



# Delegations Register

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## EXPLANATION NOTES

### 1. 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 his 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, and which the Chief Executive Officer has further delegated to respective staff.

The manual details the related document(s) where the power to delegate is derived from, which includes legislation and policies of the Council. This enables easier crossreferencing.

### 2. LIMITS ON DELEGATIONS TO THE CEO - SECTION 5.43

The following are decisions that cannot be delegated to the Chief Executive Officer:

- any power or duty that requires a decision of an absolute majority or 75% majority of the local government;
- accepting a tender which exceeds an amount determined by the local government;
- appointing an auditor;
- acquiring or disposing of any property valued at an amount determined by the local government;
- any of the local government's powers under Sections 5.98, 5.99 and 5.100 of the Act;
- borrowing money on behalf of the local government;
- hearing or determining an objection of a kind referred to in Section 9.5;
- any power or duty that requires the approval of the Minister or Governor; or
- such other duties or powers that may be prescribed by the Act.

### 3. 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.

All Employees with delegated authority will keep a record of each occasion the persons exercises their delegated authority is recorded. The onus is on the person exercising delegated authority to ensure that a record is made.

### 4. 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 Senior Manager for the period of absence.

**LEGISLATIVE  
DELEGATIONS  
EXECUTIVE OFFICE**

<b>Delegation EO-D001 Authorised Officers</b>	
<b>Power/Duty Delegated:</b>	<p><b>Local Government Act 1995</b> s3.24 Authorising Officers under Part 3, Division 3, Subdivision 2 - (certain provisions about land) s9.10 Appointment of authorised officers</p> <p><b>Food Act 2008</b> s122 Appointment of authorised officers</p> <p><b>Dog Act 1976</b> s11 Staff and services</p> <p><b>Caravan Parks and Camping Ground Regulations 1997</b> s6 Local Government</p> <p><b>Cat Act 2011</b> s48 Authorised persons</p> <p><b>Control of Vehicles (Off-Road Areas) Act 1978</b> s38(3) Appointment of authorised officers</p> <p><b>Freedom of Information Act 1992</b></p> <p><b>Residential Tenancy Act 1997 – part IV</b></p> <p><b>Building Act 2011 – s.96</b></p> <p><b>Liquor Control Act 1988 – s.37 and s.61</b></p> <p><b>Public Health Act 2016 – s.16, s.17, s.18</b></p> <p><b>Bushfires Act 1954 – s.33</b></p> <p><b>Emergency Management Act 2005 – Part 3</b></p>
<b>Description of Power Delegated:</b>	Authority to appoint persons or classes of persons as authorised officers for the purpose of fulfilling prescribed functions within the relevant legislation.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Nil
<b>Conditions:</b>	Must act in accordance with Shire of Beverley Local Laws. Authorised Officers for the <i>Food Act 2008</i> must hold office as an environmental health officer under the <i>Health Act 1911</i> . Details of authorisations issued are to be recorded.
<b>Record Keeping Requirements:</b>	Appoint authorised officers in writing and issue certificates of authorisation and shall produce such certificate on being required so to do by a person in respect of whom they exercise, have exercised, or are about to exercise any such power.
<b>Compliance/Reference Link:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19

<b>Delegation EO-D002 Prosecutions</b>	
<b>Power/Duty Delegated:</b>	<b>Local Government Act 1995 Dog Act 1976 Cat Act 2011 Bush Fires Act 1954 s59(3) Prosecution of Offences</b>
<b>Description of Power Delegated:</b>	Authority to approve the prosecution of any person and to act as a prosecution officer when the Shire approves the prosecution of any that is considered to be liable for committing an offence under the provisions of the <i>Dog Act 1976</i> , <i>Cat Act 2011</i> , <i>Bush Fires Act 1954</i> , <i>Local Government Act 1995</i> and Shire of Beverley Local Laws.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	WA Contract Ranger Services (except the Bush Fires Act 1954)
<b>Conditions:</b>	Prosecution to be approved by the Shire of Beverley
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Shire of Beverley Local Laws

<b>Delegation EO-D003 Public Interests Disclosures</b>	
<b>Power/Duty Delegated:</b>	<b>Public Interest Disclosure Act 2003</b>
<b>Description of Power Delegated:</b>	To be the designated officer of the Shire to receive public interest disclosures.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Deputy Chief Executive Officer
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Policy AF004

<b>Delegation EO-D004 CCTV Management</b>	
<b>Power/Duty Delegated:</b>	<b>Surveillance Devices Act 1998</b>
<b>Description of Power Delegated:</b>	Authority to monitor and access CCTV data as well as considering and responding to any enquiries or complaints regarding CCTV.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Deputy Chief Executive Officer Manager of Planning and Development Services Redfish Technologies
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19 Reported monthly through the Information Bulletin
<b>Compliance/Reference Link:</b>	Policy A008

<b>Delegation EO-D005 Eligibility Claim's Processing - Shire's Electoral Roll</b>	
<b>Power/Duty Delegated:</b>	<b>Local Government Act 1995</b> <b>s4.31 (1B) Property divided by boundaries</b> <b>s4.32 How to claim eligibility to enrol under s4.30</b> <b>s4.34 Accuracy of enrolment details to be maintained</b> <b>s4.35 decision that eligibility to enrol under s4.30 has ended</b>
<b>Description of Power Delegated:</b>	Assessment of enrolment eligibility of non-resident owners and occupiers.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Nil
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	s4.32(6)- record of the decision to be kept in a register Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Information about the electors that is recorded from enrolment eligibility claims is to be maintained in an up to date and accurate form. (s4.34)

<b>Delegation EO-D006 Powers of Entry</b>	
<b>Power/Duty Delegated:</b>	<b>Local Government Act 1995</b> <b>Part 3, Division 3, Subdivision 3 - Powers of Entry</b>
<b>Description of Power Delegated:</b>	Authority to: 1. enter on to land to perform any function of the local government under the Act. - s3.28 2. give notice of entry. - s3.32 3. seek and execute an entry under warrant. - s 3.33 4. execute entry in an emergency. - s3.34 5. give notice and effect entry by opening a fence. - s3.36
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Environmental Health Officer Building Surveyor Manager of Planning and Development Services
<b>Conditions:</b>	Section 3.13 - General procedure for entering property.
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Local Government Act 1995 Part 3, Division 3, Subdivision 3 and specifically: Section 3.13 - General procedure for entering property.

<b>Delegation EO-D007 Pounds/Cat Management Facilities and Pound/Cat Management Facilities Keepers</b>	
<b>Power/Duty Delegated:</b>	<b>Local Government (Miscellaneous Provisions) Act 1960</b> <b>s449. Local government may establish pounds, appoint pound keepers and rangers</b> <b>Dog Act 1976, s11 Staff and services</b> <b>Cat Act 2011, s29 Cat Management Facility</b>
<b>Description of Power Delegated:</b>	Appointment of Pound/Cat Management Facility Keepers and establishment of Pounds/Cat Management Facilities.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Manager of Works Deputy Chief Executive Officer
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Local Government Act Section 5.46(3)

<b>Delegation EO-D008 Execution of Documents</b>	
<b>Power/Duty Delegated:</b>	<b>Local Government Act 1995 Part 9, Division 3 - Documents s9.49A(4) Authority to sign documents on behalf of the local government.</b>
<b>Description of Power Delegated:</b>	Authority to sign any document that is necessary or appropriate to be signed in carrying out the Chief Executive Officer's functions under the Local Government Act 1995
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Nil
<b>Conditions:</b>	Section 3.13 - General procedure for entering property.
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Local Government Act 1995

<b>Delegation EO-D009 Evidence</b>	
<b>Power/Duty Delegated:</b>	<b>Local Government Act 1995 Part 9, Division 2, Sub-division 4 - Evidence in legal Proceedings s9.41(3) Authority to sign a certificate confirming whether anything is within district, belongs to or is vested in, or is under the care, control and management of a Local Government.</b>
<b>Description of Power Delegated:</b>	Authority to sign a certificate confirming whether anything: <ul style="list-style-type: none"> <li>a) is within a local government's district;</li> <li>b) belongs to a local government;</li> <li>c) is vested in, or is under the care, control, or management of, a local government.</li> </ul>
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Deputy Chief Executive Officer
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Nil

<b>Delegation EO-D010 Use of the Common Seal</b>	
<b>Power/Duty Delegated:</b>	<b>Local Government Act 1995 Part 9, Division 3 - Documents s9.49A(3) Authority to affix the Common Seal</b>
<b>Description of Power Delegated:</b>	Authority to affix the Common Seal to any document that is necessary or appropriate in the presence of the Shire President or Deputy Shire President under the Local Government Act 1995
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Nil
<b>Conditions:</b>	Use of the Common Seal must be reported to Council through the Council Agenda
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Local Government Act 1995



## RANGER SERVICES

<b>Delegation RG-D001 Infringement Notices - Withdrawal</b>	
<b>Power/Duty Delegated:</b>	<b>Local Government Act 1995 s9.20 - Withdrawal of Notice</b>
<b>Description of Power Delegated:</b>	Authority to withdraw infringement notices subject to review or written request by complainant.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	WA Contract Ranger Services
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Local Government Act Section 5.46(3)

<b>Delegation RG-D002 Infringement Notices - Legal Action</b>	
<b>Power/Duty Delegated:</b>	<b>Local Government Act 1995 Part 9, Division 2, Subdivision 3 - General Provisions about legal proceedings</b>
<b>Description of Power Delegated:</b>	Authority to take any legal action necessary to recover unpaid infringement notices.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	WA Contract Ranger Services
<b>Conditions:</b>	To be approved by the Chief Executive Officer
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Local Government Act Section 5.46(3)

<b>Delegation RG-D004 Impounding of Goods</b>	
<b>Power/Duty Delegated:</b>	<b>Local Government Act 1995 s3.39 Power to remove and impound</b>
<b>Description of Power Delegated:</b>	Authority to authorise the removal and impounding any goods that are involved in a contravention that can lead to impounding (i.e. the goods present a hazard to public safety; or obstructs the lawful use of any place).
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Deputy Chief Executive Officer Manager of Works WA Contract Ranger Services
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Nil

<b>Delegation RG-D005 Disposal of Impounded Goods</b>	
<b>Power/Duty Delegated:</b>	<b>Local Government Act 1995</b> <b>s3.47 Disposing of confiscated or uncollected goods</b> <b>s3.48 Recovery of Impounding Expenses</b>
<b>Description of Power Delegated:</b>	Authority to : <ol style="list-style-type: none"> <li>1. award tenders for the disposal of impounded goods by public tender where the tendered amounts do not exceed \$1,000 in accordance with section 3.58 of the Local Government Act 1995.</li> <li>2. approve vehicles to be sold by public auction in accordance with section 3.58 of the Local Government Act 1995.</li> <li>3. recover expenses incurred for removing and impounding and in disposing of confiscated or uncollected goods.</li> </ol>
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Deputy Chief Executive Officer, Manager of Works
<b>Conditions:</b>	Tender amount must not exceed \$1,000 Section 3.58 of the Local Government Act 1995.
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Nil

<b>Delegation RG-D009 Firebreak Installation</b>	
<b>Power/Duty Delegated:</b>	<b>Bush Fires Act 1954, s33 Authority may require occupier of land to clear or plough or install a fire-break</b>
<b>Description of Power Delegated:</b>	Authority to give notice in writing to an owner or occupier of land as a measure for preventing the outbreak of a bush fire, to clear a fire-break.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	WA Contract Ranger Services
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	<b>Bush Fires Act 1954</b> <b>s33 Firebreak Notices</b>

<b>Delegation RG-D010 Disposal of Sick or Injured Animals</b>	
<b>Power/Duty Delegated:</b>	<b>Local Government Act 1995 s3.47A(1) Disposing of sick or injured animals</b>
<b>Description of Power Delegated:</b>	Authority to destroy and dispose of an animal that is determined to be too sick or injured to treat.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	WA Contract Ranger Services
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	<b>Cat Act 2011: s34 Dealing with Unidentified and Unclaimed Cats Dog Act 1976 (As amended 2013): s29 power to Seize Dogs Local Government Act 1995: Part 3, Division 3, Subdivision 3 - powers of entry.</b>

<b>Delegation RG-D011 Carcass Disposal</b>	
<b>Power/Duty Delegated:</b>	<b>Shire of Beverley Works</b>
<b>Description of Power Delegated:</b>	Authority to approve the method of disposal of dead animals.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Manager of Works Environmental Health Officer WA Contract Ranger Services
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Nil

**COMMUNITY SERVICES**

<b>Delegation C-D001 Permission to Consume Alcohol and Liquor Licences Approval</b>	
<b>Power/Duty Delegated:</b>	<b>Liquor Control Act 1988</b>
<b>Description of Power Delegated:</b>	Authority to comment on applications for liquor licences to consume liquor on Council property and restricted liquor licence applications.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Nil
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Liquor Licensing Act 1988 / Policy C004

<b>Delegation C-D002 Art Exhibition / Acquisition</b>	
<b>Power/Duty Delegated:</b>	<b>Shire of Beverley Administration</b>
<b>Description of Power Delegated:</b>	To make purchases within the budget allocation by the Council for this purpose and determine the venue for the Art Exhibition.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Beverley Station Arts Committee
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Beverley Station Arts to provide AGM Minutes and Financial Statements

## ACCOUNTING & FINANCE

<b>Delegation AF-D001 Investment of Council Funds</b>	
<b>Power/Duty Delegated:</b>	<b>Local Government Act 1995 s6.14 Power to invest Local Government (Financial Management) Regulations 1996 Regulation 19 Control of procedures for investments.</b>
<b>Description of Power Delegated:</b>	Authority to invest money held in the municipal or trust fund that is not, for the time being, required for any other purpose. Authority to establish and document internal control procedures to be followed by employees to ensure control over investments, enabling identification of the nature and location of all investments and the transactions related to each investment..
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Deputy Chief Executive Officer
<b>Conditions:</b>	Investments must be in accordance with Council Policy AF004
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Policy AF004

<b>Delegation AF-D002 Opening of Tenders</b>	
<b>Power/Duty Delegated:</b>	<b>Local Government Act 1995 s3.57 tenders for providing goods and services Local Government (Functions and General) Regulations 1996 Part 4 Regulation 11 to 24</b>
<b>Description of Power Delegated:</b>	Authority to open Tenders
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Deputy Chief Executive Officer Manager of Works Manager of Planning and Development Services Project Officer Executive Assistant
<b>Conditions:</b>	Tenders to be opened in the presence of either the CEO, D/CEO, MOW, SP, PO or EA along with one other Shire Employee.
<b>Legislative Record Keeping Requirements:</b>	Maintain Tender Register, recording details of decisions under this delegation. Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Policy AF004

<b>Delegation AF-D003 Acceptance of Tenders</b>	
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<b>Power/Duty Delegated:</b>	<b>Local Government Act 1995</b> <b>s3.57 tenders for providing goods and services</b> <b>Local Government (Functions and General) Regulations 1996</b> <b>Part 4 Regulation 11 to 24</b>
<b>Description of Power Delegated:</b>	Authority to determine all annual tenders (operation and supplies) and all other tenders and contracts resulting from tenders up to and including an amount of \$250,000 which have been allocated within the approved expenditure budget and shall have further authority to approve all payment claims for contracts within the limits approved by Council (including variations and extensions) and contracts awarded by a prescribed organisation under the (Functions and General) Regulations 1996.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Deputy Chief Executive Officer Manager of Works Manager of Planning and Development Services
<b>Conditions:</b>	In accordance with Council Approval.
<b>Legislative Record Keeping Requirements:</b>	Maintain Tender Register, recording details of decisions under this delegation. Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Policy AF007

<b>Delegation AF-D004</b> <b>Calling of Tenders</b>	
<b>Power/Duty Delegated:</b>	<b>Local Government Act 1995</b> <b>s3.57 tenders for providing goods and services</b> <b>Local Government (Functions and General) Regulations 1996</b> <b>Part 4 Regulation 11 to 24</b>
<b>Description of Power Delegated:</b>	Authority to publicly invite tenders for purchase of goods and services or seek expressions of interest over \$250,000.00 and make note of the details of the decision for inclusion in the tender register, except in those circumstances where the Council makes the decision to publicly invite tenders or seek expressions of interest in which case the details of Council's decision shall be included in the tender register.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Deputy Chief Executive Officer Manager of Works
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Maintain Tender Register, recording details of decisions under this delegation. Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Policy AF007

<b>Delegation AF-D005 Municipal Fund / Procedures and Payments</b>	
<b>Power/Duty Delegated:</b>	<b>Local Government Act 1995:- s6.7 Municipal Fund Local Government (Financial Management) Regulations 1996:- Regulation 12 Payments from municipal fund or trust fund</b>
<b>Description of Power Delegated:</b>	Authority to make payment from the Municipal Fund
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Deputy Chief Executive Officer
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Retain Cheque Vouchers, including electronic transfer records as evidence of decisions to make payments. Retain computer encryption devices and other controls for effective scrutiny of account payments. Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Policy AF005

<b>Delegation AF-D006 Trust Fund / Procedures and Payments</b>	
<b>Power/Duty Delegated:</b>	<b>Local Government Act 1995:- s6.9(3)Trust Fund Local Government (Financial Management) Regulations 1996:- Regulation 12 Payments from municipal fund or trust fund</b>
<b>Description of Power Delegated:</b>	Authority to make payments from the Trust Fund
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Deputy Chief Executive Officer
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Minute details of Council's resolution to receive the Accounts Paid by Authority and retain Cheque and EFT Vouchers as evidence of decisions to make payments. Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Policy AF005

<b>Delegation AF-D007 Waiver or Write Off - Granting</b>	
<b>Power/Duty Delegated:</b>	<b>Local Government Act 1995:- s6.12(1)(b) waive or grant concessions in relation to any amount of money s6.12(1)(c) write off any amount of money</b>
<b>Description of Power Delegated:</b>	Authorise a waiver for Building Hire to a maximum of \$300.00  Authorise a write off of any bad debts considered irrecoverable to the limit of \$100 per account. Amounts over \$100 to be referred to Council.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Deputy Chief Executive Officer
<b>Conditions:</b>	Any write off more than \$75 to be reported to Council for decision.
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Nil

<b>Delegation AF-D008 Recovery of Unpaid Rates</b>	
<b>Power/Duty Delegated:</b>	<b>Local Government Act 1995:- s6.56(1) Rates or service charges recoverable in court s6.60(2)(3)(4) Local government may require lessee to pay rent s6.64(1)(3) Actions to be taken s6.69(2)(3) Right to pay rates, service charges and costs, and stay proceedings s6.74(1) Power to have land re-vested in the Crown if rates in arrears 3 years Schedule 6.2(1)[1] Provisions relating to lease of land where rates or service charges unpaid [Section 6.65] Schedule 6.3(1)[4] and (4)[1] Provisions relating to sale or transfer of land where rates or service charges unpaid [Section 6.68(3)]</b>
<b>Description of Power Delegated:</b>	Authority to instigate legal proceedings to recover unpaid rates
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Deputy Chief Executive Officer
<b>Conditions:</b>	Legal representation is limited by the <i>Magistrates Court (Civil Proceedings) Act 2004</i> .
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Policy AF006



<b>Delegation AF-D009 Bank Accounts</b>	
<b>Power/Duty Delegated:</b>	<b>Local Government Act 1995:- s6.6 Funds to be established Local Government (Financial Management) Regulations 1996:- Regulation 8 Bank accounts</b>
<b>Description of Power Delegated:</b>	Authority to open and maintain bank accounts
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Deputy Chief Executive Officer
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Record details of accounts opened and maintained. Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 - Regulation 19 Regulation 19
<b>Compliance/Reference Link:</b>	Policy AF005

<b>Delegation AF-D010 Corporate Credit Cards</b>	
<b>Power/Duty Delegated:</b>	N/A (there is no provision in the Local Government Act 1995)
<b>Description of Power Delegated:</b>	Authority to make purchases on a Shire of Beverley Corporate Credit Card if there is a demonstrated need and advantage to the Shire.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Avondale Museum Co-ordinator, Deputy Chief Executive Officer & Manager of Works
<b>Conditions:</b>	Each user must sign and abide by Corporate Credit Agreement
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Policy AF003

## WORKS

<b>Delegation WK-D001 Plant and Equipment Disposal</b>	
<b>Power/Duty Delegated:</b>	<b>Local Government Act 1995 s3.58 Disposing of Property Local Government (Functions and General) Regulations 1996 Regulation 30(3) Dispositions of property to which section 3.58 does not apply</b>
<b>Description of Power Delegated:</b>	Authority to dispose of local government property (other than land) by public notice and tender.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Deputy Chief Executive Officer Manager of Works
<b>Conditions:</b>	Disposal to be in accordance with Council approval, and by way of tender.
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	<b>Local Government Act 1995 s3.58 Disposing of Property</b>

<b>Delegation WK-D002 Temporary and Partial Closure of Roads</b>	
<b>Power/Duty Delegated:</b>	<b>Local Government Act 1995 s3.50(1),(1)(a),(4),(6) Closing certain thoroughfares to vehicles s3.50A Partial closure of thoroughfares for repairs or maintenance</b>
<b>Description of Power Delegated:</b>	Authority to undertake a temporary/partial closure of roads
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Deputy Chief Executive Officer Manager of Works Manager of Planning and Development Services
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Decisions to undertake a closure must be recorded. Advice to owners / occupiers is to be recorded. Agreements for maintenance of private structures in public thoroughfares / places are to be recorded. Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Nil

<b>Delegation WK-D003 Reserves under the Control of Local Government</b>	
<b>Power/Duty Delegated:</b>	<b>Local Government Act 1995 s3.54(1) Reserves under the control of a local government</b>
<b>Description of Power Delegated:</b>	Authority to do anything for the purposes of controlling the management of land that is vested in or under the management of the Shire.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Deputy Chief Executive Officer Manager of Works Manager of Planning and Development Services Community Emergency Services Manager
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Nil

<b>Delegation WK-D004 Restricted Access Vehicle Network</b>	
<b>Power/Duty Delegated:</b>	<b>Road Traffic (Vehicles) Act 2012</b>
<b>Description of Power Delegated:</b>	Authority and power to issue letters of approval to RAV Operators specifying roads and conditions that apply within the Shire boundary.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Manager of Works
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Nil

<b>Delegation WK-D005 Litter Bins – Placement and Allocation</b>	
<b>Power/Duty Delegated:</b>	<b>Shire of Beverley Works</b>
<b>Description of Power Delegated:</b>	Authority to determine the location and approve the placement of litter bins for public areas.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Manager of Works, Manager of Planning & Development Services
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Nil

<b>Delegation WK-D006 Discarded Syringe Management</b>	
<b>Power/Duty Delegated:</b>	<b>Shire of Beverley Works</b>
<b>Description of Power Delegated:</b>	Authority to provide syringe disposal containers to: <ul style="list-style-type: none"> <li>• Council operational vehicles;</li> <li>• Council workplaces;</li> <li>• Public Areas</li> </ul>
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Manager of Works
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Nil

<b>Delegation WK-D007 Approve Private Works</b>	
<b>Power/Duty Delegated:</b>	<b>Shire of Beverley Works</b>
<b>Description of Power Delegated:</b>	Approve private works.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Manager of Works
<b>Conditions:</b>	Private Works Application form must be completed prior to approval.
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Nil

## ENVIRONMENTAL HEALTH

<b>Delegation EH-D001 Fundraising Food Stalls</b>	
<b>Power/Duty Delegated:</b>	<b>Food Act 2008 s118(2)(b) Authorised Officer</b>
<b>Description of Power Delegated:</b>	Authority to approve food stalls where the proponent is a community or charitable organisation and if food is either, cooked and presented for immediate consumption or low risk. Authority to inspect premises and take action under the Food Act 2008.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Environmental Health Officer
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Shire of Beverley Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law

<b>Delegation EH-D002 Temporary Accommodation – Caravans</b>	
<b>Power/Duty Delegated:</b>	<b>Caravan Parks and Camping Ground Regulations 1997 Authorised Officer</b>
<b>Description of Power Delegated:</b>	Authority to approve short-term use of an on-site caravan (up to three (3) months) and take action for any breaches under the Regulations.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Nil
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Policy C010

<b>Delegation EH-D003 Serving of Health Orders</b>	
<b>Power/Duty Delegated:</b>	<b>Health Act 1911 (Administrative Provisions)</b>
<b>Description of Power Delegated:</b>	Authority to initially serve orders in matters relating to – <ul style="list-style-type: none"> <li>• Hygiene</li> <li>• Noise abatement</li> <li>• Repair of Dwellings</li> <li>• Declaration of buildings being unfit for human habitation.</li> </ul>
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Environment Health Officer
<b>Conditions:</b>	The Environmental Health Officer shall report to Council as required on major orders or notices served.
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Authorised Officers to be appointed in accordance with s27 of the <i>Health Act 1911</i> and appointment approved under s28 of the <i>Health Act 1911</i> .

<b>Delegation EH-D004 Septic Tank Approvals</b>	
<b>Power/Duty Delegated:</b>	<b>Health (Treatment of Sewage and Disposal of Liquid Waste) Regulations 1974 - Regulation 4</b>
<b>Description of Power Delegated:</b>	Authority to exercise and discharge powers and functions conferred on Local Government for the purpose of Regulation 4 of the <i>Health (Treatment of Sewage and Disposal of Liquid Waste) Regulations 1974</i> .
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Environmental Health Officer Building Surveyor
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Nil

<b>Delegation EH-D005 Trees on Private Land</b>	
<b>Power/Duty Delegated:</b>	<b>Local Government Act 1995 s3.27(1) Particular things local governments can do on land that is not local government property Schedule 3.2</b>
<b>Description of Power Delegated:</b>	Authority to inspect and remove trees on private land, under the care and control of others, that are dead or dangerous in regards to the surrounding area including persons and fixed infrastructure.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Manager of Works in conjunction with the Environmental Health Officer.
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Nil

<b>Delegation EH-D006 Unkempt Properties</b>	
<b>Power/Duty Delegated:</b>	<b>Local Government Act 1995 s3.25 Notice requiring certain things to be done by owner or occupier of land Schedule 3.1- powers under notices to owners or occupiers of land s3.26 Additional powers when notices given.</b>
<b>Description of Power Delegated:</b>	Authority to inspect private land and issue notices to owners of land. Authority to do anything to achieve the purpose for which a notice has been given. Authority to recover costs associated with achieving the purpose for which a notice has been given.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Manager of Planning and Development Services Environmental Health Officer
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Nil

<b>Delegation EH-D007 Asbestos</b>	
<b>Power/Duty Delegated:</b>	<b>Public Health Act 2016 Health (Asbestos Regulations) 1992 (Regulations)</b>
<b>Description of Power Delegated:</b>	Authority to inspect and take required action under Health (Asbestos Regulations) 1992 Regulations.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Environmental Health Officer Building Surveyor
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Nil

<b>Delegation EH-D008 Food Sample – Offences</b>	
<b>Power/Duty Delegated:</b>	<b>Environmental Health Food Act 2008 s118(2)(b) Authorised Officer</b>
<b>Description of Power Delegated:</b>	Authority to issue a warning to persons who contravene the Food Standards Code for a minor breach.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Environmental Health Officer
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Nil



## PLANNING SERVICES

<b>Delegation TP-D001 Discharge of Duties under Shire of Beverley Local Planning Scheme No. 3 (and its successors)</b>	
<b>Power/Duty Delegated:</b>	<b>Local Planning Scheme No. 3 (and it's successors)</b>
<b>Description of Power Delegated:</b>	Clause 79(1) and Clause 79(2) of Division 1 (Powers of local government) of Schedule 2, Part 10, and Clause 82(1) and Clause 83(1) of Division 2 (Delegations) of Schedule 2, Part 10 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> , delegate to the Chief Executive Officer and the Manager of Planning & Development Services respectively the exercise of Council's powers and the discharge of the Shire of Beverley's duties under the <i>Shire of Beverley Local Planning Scheme No 3 (and its successors)</i> .
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Manager of Planning and Development Services
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Council Resolutions

<b>Delegation TP-D003 Traders Licences</b>	
<b>Power/Duty Delegated:</b>	Trading in Public Places By-law 1988
<b>Description of Power Delegated:</b>	Authority to approve traders licences.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Manager of Planning and Development Services
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Nil

<b>Delegation TP- D004</b> <b>Development on Scheme Reserves</b>	
<b>Power/Duty Delegated:</b>	<b>Local Planning Scheme No. 3 (and its successors)</b>
<b>Description of Power Delegated:</b>	Authority to grant planning approval for development on scheme reserves where the development is consistent with the use of the reserve.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Manager of Planning and Development Services
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Shire of Beverley LPS 3

<b>Delegation TP-D005</b> <b>Sponsorship Signs on Reserves and Council Building on Reserves</b>	
<b>Power/Duty Delegated:</b>	<b>Local Planning Scheme No. 3 (and its successors)</b>
<b>Description of Power Delegated:</b>	In accordance with Town Planning Policy, the Chief Executive Officer shall have the authority to: <ul style="list-style-type: none"> <li>• Approve applications for sponsorship signs on reserves and Council building on reserves</li> <li>• Approve the content of information and advertising on signs</li> </ul>
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Manager of Planning and Development Services
<b>Conditions:</b>	Application must meet LPS 3 list requirements and Signage Policy Regulations.
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Shire of Beverley LPS 3 and Signage Policy

## BUILDING SERVICES

<b>Delegation BD-D001 Strata Titles</b>	
<b>Power/Duty Delegated:</b>	<b>Strata Titles Act 1985</b> <b>s23(5) Certificate of Local Government</b> <b>s26 Appeals against local government decision</b> <b>Building Act 2011</b> <b>s58 Grant of Occupancy Permit, Building Approval Certificate, S.127</b>
<b>Description of Power Delegated:</b>	Authority to approve applications for Occupancy Permit - Strata and Building Approval Certificate - Strata
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Manager of Planning and Development Services Building Surveyor
<b>Conditions:</b>	Prior to signing the Form 7 Certificate, Occupancy Permit - Strata and Building Approval Certificate - Strata, a checklist must be signed by the Senior Building Surveyor detailing the inspections and/or certifications received, confirming compliance with the Strata Title Act 1985.
<b>Legislative Record Keeping Requirements:</b>	Record details of Certificates issued and disallowed including reference to evidentiary documents. Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Nil

<b>Delegation BD-D002 Approval or Refusal of a Permit</b>	
<b>Power/Duty Delegated:</b>	<b>Local Government Act 1995</b> <b>s.1.4, s9.19, s9.20, s. 5.44 (1)</b> <b>Building Act 2011</b> <b>s.20 Grant of building permit</b> <b>s.21 Grant of demolition permit</b> <b>s.22 Further grounds for not granting an application</b> <b>s.58 Granting of occupancy permits, building approval certificate</b> <b>s.127 (3) Delegation: special permit authorities and Local Government</b> <b>Building Regulations 2012</b> <b>Regulation 26 Approval of new responsible person</b>
<b>Description of Power Delegated:</b>	Authority to approve applications for Occupancy Permit - Strata and Building Approval Certificate - Strata
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Building Surveyor
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Record details of Permits issued or refused. Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Building Permits are recorded to Council through the monthly Information Bulletin

<b>Delegation BD-D003 Authorised Persons</b>	
<b>Power/Duty Delegated:</b>	<b>Building Act 2011</b> <b>s.96(3) Authorised persons</b> <b>s.127 (3) Delegation: special permit authorities and Local Government</b>
<b>Description of Power Delegated:</b>	Appoint authorised officers in accordance with the Building Act 2011.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Nil
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Nil

<b>Delegation BD-D004 Building Orders</b>	
<b>Power/Duty Delegated:</b>	<b>Building Act 2011</b> <b>s.110 Building Orders</b> <b>s.111 Notice of proposed building order other than building order (emergency)</b> <b>s.117 Revocation of building orders</b> <b>Criminal Procedure Act 2004</b> <b>s.6 (b)</b> <b>Local Government Act 1995</b> <b>s.9.10, s9.16, s9.19, s. 9.20</b>
<b>Description of Power Delegated:</b>	Authority to approve and revoke building orders
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Building Surveyor
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Record details of notices issued. Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Nil

<b>Delegation BD-D005 Presumptions about Authority to do Certain Things</b>	
<b>Power/Duty Delegated:</b>	<b>Building Act 2011 s139 Presumptions about authority to do certain things</b>
<b>Description of Power Delegated:</b>	Presumptions about authority to do certain things
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Building Surveyor
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Nil

<b>Delegation BD- D006 Extension of time for permit</b>	
<b>Power/Duty Delegated:</b>	<b>Building Act 2011 s32(3) Duration of building or demolition permit s. 127 (3) Building Regulations 2012 Regulation 24 Extension of time during which permit has effect</b>
<b>Description of Power Delegated:</b>	Authority to approve an extension of time for a building or demolition permit.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Building Surveyor
<b>Conditions:</b>	Extension for maximum period of 12 months
<b>Legislative Record Keeping Requirements:</b>	Record details of extensions issued. Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Nil

<b>Delegation BD-D007 Infringement Notices</b>	
<b>Power/Duty Delegated:</b>	<b>Building Act 2011 (Building Regulations) s.70 Criminal Procedure Act 2004 s.6 (a) and (b)</b>
<b>Description of Power Delegated:</b>	Issue Infringement notices
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Building Surveyor
<b>Conditions:</b>	To be approved through the Chief Executive Officer
<b>Legislative Record Keeping Requirements:</b>	Record details of notices issued. Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Nil

<b>Delegation BD-D008 Building Licence for a Retaining Wall</b>	
<b>Power/Duty Delegated:</b>	<b>Shire of Beverley Building Building Act 2011</b>
<b>Description of Power Delegated:</b>	Authority to approve a Building Licence for a retaining wall in excess of 1.0m, where the written approval from the adjoining landowner(s) is provided by the applicant.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Building Surveyor
<b>Conditions:</b>	Written approval from the adjoining landowner(s) is provided by the applicant.
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Nil

**POLICY & ADMINISTRATION  
DELEGATIONS**

<b>Delegation PA-001 Council Vehicles - Conditions of Use</b>	
<b>Power/Duty Delegated:</b>	<b>Policy S014</b>
<b>Description of Power Delegated:</b>	Authority to approve temporary suspension of Policy No. S014 (Council Vehicle – Condition of Use) under special circumstances.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Nil
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Policy S014

<b>Delegation PA-D002 Legal Opinions</b>	
<b>Power/Duty Delegated:</b>	<b>Policy A002</b>
<b>Description of Power Delegated:</b>	Authority to seek a legal opinion.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Nil
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Policy A002

<b>Delegation PA-D003 Hall Hire Bond Refunds and Cancellation of Refunds</b>	
<b>Power/Duty Delegated:</b>	<b>Policy C003</b>
<b>Description of Power Delegated:</b>	Authority to approve charging of Bonds, extra cleaning costs and booking refunds for Community Hall bookings.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Deputy Chief Executive Officer Customer Service Officers
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Policy C003

<b>Delegation PA-D004 Libraries – Advertising Material/Community Information</b>	
<b>Power/Duty Delegated:</b>	<b>Shire of Beverley Administration</b>
<b>Description of Power Delegated:</b>	Authority to approve the display of advertising material and community based information in the Shire of Beverley public libraries.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Customer Service Officers Beverley Community Resource Centre
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Nil



<b>Delegation PA-D005 Purchasing</b>	
<b>Power/Duty Delegated:</b>	<b>Policy AF007</b>
<b>Description of Power Delegated:</b>	Authority to incur expenditure in accordance with Council Policy.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Deputy Chief Executive Officer Manager of Works Manager of Planning & Development Services Maintenance Officer Leading Hand Leading Motor Mechanic Parks and Gardens Supervisor Community Emergency Services Manager
<b>Conditions:</b>	Purchase Order limitations as per Policy AF007
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Policy AF007

<b>Delegation PA-D006 Street Trees – Planting</b>	
<b>Power/Duty Delegated:</b>	<b>Shire of Beverley Works</b>
<b>Description of Power Delegated:</b>	Authority to approve the planting of street verge trees per property by residents in accordance with Council policy.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Manager of Works
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Nil

<b>Delegation PA-D007 Street Trees – Removal Destructing or Interfering Trees</b>	
<b>Power/Duty Delegated:</b>	<b>Shire of Beverley Works</b>
<b>Description of Power Delegated:</b>	Authority to remove trees, in a road reserve or on land under the care, control and management of Council that are destructing / interfering / Dead or Dangerous in regards to the construction of any proposed or existing structure, or public work or service, or constitutes a traffic hazard, due to restricting the visibility of motorists.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Manager of Works
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Nil

<b>Delegation AP-D008 Council Event – Traffic Management Plans</b>	
<b>Power/Duty Delegated:</b>	<b>Shire of Beverley Administration</b>
<b>Description of Power Delegated:</b>	Authority to approve the Traffic Management Plans for Community Events
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Manager of Planning and Development Services
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Nil

<b>Delegation AP-D009 Community Service Tenancy Agreements</b>	
<b>Power/Duty Delegated:</b>	<b>Shire of Beverley Administration</b> Residential Tenancies Act 1987
<b>Description of Power Delegated:</b>	To sign Shire of Beverley Community Service tenancy and lease agreements as per the Residential Tenancies Act 1987 requirements.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Deputy Chief Executive Officer
<b>Conditions:</b>	Report to Council via Information Bulletin
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Nil

<b>Delegation AP-D010 Supply of Keys to Council Owned Buildings</b>	
<b>Power/Duty Delegated:</b>	<b>Shire of Beverley Administration</b>
<b>Description of Power Delegated:</b>	Authority to approve the supply of additional keys to Council owned buildings.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Deputy Chief Executive Officer Manager of Works
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Nil

<b>Delegation AP- D011 Use of Electronic Notice Board</b>	
<b>Power/Duty Delegated:</b>	<b>Shire of Beverley Administration</b>
<b>Description of Power Delegated:</b>	Authority to approve requests for use of the Council's electronic notice board to appropriate organisations in order to publicise forthcoming events of benefit or interest to the general community.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Deputy Chief Executive Officer Manager of Planning and Development Services
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Policy C009

<b>Delegation AP-D012 Appointment of Staff</b>	
<b>Power/Duty Delegated:</b>	<b>Shire of Beverley Administration and Works - Staff</b>
<b>Description of Power Delegated:</b>	Authority to appoint and dismiss staff in accordance with the Act and appropriate awards.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Deputy Chief Executive Officer, Manager of Works
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Nil

<b>Delegation AP-D013 Review of Salaries</b>	
<b>Power/Duty Delegated:</b>	<b>Shire of Beverley Administration</b>
<b>Description of Power Delegated:</b>	To review the salaries of all employees
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Deputy Chief Executive Officer
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Nil

<b>Delegation AP-D014 Approval of Outside Functions</b>	
<b>Power/Duty Delegated:</b>	<b>Shire of Beverley Administration and Works</b>
<b>Description of Power Delegated:</b>	Approve attendance at conferences, seminars and staff training.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Deputy Chief Executive Officer, Manager of Works
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Nil

<b>Delegation AP-D015 Authorise Annual Leave</b>	
<b>Power/Duty Delegated:</b>	<b>Shire of Beverley Administration</b>
<b>Description of Power Delegated:</b>	Authorise annual leave and unpaid study leave. Discretion to pay for un-accumulated sick leave and attendance at funerals, with each case being judged upon its merits.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Deputy Chief Executive Officer, Manager of Works
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Nil

<b>Delegation AP-D016 Approve Staff use of Plant</b>	
<b>Power/Duty Delegated:</b>	<b>Shire of Beverley Works</b>
<b>Description of Power Delegated:</b>	Approve staff use of Shire of Beverley Plant and Equipment.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Manager of Works
<b>Conditions:</b>	Plant usage forms must be completed by staff, prior to use.
<b>Legislative Record Keeping Requirements:</b>	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19
<b>Compliance/Reference Link:</b>	Policy S019

<b>Delegation AP-D017 Destruction of Corporate Records</b>	
<b>Power/Duty Delegated:</b>	<b>Shire of Beverley Administration</b>
<b>Description of Power Delegated:</b>	Authorise corporate records for destruction or transfer to State Records Officer or appropriate records storage facility.
<b>Delegation to:</b>	Chief Executive Officer
<b>Sub-delegated to:</b>	Deputy Chief Executive Officer
<b>Conditions:</b>	Nil
<b>Legislative Record Keeping Requirements:</b>	State Records Act 2000, Records Retention and Disposal Instructions Local Government (Elections) Regulations 1997,
<b>Compliance/Reference Link:</b>	Policy RK001

## Record of Adoption and Review

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1	July 2016	S P Gollan	Review after Council Changes
2	August 2016	S P Gollan	Adoption by Council
3	26 September 2017	S P Gollan	Review and Adoption by Council
4	23 October 2018	S P Gollan	Review and Adoption by Council
5	23 July 2019	S P Gollan	Review, Amendment and Adoption by Council
6	23 March 2021	S P Gollan	Review and Adoption by Council
7	28 June 2022	S P Gollan	Review, Amendment and Adoption by Council
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