintained.

**NO DECISIONS RECORDED UNDER DELEGATED AUTHORITY DURING 2018/19**

## 2018/19 Delegated Authority Register



|                          |   |
|--------------------------|---|
| <b>DELEGATION NUMBER</b> | - <b>P16</b>  |
| LEGISLATIVE POWER        | - <i>Planning and Development Act 2005</i><br><i>Gazetted Local Planning Schemes</i><br><i>Local Government (Miscellaneous Provisions) Act 1960</i> |
| DELEGATION SUBJECT       | - <b>Authorised Officers – Planning Infringements</b>   |
| DELEGATE                 | - Chief Executive Officer   |
| SUB DELEGATE             | - Executive Manager Development Services  |

The Chief Executive Officer is delegated authority under Section 234 of the Planning and Development Act 20015 to appoint authorised persons under Sections 228-231 of the Act to issue Planning Infringement Notices.

**NO DECISIONS RECORDED UNDER DELEGATED AUTHORITY DURING 2018/19**

## Properties

|                          |  |
|--------------------------|--|
| <b>DELEGATION NUMBER</b> | - <b>PR01</b>  |
| LEGISLATIVE POWER        | - <i>Local Government Act 1995, s3.24</i>  |
| DELEGATION SUBJECT       | - <b>Notice Requiring Certain Things to be done by the Owner or Occupier of Land</b> |
| DELEGATE                 | - Chief Executive Officer  |
| SUB DELEGATE             | - Executive Manager Development Services<br>Executive Manager Engineering Services   |

The Chief Executive Officer is delegated authority to exercise the power under s3.25 (1) of the Local Government Act 1995, to give an owner or occupier a notice requiring them to do something to the land if it is specified in Schedule 3.1 of the Act. The Chief Executive Officer must inform the owner if the occupier is not the owner.

| PR01 - Delegation Use |                                   |  |                                       |
|-----------------------|-----------------------------------|--|---------------------------------------|
| Date of Decision      | Person/party impacted by decision | How power / discharge of duty was exercised  | Name of Officer Exercising Delegation |
| <b>26/06/2018</b>     | JJ Jacobsen                       | Notice under s3.25 of the LG Act 1995 relating to the untidy premises at 269 Duke Street, Northam        | Chadd Hunt - EMDS                     |
| <b>23/11/2018</b>     | TJ McCarthy                       | Notice under s3.25 of the LG Act 1995 relating to the untidy premises at 29 Greengage Place, Bakers Hill | Chadd Hunt - EMDS                     |

## 2018/19 Delegated Authority Register



|                          |  |
|--------------------------|--|
| <b>DELEGATION NUMBER</b> | - <b>PR02</b>  |
| LEGISLATIVE POWER        | - <i>Liquor Licensing Act 1988</i>   |
| DELEGATION SUBJECT       | - <b>Authority to Issue s39 &amp; s40 Certificates Liquor Licensing Act 1988</b> |
| DELEGATE                 | - Chief Executive Officer  |
| SUB DELEGATE             | - Executive Manager Development Services   |

The Chief Executive Officer is delegated authority to issue s39 and s40 Certificates under the Liquor Licensing Act 1988.

**NO DECISIONS RECORDED UNDER DELEGATED AUTHORITY DURING 2018/19**

## Ranger

- DELEGATION NUMBER** - **R01**
- LEGISLATIVE POWER** - *Shire of Northam Keeping and Control of Cats Local Law 2008, Shire of Northam Dogs Local Law 2008*
- DELEGATION SUBJECT** - **Approval to keep more than the prescribed number of cats and dogs permitted by relevant local laws**
- DELEGATE** - Chief Executive Officer
- SUB DELEGATE** - Executive Manager Development Services

The Chief Executive Officer is delegated authority under the provisions of the relevant local law to approve more than the prescribed number of dogs or cats provided the application has been advertised in accordance with Council Policy and that no adverse comments have been received.

| R01 - Delegation Use |                                   |  |                                       |
|----------------------|-----------------------------------|--|---------------------------------------|
| Date of Decision     | Person/party impacted by decision | How power / discharge of duty was exercised                  | Name of Officer Exercising Delegation |
| <b>27/09/2018</b>    | Rosa Jessie Stevens               | 4 cat permit approved for unit 2/36 Stirling Street, Northam | Chadd Hunt - EMDS                     |
| <b>18/04/2019</b>    | Laura Patterson                   | 3 cat permit refused for 8 Kings Street, Northam             | Chadd Hunt - EMDS                     |

## 2018/19 Delegated Authority Register



|                          |  |
|--------------------------|--|
| <b>DELEGATION NUMBER</b> | - <b>R02</b>   |
| LEGISLATIVE POWER        | - Section 3.47A(1) Local Government Act 1995           |
| DELEGATION SUBJECT       | - <b>Disposal of Sick or Injured Impounded Animals</b> |
| DELEGATE                 | - Chief Executive Officer                              |
| SUB DELEGATE             | - Executive Manager Development Services               |

The Chief Executive Officer is delegated authority to destroy an animal and dispose of the carcass if an impounded animal is ill or injured to such an extent that treating it is not practicable, in accordance with section 3.47A of the Local Government Act 1995.

**NO DECISIONS RECORDED UNDER DELEGATED AUTHORITY DURING 2018/19**



## Other

|                          |   |   |
|--------------------------|---|---|
| <b>DELEGATION NUMBER</b> | - | <b>O01</b>                                |
| LEGISLATIVE POWER        | - | <i>Bush Fires Act 1954, s33 &amp; s48</i> |
| DELEGATION SUBJECT       | - | <b>Firebreak Order - Variation</b>        |
| DELEGATE                 | - | Chief Executive Officer                   |
| SUB DELEGATE             | - | Nil.                                      |

The Chief Executive Officer, in accordance with s48(1) of the *Bush Fires Act 1954*, is delegated authority to approve or refuse applications to provide firebreaks in alternative positions and to approve or refuse applications to provide alternative fire protection measures on land in consultation with the Chief Bush Fire Control Officer.

**s48(3) of the Bush Fires Act 1954 precludes sub delegation from the CEO to others.**

| O01 - Delegation Use |   |  |                                       |
|----------------------|---|--|---------------------------------------|
| Date of Decision     | Person/party impacted by decision                                       | How power / discharge of duty was exercised  | Name of Officer Exercising Delegation |
| <b>1/02/2019</b>     | Property Owner<br>Lot 285 Jose Road Bakers Hill – Brian & Joyce Daniels | Firebreak required to be outside the minimum 10m from boundary due to permanent drainage infrastructure. | Jason Whiteaker - CEO                 |
| <b>1/02/2019</b>     | Property Owners<br>Lot 286 Jose Road Bakers Hill – Kenneth Cameron      | Firebreak required to be outside the minimum 10m from boundary due to permanent drainage infrastructure. | Jason Whiteaker - CEO                 |

## 2018/19 Delegated Authority Register

|                          |   |  |                  |
|--------------------------|---|--|------------------|
| <b>DELEGATION NUMBER</b> | - | <b>O02</b>   |                  |
| LEGISLATIVE POWER        | - | Bush Fires Act 1954, s17(10) & s18                 |                  |
| DELEGATION SUBJECT       | - | <b>Burning, Prohibited (Variations)</b>            |                  |
| DELEGATE                 | - | Shire President<br>Chief Bush Fire Control Officer | } <b>Jointly</b> |
| SUB DELEGATE             | - | Nil.   |                  |

That pursuant to s17(10), the Shire President and the Chief Bush Fire Control Officer be delegated **jointly** the Council's powers and duties under the Bush Fires Act 1954, to vary the prohibited burning times and restricted burning times s17(7), and give notice of such s17.8, provided that the Officer in Charge of the Department of Environment and Conservation (DEC) is consulted with before the authority under this delegation is exercised in accordance with the provisions of s18 of the Bush Fires Act 1954.

**NO DECISIONS RECORDED UNDER DELEGATED AUTHORITY DURING 2018/19**

## 2018/19 Delegated Authority Register



|                          |  |
|--------------------------|--|
| <b>DELEGATION NUMBER</b> | - <b>O03</b>                             |
| LEGISLATIVE POWER        | - <i>Bush Fires Act 1954, s59(3)</i>     |
| DELEGATION SUBJECT       | - <b>Offences - Bush Fires Act</b>       |
| DELEGATE                 | - Chief Executive Officer                |
| SUB DELEGATE             | - Executive Manager Development Services |

In accordance with s59(3) of the *Bush Fires Act 1954*, the Chief Executive Officer is delegated authority generally to consider allegations of offences alleged to have been committed against the Bush Fires Act within the district and to institute and carry out proceedings in the name of the Shire against any person alleged to have committed any of those offences. This delegation extends to the issue of infringement notices by authorised Fire Control Officers in accordance with the provisions of s59A of the Act.

**NO DECISIONS RECORDED UNDER DELEGATED AUTHORITY DURING 2018/19**

## 2018/19 Delegated Authority Register

|                          |  |
|--------------------------|--|
| <b>DELEGATION NUMBER</b> | - <b>O04</b>   |
| LEGISLATIVE POWER        | - <i>Local Government Act 1995, s9.10</i>  |
| DELEGATION SUBJECT       | - <b>Issuing of Licences, Approvals &amp; Permits – Local Laws</b>   |
| DELEGATE                 | - Chief Executive Officer  |
| SUB DELEGATE             | - Executive Manager Corporate Services<br>Executive Manager Development Services<br>Executive Manager Community Services<br>Executive Manager Engineering Services |

The Chief Executive Officer is delegated authority to determine applications for the issue and or renewal of licenses and permits that are provided for in Council local laws.

**REFER TO SEPARATE USAGE REGISTER FOR RELEVANT LOCAL LAW**

## 2018/19 Delegated Authority Register

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|                          |   |
|--------------------------|---|
| <b>DELEGATION NUMBER</b> | - <b>O05</b>  |
| LEGISLATIVE POWER        | - <i>Local Government Act 1995, Schedule 9.1</i>              |
| DELEGATION SUBJECT       | - <b>Authority to Approve Requests for Short Term Parking</b> |
| DELEGATE                 | - Chief Executive Officer                                     |

The Chief Executive Officer is delegated authority to approve requests for short term parking bays on town Streets within the Shire.

**NO DECISIONS RECORDED UNDER DELEGATED AUTHORITY DURING 2018/19**

# SECTION B

## DELEGATIONS FROM COUNCIL TO COMMITTEES

There are NO delegated responsibilities from Council to any of its Committees.

# SECTION C

## DELEGATIONS FROM CHIEF EXECUTIVE OFFICER TO OTHER EMPLOYEES

The following Delegations have been made by the Chief Executive Officer to:

## **EXECUTIVE MANAGER CORPORATE SERVICES:**

- B07** Recover charges imposed for Private Swimming Pool inspections
- F01** Creditors, Payment of
- F03** Recovery of unpaid Debtors
- O04** Issuing of Licences, Approvals & Permits – Local Laws

## **EXECUTIVE MANAGER DEVELOPMENT SERVICES**

- A02** Power to Remove and Impound Goods
- A04** Approval of Camping Other than at a Caravan Park or Camping Ground
- A07** Shire of Northam Local Laws Administration
- A08** Perform the functions of the "local government" pursuant to the Caravan Parks and Camping Grounds Act 1995
- B01** Buildings – Grant or Refusal of Building Permits
- B02** Buildings – Grant or Refusal of Demolition Permits
- B03** Buildings – Further Grounds for Not Granting an Application
- B04** Buildings – Grant of Occupancy Permit, Building Approval Certificate
- B05** Buildings – Building Orders
- B08** Issue Permit to Deposit Material on or Excavate on or Adjacent Street
- B09** Buildings – Extending the period of duration of an Occupancy permit or a Building Approval Certificate
- B10** Buildings – Revoke Building Orders
- E01** Temporary Closure of Thoroughfares to Vehicles
- E02** Events on Roads
- F01** Creditors, Payment of
- H01** Public Health Act 2016 and the Health (Miscellaneous Provisions) Act 1911 – Power or duty of the local government (enforcement agency) under any provision of these Acts
- H02** Food Act 2008 – Functions of enforcement agency
- P01** Instruct Legal Action
- P02** Development Applications - Advertising



|             |   |
|-------------|---|
| <b>P03</b>  | Planning Determinations   |
| <b>P04</b>  | Strata Titles – Certificates of Local Government  |
| <b>P05</b>  | Consent to the lease of Common Property   |
| <b>P06</b>  | Advertising Signs   |
| <b>P07</b>  | Illegal Development, Giving Written Direction   |
| <b>P08</b>  | Amended Plans   |
| <b>P09</b>  | Conditions Related to Consultation  |
| <b>P10</b>  | Recommendations to the WAPC Regarding Applications for Subdivision/Amalgamation or Strata Title                     |
| <b>P11</b>  | Clearance of Conditions of Development Approval, or Conditions of Subdivision/Amalgamation or Strata Title Approval |
| <b>P12</b>  | Advice to the Department for Lands Regarding Matters Associated with the Land Administration Act 1997               |
| <b>P13</b>  | Advising other Regulatory Authorities   |
| <b>P14</b>  | Appeals, Requests for Reconsideration   |
| <b>P15</b>  | Road Names  |
| <b>P16</b>  | Authorised Officers – Planning Infringements  |
| <b>PR01</b> | Notice Requiring Certain Things to be Done by the Owner or Occupier of Land   |
| <b>PR02</b> | Authority to Issue Section 39 & 40 Certificates Liquor Licensing Act 1988   |
| <b>R01</b>  | Approval to keep more than the prescribed number of cats and dogs permitted by relevant local laws                  |
| <b>R02</b>  | Disposal of Sick or Injured Impounded Animals   |
| <b>O03</b>  | Offences – Bush Fires Act   |
| <b>O04</b>  | Issuing of Licences, Approvals & Permits – Local Laws   |

## **EXECUTIVE MANAGER ENGINEERING SERVICES**

|            |  |
|------------|--|
| <b>A02</b> | Power to Remove and Impound Goods                                |
| <b>A07</b> | Shire of Northam Local Laws Administration                       |
| <b>B08</b> | Issue Permit to Deposit Material on or Excavate on or            |
| <b>E01</b> | Temporary Closure of Thoroughfares to Vehicles                   |
| <b>E02</b> | Events on Roads  |
| <b>E03</b> | Gates Across Public Thoroughfare                                 |
| <b>E04</b> | Crossovers   |
| <b>E05</b> | Public Thoroughfares – Fixing or Altering Levels, or Alignments, |

- or Drainage onto Adjoining Land
- E06** Public Thoroughfares – Public Access & Plans s3.52 (within designated Townsites)
- F01** Creditors, Payment of
- PR01** Notice Requiring Certain Things to be Done by the Owner or Occupier of Land
- O04** Issuing of Licences, Approvals & Permits – Local Laws

## EXECUTIVE MANAGER COMMUNITY SERVICES

- F01** Creditors, Payment of
- O04** Issuing of Licences, Approvals & Permits – Local Laws

## MANAGER PLANNING SERVICES

- A07** Shire of Northam Local Laws Administration
- P02** Development Applications - Advertising
- P03** Planning Determinations
- P04** Strata Titles – Certificates of Local Government
- P05** Consent to the lease of Common Property
- P06** Advertising Signs
- P07** Illegal Development, Giving Written Direction
- P08** Amended Plans
- P09** Conditions Related to Consultation
- P10** Recommendations to the WAPC Regarding Applications for Subdivision/Amalgamation or Strata Title
- P11** Clearance of Conditions of Development Approval, or Conditions of Subdivision/Amalgamation or Strata Title Approval
- P12** Advice to the Department for Lands Regarding Matters Associated with the Land Administration Act 1997
- P13** Advising other Regulatory Authorities
- P14** Appeals, Requests for Reconsideration
- P15** Road Names

## MANAGER HEALTH AND ENVIRONMENT

- A04** Approval of Camping Other than at a Caravan Park or

- Camping Ground
- A07** Shire of Northam Local Laws Administration
  - A08** Perform the functions of the “local government” pursuant to the Caravan Parks and Camping Grounds Act 1995
  - H01** Public Health Act 2016 and the Health (Miscellaneous Provisions) Act 1911 – Power or duty of the local government (enforcement agency) under any provision of these Acts
  - H02** Food Act 2008 – Functions of enforcement agency

## **ENVIRONMENTAL HEALTH OFFICER/S**

- A07** Shire of Northam Local Laws Administration
- A08** Perform the functions of the “local government” pursuant to the Caravan Parks and Camping Grounds Act 1995
- H01** Public Health Act 2016 and the Health (Miscellaneous Provisions) Act 1911 – Power or duty of the local government (enforcement agency) under any provision of these Acts
- H02** Food Act 2008 – Functions of enforcement agency

## **SENIOR BUILDING SURVEYOR**

- A07** Shire of Northam Local Laws Administration
- B01** Buildings – Grant or Refusal of Building Permits
- B02** Buildings – Grant or Refusal of Demolition Permits
- B03** Buildings – Further Grounds for Not Granting an Application
- B04** Buildings - Grant of Occupancy Permit, Building Approval Certificate
- B08** Issue Permit to Deposit Material on or Excavate on or Adjacent Street
- B09** Buildings – Extending the period of duration of an Occupancy permit or a Building Approval Certificate
- B10** Buildings – Revoke Building Orders

## **COMPLIANCE OFFICER**

- A07** Shire of Northam Local Laws Administration
- A08** Perform the functions of the “local government” pursuant to the Caravan Parks and Camping Grounds Act 1995



**RANGER/S**

**A07** Shire of Northam Local Laws Administration

**SHIRE PRESIDENT**  
**CHIEF BUSH FIRE CONTROL OFFICER** } **Jointly**

**O02** Burning, Prohibited (Variations)