



City of Albany
Register

Register of Delegations & Authorisations

2023/2024

(Designated & Authorised Positions, Local Laws, Council Policy Positions Register)

(Version: 15.2)

Introduction

A register of Delegations of Authority is essential in order to inform the public of the activities, functions, powers and duties of the Local Government as well meeting the requirements of Section 5.46 of *the Local Government Act 1995* (the Act).

This Act requires the Chief Executive Officer (CEO) of the Local Government to keep a Register of Delegations made by the Council to a Committee or the Chief Executive Officer, and by the CEO to other employees.

The compilation of the content of this Register was prepared through references to the Act, the Complete Guide to the Local Government Act 1995 (which is a joint production of the Western Australian Municipal Association, the Institute of Municipal Management (WA Division) and the Western Australia Department of Local Government).

When perusing the register, please be aware that some delegations are ongoing and some are given for a "one of" specific reason.

Once exercised, "one of" delegations are removed from the current register and transferred to the City's Records System for permanent retention.

This register is maintained by the Governance & Risk Team on behalf of the Chief Executive Officer.

Statutory Requirements

Section 5.42 of the Act enables the delegation of some powers and duties to the Chief Executive Officer.

A local government may delegate to the Chief Executive Officer the exercise of any of its powers, or the discharge of any of its duties under this Act, other than those referred to in section 5.43.

A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

Under the provisions of section 5.46 of the Act, delegations must be reviewed at least once every financial year.

Limits of delegations to the Chief Executive Officer

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** of the council;
- 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, 5.98A, 5.99, 5.99A, 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;
- the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;
- 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.

Limits of delegations to Committees

Sections 5.16 and 5.17 of the Act enables the delegation of some powers and duties to a committee.

The following conditions apply:

- a delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation;
- which have effect for the period of time specified or if no period specified, indefinitely;
- but cannot include any power or duty that requires a decision of an **absolute majority** of the council; and
- any powers or duties that can be delegated to the CEO under the Act, Part 5 (Administration), Division 4 (Local government employees).

Register of, Records Relevant to, Delegations

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 a written record 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.

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 Directorate or Senior Line Manager for the period of absence.

Compliance Function Line Managers (includes Coordinators) Authority

Delegated Authority:

To enable efficiency, Line Managers and Coordinators who are charged with the responsibility to review compliance action are authorised to cancel, withdraw and/or discontinue infringements:

- Found to contain critical errors at law; and
- Deemed not in the public interest to pursue as an infringement or prosecution.

This includes authority to waive associated fees and charges.

Associated Council Policy:

- Regulatory Compliance Policy & Guideline.

Authorised Person Identity Card and Appointment Certificate

Authorised Persons Under LG Act must have a identify card and a detailed appointment certificate which lists each piece of legislation, and the relevant section or regulation numbers will still need to be signed by the CEO and retained by the local government.

Facility Emergency Management

Where an Officer is appointed an Emergency Control Organisation (ECO) Member (i.e. Chief Fire Warden, Fire Warden, Area Warden etc.) their responsibility and authority must be acknowledged and followed, regardless of current position (i.e. Warden has the authority to direct a Manager/Executive etc.).

This authority is intended to ensure that, during an emergency situation, life safety takes precedence over asset protection, environmental considerations, production operations and business continuity.

Reference: AS 3745-2010 (Planning for Emergencies in Facilities)

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Manager Governance & Risk	Chief Executive Officer
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Version	Author	Version Description	Date Completed
14.0	MGR	Fully reviewed by Council. Adoption Reference: OCM 22/03/2022 Resolution AR110. Synergy Reference: PU21752.	22/03/2022
14.1	MGR	Administrative amendment: _Attachment D – Policy Position Register updated to reflect review and amendment of the following policy positions: <ul style="list-style-type: none"> • Cash / Investment Backing for Reserve Accounts Policy; • Clearing in Council Controlled Land Policy (Including Environmental Code of Conduct Guidelines); • Employee Code of Conduct; • Investment of Surplus Funds Policy; and • Long Term Borrowing Policy. _Minor formatting and position titles updated.	27/04/2022
14.2	MGR	Administrative amendment: _Delegation: 040: On request of Manager Planning & Building Services, limits of authorisation amended to reflect current economic climate. _Delegation 011: Investment of Municipal Funds title changed to Investment of Surplus Funds in line with the Council adopted policy position. Authorisation to enact, authorisation (1) extended to the Business Analyst / Management Accountant. Reference to the Trustees Act 1962 removed. _Synergy Reference: PU221061.	23/05/2022
14.3	MGR	Administrative amendment: _Delegation 022: Title amendment: <ul style="list-style-type: none"> • From: 022 – Administer Rate Collection (Recover and Write Off Rate Debt, Administer Rating Exemptions) • To: 022 – Administer Rates & General Debt Recovery Activities (Administer the recovery, write-off, and exemptions relating to Rates & General Debt). _Delegation 026: Assigned to Senior Development Compliance Officer. _Delegation 040: Authority 2 amended to remove duplication and assign s231 to the Manager and Coordinators. _Delegation 009: Determine waste service subsidy assigned to Manager Operations and Coordinator Waste Operations. _Attachment B – Local Laws: Waste Local Law assigned to Manager Operations. _Synergy Reference: PU221134.	1/07/2022

Document Revision History

Version	Author	Version Description	Date Completed
14.4	MGR	<p>Administrative amendment:</p> <p>_Delegation 035 – Creation and Change of Purpose of a Crown Reserve (Incl. Naming of Streets). Status: Withdrawn. This delegation has been found to directly conflict with its associated legislation in its entirety, and there's no ability provided for sub-delegation under in the supporting Regulations.</p> <p>_ The following delegations assigned to Authorised Persons (i.e., Contractors) for the purpose of animal control on City managed land.</p> <ul style="list-style-type: none"> • Delegation 001 – Appointment of Authorised Persons, appended with additional condition, being: <ul style="list-style-type: none"> <i>Condition (c): Authorisation involving animal control on land administered by the City must be approved by the CEO and/or Manager Governance & Risk in consultation with the Ranger Coordinator & Manager Reserves.</i> • Delegation 031 – Animal Control; and • Delegation 020 – Public Property & Land Management (Authority to administer and authorise use of Public Facilities, Reserves, Campgrounds & Event Approval) <p>_Attachment D – Policy Positions:</p> <ul style="list-style-type: none"> • Corporate Credit Card Usage Policy, reviewed and re-approved by Document Owner. • New Day Care Policy adopted by Council 24/05/2022 Resolution AR118. • Buy Local Policy reviewed and re-adopted by Council. OCM 27/09/2022 Resolution CCS469. <p>_Attachment C – Local Laws:</p> <ul style="list-style-type: none"> • Parking and Parking Facilities Local Law Determination – OCM 27/09/2022 Resolution CCS475. <p>_Synergy Reference: PU221347.</p>	12/10/2022
14.5	MGR	<p>Administrative amendment:</p> <p>_Attachment D – Policy Positions</p> <ul style="list-style-type: none"> • Pandemic Leave Policy, retired by CEO on 25/11/2022. <p>_Delegation 035 – Creation and Change of Purpose of a Crown Reserve (Incl. Naming of Streets): Reinstated.</p> <p>_Delegation 036 – Land Resumption, Road Dedications & Closures, Drainage and Footpaths. Status: Withdrawn. This delegation has been found to directly conflict with its associated legislation in its entirety, and there's no ability provided for sub-delegation under in the supporting Regulations.</p> <p>_Synergy Reference: PU221431.</p>	19/12/2022
14.6	MGR	<p>Administrative amendment:</p> <p>_Delegation 030 – Caravan Parks, Camping Grounds, Control of Vehicles (Including Camping on Public Land and Nature Based Camping). Authority (3): Powers of Entry and Inspection of Caravan Parks & Camping Grounds. Status: Extended to Ranger Team.</p> <p>_Synergy Reference: PU221431.</p>	20/12/2022
15.0	MGR	Prepared for Audit & Risk Committee and Council Review and re-adoption.	01/03/2023
15.1	MGR / STL	<p>Post Audit & Risk Committee minor corrections made, resulting from role title changes.</p> <p>_Delegated Authority: Delegation 001 – Appointment of Authorised Persons. Authorisation assigned to Manager City Reserves to issue permits pertaining to “Reserves Management”.</p> <p>_ Delegated Authority: Delegation 020 – Added Events Coordinator as authorised to enact all listed authorities, except the authority to enact Authority (2) & (3).</p> <p>_Attachment D: Policy Position Register – Council adopted and EMT approved updated.</p>	06/04/2023

Document Revision History

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15.2	MGR	Fully reviewed by Council. Adoption Reference: OCM 28/02/2023 Resolution AR131. Synergy Reference: PU231629. _Delegation numbers updated due to removal of Land Resumption, Road Dedications & Closures, Drainage and Footpaths delegation.	25/07/2023

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001 – Appointment of Authorised Persons

(Local Government Act 1995, including subsidiary legislation & local laws)

Delegation: Authority to:

1. Authorise persons in accordance with the Local Government Act 1995 (the LG Act) to administer and enforce the Act, other written law administered by the City of Albany, and local laws.
2. Issue licences, notices, approvals, and permits relating to the Act and Local Laws.
3. Direct (Additional Powers when giving a notice under s3.25 of the Act):
 - a. Do anything that is considered necessary to achieve the purpose for which the notice was given, including recovering the cost of anything it does as a debt due from the person who failed to comply with the notice.
 - b. Take action to recover any outstanding debts pursuant to the Act, s6.10.
4. Deal with objections and granting of extension of time:
 - a. Administer the suspension of the effect of a decision (including the advising of an outcome of an objection when a decision is made under the Act).
 - b. Receive an objection and grant an extension of time for an objection to be lodged.
 - c. Deal with an objection of a decision made by the City of Albany, under authority of the Local Government Act 1995, any local law or regulation.

Note: If a person who is given a notice under s3.25 of the Act fails to comply with it, the local government may do anything that it considers necessary to achieve, so far as is practicable, the purpose for which the notice was given, including recovering the cost of as a debt due from the person who failed to comply with the notice.

If a debt (other than a rate or service charge) remains unpaid after it becomes due and payable, the local government may recover it, as well as the costs of proceedings, if any, for that recovery, in a court of competent jurisdiction.

Condition of Delegation:

- (a) The power to authorise persons is limited to the Chief Executive Officer, Executive Directors and the Manager Governance & Risk and must be given in writing.
- (b) A person who is authorised to give an infringement notice under s9.16 of the Act is not eligible to be an authorised person for the purposes extending time or withdrawal.
- (c) Authorisation involving animal control on land administered by the City must be approved by the CEO and/or Manager Governance & Risk in consultation with the Ranger Coordinator & Manager Reserves.

- (d) The power to direct (additional powers) is limited to the CEO, Executive Directors, and the following designated positions:
 - Manager Planning & Building Services
 - Manager Public Health & Safety
 - Manager Engineering & Sustainability
- (e) The power to deal with objections and granting extension of time is limited to Executive Directors and above and the following designated positions:
 - Manager Governance & Risk
 - Manager Finance
- (f) Section 3.39 (Power to remove and impound). This section only authorises an “employee authorised by the local government”. Once impounded, the City then must give notice to the offender in accordance with section 3.42(1)(b).

Legislative or Policy Reference:

Local Government Act 1995:

- Part 3 (Functions of local governments), Division 3 (Executive functions of local governments),
- Part 6 (Financial management), Division 4 (General financial provisions)
- Part 9 (Miscellaneous provisions), Division 1 (Objections and review).

Local Government (Financial Management)

Regulations 1996:

- Part 2 (General financial management – s6.10), Reg. 5 (CEO’s duties as to financial management).

Note: LG Act, s3.27 (Particular things local governments can do on land that is not local government property).

Please refer to the specific delegation, being:

- Delegation: 026 - Activities on Private & Public Land.

Report Requirement: Report to file.

Designated Persons:

- **Chief Executive Officer** (Authority – All)
- **Executive Directors** (Authority – All)

The following positions are authorised to enact all listed authorities:

- [Manager City Reserves](#)
- Manager Engineering & Sustainability
- Manager Finance
- Manager Governance & Risk
- Manager Planning & Building Services
- Manager Public Health & Safety

Authorised positions:

- Listed at Attachments A & B.

002 – Corporate Documents & Branding

(Authority to update administrative policies, guidelines, procedures, and logos)

Delegation: Authority to:

1. Approve the use of the City of Albany Crest and Corporate Logos.
2. Update administrative policies, guidelines, procedures, and processes.
3. Make minor amendments to Council adopted policies.
4. Authorise persons to administer any or all of the above functions.

Note:

- *It is the role of Council to determine local government's policies.*

Condition of Delegation:

- (a) Minor amendments can be made to Council adopted policies, if authorised by the Chief Executive Officer.
- (b) On effecting the amendment, a copy of the updated policy is to be distributed to all elected members.
- (c) The power to authorise persons is limited to Executive Directors and above.

Note: *minor amendment, means a change to a Policy or procedure, which does not alter the general meaning, scope, purpose or intent of the document.*

Legislative or Policy Reference:

Local Government Act 1995:

- Part 2 (Constitution of local government), Division 2 (Local governments and councils of local governments), s2.7(2)(b) (Role of council);
- Part 3 (Functions of local governments), Division 1 (General), s3.1 (General function); and
- Part 5 (Administration), Division 4 (Local government employees), s5.41 (Functions of CEO).

Planning & Development Act

- Planning & Development (Local Planning Schemes) Regulations 2015.

Council Policy Position:

- Corporate Document Policy

Report Requirement: Report to file.

Designated Persons:

- **Chief Executive Officer**
(Authority – All)

The following positions are authorised to enact all listed authorities:

- **Executive Director Community Services**
 - Manager Community Relations
- **Executive Director Corporate & Commercial Services**
 - Manager Governance & Risk
- **Executive Director Infrastructure, Development & Environment**
 - Manager Planning & Building Services

003 – Make Official Public Statements & Information

(Authority to provide statements to the media and authorise Media Releases)

Delegation: Authority to:

1. Represent the City of Albany on external committees and working groups and make operational decisions on behalf of the City.
2. Prepare, produce, and distribute City information, media releases and publications, and make comment, with the condition that comment is limited to matters relating to functions of the CEO, defined by the Act.
3. Authorise persons to administer any or all of the above functions.

Condition of Delegation:

The power to authorise persons is limited to the CEO, Executive Directors, and the Manager Community Relations.

Legislative or Policy Reference:

Local Government Act 1995:

- Part 5 (Administration), Division 4 (Local government employees), s5.41 (d)(f) (*Functions of CEO*).

Report Requirement: Report to file.

Designated Persons:

- **Chief Executive Officer** (Authority – All)

The following positions are authorised to enact all listed authorities:

- **Executive Director Community Services**
 - Manager Community Relations
 - Manager Facilities (incl. NAC & Day Care)
 - Manager Recreation Services (incl. ALAC)
 - Manager Arts & Culture (incl. Library)
 - Team Leader Arts & Culture
- **Executive Director Corporate & Commercial Services**
 - Manager Governance & Risk
 - Manager Public Health & Safety
- **Executive Director Infrastructure, Development & Environment**
 - Manager Engineering & Sustainability
 - Manager Planning & Building Services

004 – Power to Remove, Impound & Dispose Goods

(Including the Authority to Dispose of Surplus Artwork, Plant, Equipment & Material)

Delegation: Authority to:

1. Dispose surplus plant, equipment and material.
 2. Donate surplus plant, equipment and material.
 3. Sell or otherwise dispose:
 - a. any goods that have been confiscated subject to s3.47(1) of the Act;
 - b. impounded goods that have not been collected within the period specified in s3.42(1)b, s3.47(2b) or s3.44 of the Act;
 - c. any vehicle that has not been collected within two months of a notice having been given under s3.40(3) or seven days of declaration being made that a vehicle is an abandoned vehicle wreck; and
 4. Authority to remove or impound goods under section 3.39 of the Act.
 5. Determine that court action be taken to recover impounding expenses in accordance with s3.48 of the Act.
 6. Authorise persons to administer any or all of the above functions.
- (f) The team that administers any impounding of property cannot then administer the disposal.
- (g) The CEO shall approve any legal action and sign any legal documents associated with the disposal of any City owned property.

Legislative or Policy Reference:

- **Local Government Act 1995:**
 - *Part 3 (Functions of local government), Division 3 (Executive functions of local government)*
- **Local Government (Functions and General Regulations 1996:**
 - *Part 6 (Miscellaneous), Reg. 30 (Dispositions of property excluded from Act s.3.58); and*
 - *Reg. 31 (Anti-avoidance provision for Act s.3.58).*

Report Requirement: Report to file.

Designated Persons:

- **Chief Executive Officer** (Authority – All)
- **Executive Community Services** (Authority – All)
- **Executive Director Corporate & Commercial Services** (Authority – All)
 - Manager Public Health and Safety (Authority 3 & 4 only)
 - Coordinator Ranger Services, Senior Rangers, and Rangers (Authority 4 only)
- **Executive Director Infrastructure, Development & Environment** (Authority – All)
 - Manager Operations (Authority 1 & 3 only)

The following positions are limited to enact Authority (3a & 3b) only:

- Manager Planning and Building Services
- Coordinator Planning Services
- Development Engineer
- Senior Planning & Development Compliance Officer
- Development Compliance Officer(s)

Condition of Delegation:

- (a) All surplus plant, equipment and/or material subject to disposal or donation with an estimated market value above \$5,000 must be subject to the CEO providing Elected Members with two weeks written notice with any intention to do so.
- (b) All surplus plant, equipment and/or material being disposed with an estimated market value above \$1,000 must be
 - Sold by public auction; or
 - Offered for sale by public tender.
- (c) All surplus plant, equipment and/or material with an estimated market value of \$1,000 or less can be disposed of by the means listed above in (b), as well as:
 - Provided to the City of Albany tip shop for sale; or
 - Advertised for sale in a local newspaper; or
 - Advertised for sale on the City's website.
- (d) The CEO may use his/her discretion, if appropriate, to donate the surplus plant, equipment and/or material to a suitable not-for-profit entity (i.e. community group, sporting organisation, school) taking into account the loss of income to the City as well as the fairness and equity to other not for profit entities in the City.
- (e) In the absence of any sale or donation being made, it shall be at the absolute discretion of the CEO to dispose of any surplus plant, equipment and/or material in any manner thought fit by him/her.

005 – Authority to Appoint an Acting Chief Executive Officer

(People & Culture Resource Management & Executive Functions)

Delegation: Authority to:

1. Appoint an Acting Chief Executive Officer for a period of less than 6 weeks.
2. Determine an organisational structure.

CEO Function: Authority to:

3. Appoint and dismiss employees.
4. Undertake executive functions relating to provision of services and/or facilities.
5. Authorise persons to administer any or all of the above CEO functions.

Condition of Delegation:

- (a) Appointment subject to funding being allocated in the City's Annual Budget.
- (b) The relevant Executive Director must approve structure changes.
- (c) Appointment and dismissal of:
 - permanent employees; and
 - casual employees;

must be conducted in consultation with Manager People & Culture and/or delegate.

Notes:

- *In accordance with s5.2 (Administration of local governments). The council of a local government is to ensure that there is an appropriate structure for administering the local government.*
- *For periods up to one week, entitlement of any 'higher duties' or other form of allowance will be at the CEO's discretion.*
- *In the event the CEO's position becomes vacant then sections 5.36(2)(a) and (b), 5.39 and 5.40 of the Local Government Act 1995 and Regulations 18A, 18B, 18C, 18F and 19A of the Local Government (Administration) Regulations 1996 will apply and a separate resolution of Council will be required by absolute majority.*

Legislative or Policy Reference:

- **Local Government Act 1995:**
 - Part 3 (Functions of local governments), Division 1 (General)
 - Part 5 (Administration), Division 1 (Introduction)

- **Interpretations Act 1985:**

- Part VII (Statutory powers and duties)

- **Policy Position:**

- Policy for the temporary employment or appointment of CEO (s5.39C(6) of the Act amendment yet to be proclaimed.

Reporting Requirement:

- People & Culture Team (formally known as HR Team) to report to Council Committee monthly.

Designated Persons:

- **Chief Executive Officer**

(Authority – All)

- Manager People & Culture (Authority to enact Authority (3) only)

- **Executive Director Community Services**

(Authority to enact Authority (3) & (4) only)

The following positions are limited to enact Authority (3) and casual employees only:

- Manager Arts & Culture, Library
- Team Leader Arts & Culture
- Manager Recreation Services
- Manager Community Relations
- Manager Facilities
- Team Leader – NAC Operations
- Child Care Educator Team Leader

- **Executive Director Infrastructure, Development & Environment**

(Authority to enact Authority (3) & (4) only)

The following positions are limited to enact Authority (3) and casual employees only:

- Manager Operations
- Manager Engineering & Sustainability
- Manager City Reserves

- **Executive Director Corporate & Commercial Services** (Authority to enact Authority (3) & (4) only)

The following positions are limited to enact Authority (3) and casual employees only.

- Manager Public Health & Safety

006 – Sign Documents on Behalf of the City of Albany

(Authority to Execute Deeds & Agreements and apply the Common Seal)

Delegation: Authority to:

1. Sign (execute) a document on behalf of the City where there is a requirement for the document to be executed as a deed, pursuant to s9.49A (5) of the Act;
2. Affix the Council's Common Seal to documents, pursuant to s9.49A (2) of the Act; and
3. Sign documents on behalf of the local government for all matters arising under delegated authority given by the Council under s5.42 and s9.49A (4) of the Act and generally as is necessary or appropriate in reasonably carrying out his or her function under the Act or under any written law.
4. Designate an authorised person(s) to electronically submit approved grant funding submissions on behalf of the City of Albany.
5. Administer the Grant Online Portal Electronic Submission Process.
6. Administer prescribed legislative returns in accordance with the Fire and Emergency Services Authority of Western Australia Act 1998.

Condition of Delegation:

- (a) Power to sub-delegate: In accordance with s5.43(ha) of the Act, the Chief Executive Officer or Acting Chief Executive Officer, appointed in writing, is NOT authorised to delegate this function; and
- (b) Compliance with Council Policy: Use of Common Seal Policy which requires the counter signing by the Mayor.
- (c) Executing documents through the use of the common seal or by signing a document does not constitute the decision to undertake a particular course of action. A Council resolution or a decision under delegated authority is required prior to executing documents pertaining thereto.

Legislative or Policy Reference:

Local Government Act 1995:

- Part 2 (Constitution of local government), Division 2 (Local governments and councils of local governments), s2.5 (Local governments created as bodies corporate);
- Part 5 (Administration), Division 4 (Local government employees), s5.42 (Delegation of some powers and duties to CEO), s5.43(ha) (Limits on delegations to CEO);
- Part 9 (Miscellaneous provisions), s9.49A (2)(4)(5) (Execution of documents).

Local Government (Functions and General Regulations 1996:

- Part 6 (Miscellaneous), Reg.34 (Common seal, unauthorised use of)

Fire and Emergency Services Authority of Western Australia Act 1998:

- Part 6A (Emergency services levy), Division 9 (ESL agreements), s36ZJ (ESL agreement, nature of etc.), s36ZK (Part 6A modified for ESL agreement (Sch. 1A))

Rates and Charges (Rebates and Deferments) Act 1992:

- Part 1 (Administration), Division 6 (Reimbursement), s.16 (Claims by administrative authorities)

Council Policy Position: Use of Common Seal Policy

Reporting Requirement: Report to Council monthly.

Designated Persons:

- **Chief Executive Officer** (All)
- **(Acting CEO**, when designed by CEO during periods of absence).
- **Executive Director Corporate & Commercial Services** (5 & 6 only)
 - Manager Finance (5 only)
 - Revenue Development Officer (5 only)

007 – Dealing with an Objection to a Decisions Made Under Section 3.25 of the Act

(Authority to Grant Extension of Time, Suspend a Decision)

Delegation: Authority to:

1. Administer the suspension of effect of decision (including the advising of an outcome of an objection when a decision is made under the Act).
2. Receive an objection and grant an extension of time for an objection to be lodged.
3. Deal with an objection of a decision made by an Authorised Person, under authority of the Act, any local law or regulation.

Condition of Delegation: Nil.

Notes:

- *The LG Act states in part, that the objection of a decision made is to be dealt with by the council of the local government.*
- *Unresolved objections are facilitated through the Corporate & Community Services Committee.*
- *Part 9 – Miscellaneous provisions, Division 1 – Objections and review applies when a local government makes a decision under the Act as to whether it will:*
 - *grant a person an authorisation under Part 3 of the Act or under any local law or regulation that is to operate as if it were a local law; or*
 - *renew, vary, or cancel an authorisation that a person has under any of those provisions; or*
 - *whenever a local government gives a person a notice under 3.25 of the Act.*

Legislative or Policy Reference:

Local Government Act 1995:

- Part 3 (Functions of local governments), Division 3 (Executive functions of local government), s3.25 (Notices requiring certain things to be done by owner or occupier of land), s3.50A (Partial closure of thoroughfare for repairs or maintenance),
- Part 9 (Miscellaneous provisions), Division 1 (Objections and review)
 - s9.1 (When this Division applies)
 - s9.5 (Objection may be lodged),
 - s9.6 (Dealing with objection),
 - s9.7 (Review),
 - s9.9 (Suspension of effect of decision)
- Schedule 3.1 - Powers under notices to owners or occupiers of land (s3.25).

Local Government (Functions and General)

Regulations 1996:

- Reg. 6 (3)(Transitional provisions about road closures)

Reporting Requirement: Report to file.

Designated Persons:

- **Chief Executive Officer** (Authority – All)

The following positions are authorised to enact all listed authorities:

- **Executive Director Community Services**
 - Manager Community Relations.
- **Executive Director Infrastructure, Development & Environment**
 - Manager Planning & Building & Services
 - Coordinator Planning Services
 - Coordinator Building Services
- **Executive Director Corporate & Commercial Services**
 - Manager Finance
 - Manager Governance & Risk
 - Manager Public Health & Safety

008 – Legal Proceedings

(Approve Legal Representation & Expenses)

- s9.57A. (Local government protected from liability for defamation: publishing council proceedings on website)

Delegation: Authority to:

1. Authorise Legal Expenses for Council Members, Employees and Volunteers.
2. Enact legal proceedings, represent and authorise persons to represent the City in a Court.
3. Authorise persons to administer any or all of the above functions.

Condition of Delegation:

- (a) Compliance with Council Policy: Legal Representation for Elected Members, Employees and Volunteers.
- (b) The City's Insurance Broker is to be notified before proceeding with action.

Note:

- In accordance with s9.57A(2) (Local government protected from liability for defamation: council proceedings on website).
- A local government is not liable to an action for defamation in relation to matter published on its official website as part of a broadcast, audio recording, or video recording, of council proceedings.
- Council proceedings mean proceedings at a meeting of the council or a committee of the council.

Legislative or Policy Reference:

Local Government Act 1995:

- Part 6 (Financial management), Division 6 (Rates and service charges), Subdivision 5 (Recovery of unpaid rates and service charges)
 - s6.56(1)(2) (Rates or service charges recoverable in court)
- Part 9 (Miscellaneous provisions), Division 2 (Enforcement and legal proceedings), Subdivision 1 (Miscellaneous provisions about enforcement),
 - s9.10(1)(2) (Appointment of authorised persons),
 - s9.29(2) (Representing local government in court),

Council Policy Position:

- Legal Representation for Elected Members, Employees & Volunteers Policy

Reporting Requirement:

- Governance & Risk Management Team to report quarterly to the Audit & Risk Committee.

Designated Persons:

- **Chief Executive Officer** (Authority – All)

The following positions are authorised to enact all listed authorities:

- **Executive Director Community Services**
- **Executive Director Corporate & Commercial Services**
- **Executive Director Infrastructure, Development & Environment**

The following position are authorised to enact Authority (2) only:

- Manager Governance & Risk
- Manager Finance
- Manager Public Health & Safety
- Coordinator Ranger Services
- Manager Planning & Building Services

009 – Provide Donations, Sponsorship, Subsidies & Authority to Apply for Grant Funding

(Including the provision of sponsorship through the waiver of fees & charges)

Delegation: Authority to:

1. Authorise donations, grants, sponsorship, financial assistance (which can be facilitated through the waiving of fees and charges), under the Local Government Act 1995, s6.7(2) and s6.12(1)(2) & (3).
2. Apply for subsidy applications on behalf of the City of Albany.
3. Apply for grants on behalf of the City of Albany.
4. Waive fees for goods, services, and charges.
5. Determine eligibility of charitable or benevolent community-based organisations within the City of Albany to qualify for a Waste Services Subsidy.

Building Specific:

6. Waive, increase, reduce or refund the payment of building service application fees in the following circumstances:
 - a. Application is cancelled prior to final determination.
 - b. Applicant has requested a renewal of an expired decision.
 - c. For a request for the City to provide a Certificate in respect to a proposed development that is not part of a statutory application.
 - d. Any major development made on behalf of local government or government department where most of the assessment has already been carried out.
7. Authorise persons to administer any or all of the above functions.

Notes:

- *A local government cannot delegate to a CEO the power under s9.49A(4) of the Act to authorise a person to sign documents on behalf of the local government.*
- *Financial delegations to expend funds from the municipal fund is separate.*
- *Authorising expenditure from the municipal fund must align to an authorised budget line designated for a particular purpose.*

Condition of Delegation:

- (a) This authorisation:
 - Does not extend to statutory charges, the municipal rate or service charges incorporated within the rate notice.
 - Is subject to:
 - Conditions contained in Council Policies.
 - Funding being allocated in the City's Annual Budget.
 - Reporting:
 - Funding/Donations limited to \$10,000 (ex. GST).
 - Funding/Donations above \$10,000 (ex GST) must be reported to Council.
- (b) Any waiver, reduction or refund of a fee shall be based on the following criteria:
 - The proposal not being intended to be a money-making venture for the benefit of the entity.
 - The cost of in-kind support and work undertaken by the City of Albany.
 - The application is on behalf of a non-profit or charitable organisation or be reflective of the benefit of the proposal to the community.
- (c) Waste Subsidy:
 - Eligibility: Bona-fide charitable or benevolent organisations providing economic, social, community or environmental services and benefits to the citizens of the City of Albany.
 - Applications: Applications must be submitted in writing and should include information verifying eligibility and details of expected waste types, volumes, and regularity of disposal.

Legislative or Policy Reference:

Local Government Act 1995:

- s3.1 (General function),
- s5.42 (Delegation of some powers and duties to CEO),
- s5.43 (ha) (Limits on delegations to CEO),
- s5.44 (CEO may delegate powers and duties to other employees),
- s6.7 (2) (Municipal fund),
- s6.12 (1)(2) & (3) (Power to defer, grant discounts, waive or write off debts),
- s9.49A (Execution of documents)

Local Government (Financial Management)

Regulations 1996:

- r.5 (CEO's duties as to financial management),
- r.12 (Payments from municipal fund or trust fund, restrictions on making),
- r.13 (Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.)

Council Policy Positions:

- Community Funding Policy
- Community Sports & Recreational Facilities
Small Grant Funding Policy
- Annual Budget

Reporting Requirement: Report to file.

Designated Positions:

- **Chief Executive Officer** (Authority – All)
- **Executive Director Community Services**
(Authority – All, exempt 6)

The following position are limited to enact Authority All, exempt 3, 5 & 6:

- Manager Community Relations
- Manager Recreation Services
- Manager Arts and Culture
- Team Leader Arts & Culture
- Manager Facilities (Incl. Heritage Park, NAC & Day Care)
- Team Leader NAC
- Child Care Educator Team Leader

- **Executive Director Corporate & Commercial Services** (Authority – All)
 - Manager Finance (Authority – All)
 - Revenue Development Officer (Authority 1, 2 & 3 only)
 - Manager Governance & Risk (Authority – All, exempt 6)
 - Manager Public Health & Safety (Authority – All, exempt 6)
- **Executive Director Infrastructure, Development & Environment** (Authority – All)
 - Manager Planning & Building Services (Authority – All)
Manager Engineering & Sustainability (Authority – All, exempt 6)
 - Manager Operations (Authority – All, exempt 6)
 - Coordinator Waste Operations (Authority 4 & 5 only)

010 – Library Specific

(Librarian Function & Authority, Authority to Recover Overdue Library Books and Other Loaned Items)

Delegation: *Not applicable, legislated function of the Chief Executive Officer (CEO).*

Authority to:

1. Authorise the recovery of overdue library books and other loaned items.
2. Authorise persons to administer any or all the above functions.

Librarian Function & Authority:

3. Deny use of library services to persons whose actions are detrimental to others.

Condition of Delegation: Nil.

Notes:

Library Board (Registered Public Library)

Regulations 1985:

- Regulation 29 (Authority of librarian):
 - (1) A librarian may cause to be excluded or removed from a library —
 - (a) any disorderly person;
 - (b) any person who is guilty of offensive behaviour;
 - (c) any person who appears to be intoxicated;
 - (d) any person who is not using the library for the purpose for which it is intended; or
 - (e) any person who has committed a breach of these regulations if it appears that his continued presence in the library may lead to a further breach of these regulations.
 - (2) A librarian —
 - (a) may suspend the use of a reader's ticket; and
 - (b) may refuse books and deny the use of the library to any person who refuses or neglects to comply with these regulations.
- Regulation 29(2) provides that 'a person who is aggrieved by the decision of a librarian' to deny them the use of the library may appeal the decision in writing to the CEO of the City of Albany.

Legislative or Policy Reference:

Local Government Act 1995:

- s6.10 (Financial management regulations)

Local Government (Financial Management)

Regulation 1996:

- r.5 (CEO's duties as to financial management)

Library Board (Registered Public Library)

Regulations 1985

- r.29(Authority of librarian)

Reporting Requirement: Report to file.

Designated Positions:

- **Chief Executive Officer** (Authority – All)

The following positions are authorised to enact all listed authorities:

- **Executive Director Community Services**
 - Manager Arts and Culture
 - Library Team Leader

011 – Power to Invest Surplus Funds

Delegation: Authority to:

1. Invest money and establish investment internal control procedures, pursuant to the Local Government Act 1995, s6.14 (1) and Local Government (Financial Management) Regulation 1996, r.19.
2. Authorise persons to administer any or all of the above functions.

Condition of Delegation:

Compliance with the following policy positions:

- Investment of Surplus Funds Policy; and
- Cash/Investment Backing for Reserve Accounts Policy.

Legislative or Policy Reference:

Local Government Act 1995:

- s6.14 (Power to invest).

Local Government (Financial Management) Regulation 1996:

- r.19 (Investments, control procedures for);
- r.38 (Reserve accounts, information about in annual financial report) (1)(f).

Report Requirement: Finance Team is responsible for reporting to Council monthly.

Designated Persons:

- **Chief Executive Officer** (Authority – All)

The following positions are authorised to enact authority (1) only:

- **Executive Director Corporate & Commercial Services**
 - Manager Finance
 - Business Analyst / Financial Accountant

012 – Take Possession of Land and Apply Caveats to Property

Delegation: Authority to:

1. Make an agreement with a person for payment of rates and service charges, pursuant to the Act, s6.49.
2. Determine whether to amend the rate record for the preceding five years, pursuant to the Act, s6.39.
3. Unpaid rates and service charges:
 - a. Take possession of land and hold land to secure unpaid rates or service charges:
 - from time to time lease the land;
 - sell the land;
 - cause the land to be transferred to the Crown; or
 - cause the land to be transferred to itself.
 - b. Lodge a caveat on a property to preclude dealings in respect of the land and may withdraw caveats so lodged by it.
4. Revoke a payment by instalment option for rates and service charges and/or the additional charge.
5. Withdraw a caveat that has been lodged on a property, where the purpose for which the caveat was lodged has been satisfied, or the temporary withdrawal and re-lodging of the caveat will allow dealings on a title.
6. Apply a Gross Rental Valuation (GRV) rating to areas.
7. Authorise persons to administer any or all of the above functions.

Condition of Delegation:

- (a) Authority (2):
 - Must be for the purpose of correcting a financial administrative error.
- (b) Authority (3):
 - Unpaid rates and service charges:
 - Rates or service charges to be unpaid for at least 3 years.
 - On taking possession of any land staff is to notify the owner of the land such notification as is prescribed.
 - Affix on a conspicuous part of the land a notice, in the form or substantially in the form prescribed.
 - The designated officer (delegate) must, at least once, attempt under s6.56 of the Act to recover money due in a court of competent jurisdiction.
 - Power of sale of land must be conducted in accordance with Schedule 6.3 of the Act.

Legislative or Policy Reference:

- **Local Government Act 1995:**
 - Part 6 (Financial management)
 - s6.32 (Rates and service charges),
 - s6.39 (Rate record),
 - s6.45 (Options for payment of rates or service charges),
 - s6.49 (Agreement as to payment of rates and service charges),
 - s6.56 (Rates or service charges recoverable in court),
 - s6.64 (Actions to be taken).
 - Schedule 6.3 – Provisions relating to sale or transfer of land where rates or service charges unpaid.

Report Requirement:

- Report to Council Committee.

Designated Persons:

- **Chief Executive Officer**
(Authority – All)

The following positions are authorised to enact all listed authorities:

- **Executive Director Corporate & Commercial Services**
 - Manager Finance

013 – Payment of Funds

(Authorise Purchase Orders, EFT, Payment of Funds, Allowances)

Delegation: Authority to:

1. Approve requisitions, purchase orders and invoices for the supply of goods and services.
2. Approve Electronic Fund Transfers (EFT) from the Municipal, Trust, and Reserve funds.
3. Make a cash advance to a person in respect of an expense for which the person can be reimbursed, in accordance with the Act, Division 8 of Part 5.
4. Execute (i.e. Sign)
5. Authorise persons to administer any or all of the above functions.

Condition of Delegation:

- (a) As per the requirements of the Local Government (Financial Management) Regulations 1996, r.13.
- (b) Where a local government has delegated to the Chief Executive Officer the exercise of its power to make payments from the municipal fund or the trust fund, each payment from the municipal fund or the trust fund is to be noted on a list compiled for each month, which is to be presented to the next ordinary meeting of Council.
- (c) The following spending limits apply, under delegated authority:
 - Category A – Chief Executive Officer
 - Category B – Executive Director Infrastructure, Development & Environment,
 - Category B – Executive Director Corporate & Commercial Services
 - Category C – Executive Director Community Services
 - Category C – Manager Engineering & Sustainability, Manager Operations
 - Category D – Managers
 - Category E – Coordinators in the Infrastructure, Development & Environment Directorate, Team Leader Civil Infrastructure, Building Infrastructure Officer
 - Category F – Team Leaders, Coordinators, Personal Assistant to Mayor & Councillors, Senior Civil Engineering Officers
 - Category G – Officers

-
- Limit for Category A – Any
 - Limit for Category B – \$250,000 and under
 - Limit for Category C – \$100,000 and under
 - Limit for Category D – \$50,000 and under
 - Limit for Category E – \$20,000 and under
 - Limit for Category F – \$10,000 and under
 - Limit for Category G – Payments under \$5,000
-

- (d) Requests for "Miscellaneous Expenses" by Elected Members to be jointly signed by the Mayor and Chief Executive Officer.

Legislative or Policy Reference:

Local Government Act 1995:

- Part 3 (Functions of local governments), s3.1 (General function)
- Part 5 (Administration), s5.98 (Fees etc. for council members),
- Part 6 (General financial provisions), s6.10 (Financial management regulations)

Local Government (Financial Management) Regulations 1996:

- r.5 (CEO's duties as to financial management)
- r.8 (Separate bank etc. accounts required for some moneys)
- r.11 (Payments, procedures for making etc.)
- r.12 (Payments from municipal fund or trust fund, restrictions on making) (1)(a)
- r.13 (Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.)

Report Requirement: Report to the Council Committee and Council's Ordinary Monthly Meeting.

Designated Persons:

- **Chief Executive Officer** (Authority – All)
- **Executive Director Community Services** (Authority – All)
- **Executive Director Corporate & Commercial Services** (Authority – All)
 - Manager Finance (Authority – All)
 - Manager Governance & Risk (Authority 2)
 - Business Analyst (Authority 2)
 - Financial Accountant (Authority 2)
- **Executive Director Infrastructure, Development & Environment** (Authority – All)

Designated Positions: Refer to Condition (c).

014 – Freedom of Information & Authority to Release Information

(Release information to external parties / entities)

Delegation: *(Not applicable, legislated function of the Chief Executive Officer).*

CEO FUNCTION: Authorisation to:

1. Make decisions regarding access to information under the Freedom of Information Act 1992.
2. Authorise persons to administer any or all of the above functions.

Condition of Delegation: Nil.

Notes:

- *The ability for the CEO to deem that documents should not be made available because in the CEO's opinion the meeting should have been closed to the public has been removed.*
- *The following documents are no longer required to be made available for inspection:*
 - *Rate records;*
 - *The register of owners and occupiers and electoral rolls;*
 - *The rules of conduct regulations; and*
 - *CEO and senior employees' contracts.*
- *The City is responsible for ensuring any register of gifts are made available for public inspection.*
- *Information that must be published on the City's website:*
 - *A map of the district (which includes ward boundaries);*
 - *Adverse findings of the State Administrative Tribunal and Standards Panel;*
 - *An up-to-date list of fees and charges;*
 - *Confirmed minutes of council or committee meetings;*
 - *Consolidated copies of any local law that is in force in the district;*
 - *Minutes of electors' meetings; and notice papers and agendas relating to council and committee meetings that have been tabled or produced by the local government and presented at a council or committee meeting (unless it concerns an item that was part of a meeting that was closed to members of the public);*
 - *The annual budget;*
 - *The local government's plans for the future;*
 - *The notice of sale of a property because of the non-payment of rates or service charges; and*
 - *Business Plans for major land trading undertakings or major land transactions.*

Legislative or Policy Reference:

Freedom of Information Act 1992:

- s3 (Objects of Act),
- s4 (Agencies, duties of when applying Act)

Local Government Act 1995:

- s5.94 (Public can inspect certain local government information),
- 3.59(Commercial enterprises by local governments),
- s5.96A (Information published on official website),
- s9.57A (Local government protected from liability for defamation: council proceedings on website),
- s5118 (Carrying out orders),
- Schedule 6.3 (Provisions relating to sale or transfer of land where rates or service charges unpaid).

Administrative Policy Position:

- Code of Conduct for Staff with Access to Recorded Material (Audio, CCTV, Camera Footage) Policy

Reporting Requirement: Report to file.

Designated Persons:

- **Chief Executive Officer** (Authority – All)
- **Executive Director Corporate & Commercial Services** (Authority – All)
 - Manager Governance & Risk (Authority 1 only)
 - Team Leader Records & Council Liaison (Authority 1 only)
 - Manager Information Technology (IT) (Authority 1 only in relation to access to recorded material)
 - Manager Public Health & Safety (Authority 1 only in relation to access to recorded material)
- **Executive Director Infrastructure, Development & Environment**
 - (Authority 1 only in relation to access to recorded material)
 - Manager Planning & Building Services (Authority 1 only in relation to access to recorded material)

015 – Elections

Delegation: *(Not applicable, legislated function of the Chief Executive Officer.)*

CEO FUNCTION: Authorisation to:

1. Electoral Rolls & Enrolment Eligibility. Prepare an owners and occupiers roll for an election and decide whether a claim made for enrolment eligibility is to be accepted or rejected.
2. Dispose Election Records. Undertake the duties of the Chief Executive Officer as provided in regulation 82(4) of the Local Government (Elections) Regulations 1997 that is to undertake or to supervise the destruction of any election material).
3. Authorise persons to administer any or all of the above functions.

Condition of Delegation:

Authorisation 3 limited to the Chief Executive Officer.

Legislative or Policy Reference:

Local Government Act 1995:

- s4.32 (Eligibility to enrol under)
- s4.30(4)(5)(how to claim),
- s4.41(1)(Owners and occupiers roll).

Local Government (Elections) Regulations 1997:

- r.82(4) (Keeping election papers – s4.84(a)).

Reporting Requirement: Report to file.

Designated Persons:

- **Chief Executive Officer** (Authority – All)
- **Executive Director Corporate & Commercial Services** (Authority – All)

The following positions are limited to enact Authority 1 & 2 only:

- Manager Governance & Risk
- Team Leader Records & Council Liaison

The following positions are limited to enact Authority 1 only:

- Manager Finance
- Senior Finance Officer – Rates
- Finance Officers – Rates

016 – Primary & Annual Returns, Gift Declarations and Declarations of Interest

(Acknowledgement of Receipt)

Delegation: *(Not applicable, legislated function of the Chief Executive Officer).*

CEO FUNCTION: Authority to:

1. Acknowledge the receipt of Primary and Annual Returns in accordance with s5.77 of the Act.
2. Acknowledge receipt of declarations of gifts in accordance with sections 5.87A and 5.87B of the Act.
3. Acknowledge receipt of Declarations of Interest (Impartiality, Proximity & Financial).

Condition of Delegation:

- (a) Compliance with Attendance at Events Policy.
- (b) All acknowledgements are to be communicated by email copied to:
 - CEO and Manager Governance & Risk; or Mayor if applicable.

Legislative or Policy Reference:

Local Government Act 1995:

- Part 5 (Administration), Division 6 (Disclosure of financial interest and gifts), Subdivision 1 (Disclosure of financial interests in matters affecting local government decisions) and Subdivision 2 (Disclosure of financial interests in returns)
 - s5.66 (Meeting to be informed of disclosures)
 - s5.77 (Acknowledging receipt of returns),
 - s.5.87A (Council members to disclose gifts)
 - s.5.87B (CEOs to disclose gifts),
 - s.5.87C (Provisions about disclosure),
 - Division 6A (Attendance at events)
 - s.5.90A (Policy for attendance at events).

Local Government (Administration) Regulations 1996

Reporting Requirement:

- Report to file and Register of Gifts as prescribed.
- All disclosures pertaining to matters affecting local government decisions to be minuted in accordance with section 5.73 of the Act.

Designated Persons:

- **Chief Executive Officer** (Authority – All)

The following positions are authorised to enact all listed authorities:

- **Executive Director Corporate & Commercial Services**
 - Manager Governance & Risk
 - Team Leader Records & Council Liaison

017 – Administer Public Liability Claims

(Authority to administer public liability claims and pay compensation)

Delegation: Authority to:

1. Determine and pay compensation for damage to property up to \$1,000.
2. Authorise persons to administer any or all of the above functions.

Condition of Delegation:

Nil.

Notes:

- *A local government is to compensate the person if the person requests compensation unless it is otherwise expressly stated in s3.22 (5) of the Act, or in Schedule 3.1 or Schedule 3.2 of the Act.*
- *s3.22 does not limit section s9.57 of the Act.*

Legislative or Policy Reference:

Local Government Act 1995:

- Part 3 (Functions of local governments), Division 3 (Executive functions of local governments), Subdivision 1 (Performing executive functions)
 - s3.22 (Compensation),
 - s3.51(2)(b) (Affected owners to be notified of certain proposals),
- Part 9 (Miscellaneous provisions), Division 4 (Protection from liability)
 - s9.57 (Local government protected from certain liability).

Reporting Requirement:

Report to file.

Designated Persons:

- **Chief Executive Officer** (Authority – All)
- **Executive Director Corporate & Commercial Services** (Authority – All)
 - Manager Governance & Risk
(Authority to enact Authority 1 only)

018 – Award Contracts

(Supply of Equipment, Goods, Materials & Services)

Delegation: Authority to:

1. Award a contract.
2. Extend or renew a contract.
3. Vary a contract.
4. Authorise person(s) to administer any of their delegated functions.

Condition of Delegation:

- (a) The value of the contract* to be entered into is limited by (Delegation: 013 – Payments of Funds).
- (b) A summary of variations enacted must be acknowledged by the responsible Executive Director.

Note: The awarding of contracts that are of a value greater than \$30,000 are administered by this delegation.*

Legislative or Policy Reference:

Local Government Act 1995:

- s3.18(2) (Performing executive functions),
- s3.57(1) (Tenders for providing goods or services),
- s5.41(d) (Functions of CEO),
- s5.43(b) (Limits on delegations to CEO).

Local Government (Functions and General Regulations 1996:

- Division 2 – Tenders for providing goods or services (s3.57).

Reporting Requirement: Report to file.

Designated Persons:

- **Chief Executive Officer** (Authority – All)
- **Executive Director Corporate & Commercial Services** (Authority – All)
 - Manager Finance
(Limited to enact Authority 1, quotations up to \$250,000)
- **Executive Director Community Services** (Authority 2, 3, & 4 only)
- **Executive Director Infrastructure, Development & Environment** (Authority 2, 3, & 4 only)
 - Manager Engineering & Sustainability
(Limited to enact Authority 3 only, up to \$50,000 per contract)
 - Civil Infrastructure Project Manager
(Limited to enact Authority 3 only, up to \$10,000 per contract)
 - Civil Infrastructure Contract Manager
(Limited to enact Authority 3 only, up to \$10,000 per contract)
 - Team Leader Civil Infrastructure
(Limited to enact Authority 3 only, up to \$10,000 per contract)

019 – Leases, Licences

(Property Management)

Delegation: Authority to:

1. Process requests related to leases and licences.
2. Negotiate terms, conditions and rent for leases and licences.
3. Approve requests to renew existing leases and licences with community groups (being charitable, benevolent, religious, cultural, educational, recreational, sporting, or other like nature groups), airport hangar sites, government agencies or telecommunication entities for properties that are under the care, control and management of the City of Albany.
4. Approve new leases for Lotteries House in accordance with Lotteries House Tenant Management Committee recommendations.
5. Approve requests to take up an option for a further term on a current lease/licence or sublease/licence, provided there being no variation to the principal terms of the lease/licence and all accounts being paid in full.
6. Approve requests to vary existing leases/licences.
7. Renegotiate current lessee or sub-lessee rental.
8. Approve requests to assign existing leases or subleases, provided there being no variation to the principal terms of the lease.
9. Approve requests for a sublease/sub-licence where there is a current lease/licence in place.
10. Surrender of a lease/licence of any property, where the balance of lease/licence payable does not exceed \$10,000 and all accounts being paid in full.
11. Appoint persons to administer any or all of the above functions.

Condition of Delegation:

- (a) Process leases and licences (1) Authority to process matters relating to Leases and Licences, as follows:
- Settled terms and conditions to be approved by the delegate as soon as practicable;
 - Definition of lessee includes a licensee where the context permits;

- Where the lessee disputes the market rent increase, the delegate may negotiate a lesser increase to lease/licence rent subject to:
 - the lessee providing to the City at the lessee's cost, a current written rental valuation undertaken by a licensed valuer on or prior to the date upon which the increased rent is to apply; or
 - the City and the lessee reaching agreement on a new lease/licence rental that is not less than 80% of the market rate as determined by the City's Valuer to a maximum amount of \$5,000 per annum.

(b) Variation of existing lease/licence terms: subject to Authority 2 & 6:

- To comply with legislative or other statutory or government authority requirements issued from time to time.
- Leased area:
 - Increase not exceeding 10% or 100m² of the existing area, whichever is the greater;
 - Any reduction to the existing lease area.
- Permitted Use provided there being:
 - no change to the primary use and in accordance with the Management Order over the land (if applicable).
 - proposed amendment is ancillary to the existing permitted use; and
 - has local authority planning approval (if required).
- Guarantee & Indemnity or Insurance provided Council interests remain protected.

(c) Approve requests (Authority 3):

- Compliance with Council Policy Property Management – Leases and Licences is required.

(d) Approve new and renew requests (Authority 3 & 4):

- All new leases and licences (other than those delegated by Council) will be referred to Council for consideration.

Legislative or Policy Reference:

Local Government Act 1995:

- s3.58 (Disposing of property)

Land Administration Act 1997:

- Part 6 (Sales, lease, licences, etc. of Crown land)

Council Policy Position:

- Property Management – Leases & Licences Policy

Reporting Requirement:

- All new leases and licences (other than those delegated by Council) are to be referred to Council for consideration.
- Report to Council monthly.

Designated Persons:

- **Chief Executive Officer** (Authority – All)
- **Executive Director Corporate & Commercial Services**
(Authority – All)

020 – Public Property & Land Management

(Authority to administer and authorise use of Public Facilities, Reserves, Campgrounds & Event Approval)

Delegation: Authority to:

1. Approve or refuse applications for hire of recreation centres, facilities, halls, and buildings to the public and determine appropriate conditions (including signage: sporting and event banners).
2. Waive or vary hire fees for charitable organisations or other persons; and
3. Determine the rights of lessees to sell goods to patrons attending sporting functions at venues owned or leased by the City to various clubs and organisations.
4. Manage City facilities and reserves:
 - a. Allocate sporting facilities, recreational reserves (parks and camping grounds) to seasonal and casual users and hirers, including determining conditions and period of use:
 - Sporting grounds (including practice cricket wickets);
 - Public event space;
 - Length of stay;
 - b. Determine costs for damage to buildings, parks and recreational reserves;
 - c. Determine applications for the sale or consumption of alcohol on parks and reserves and leased premises; and
 - d. Approve signage on reserves. (i.e. service and tourist signs, sporting club and event banners).
5. Authorise persons to administer any or all the above functions.

Condition of Delegation:

- (a) City managed facilities and reserves:
- Such use to be at an appropriate fee as set by the Council.
 - Having regard to existing and previous usage.
 - Approval is based on the following criteria:
 - the event being conducted at no cost to the Council;
 - the organiser being required to meet the cost of all outgoings;
 - adjoining residential areas being notified of the event in advance;
 - the event not causing any inconvenience to adjacent business/commercial operations;
 - the Council being indemnified against any claims for damages;
 - approval is time limited; and
 - the City's Service and Tourist Signage Policy.

Legislative or Policy Reference:

Local Government Act 1995:

- s3.54 (Reserves under control of a local government),
- s6.12 (1)(b)(3) (Power to defer, grant discounts, waive or write off debts).

Local Law: Local Government Property Local Law 2011 (As amended)

Council Policy Position:

- Public Works, Service and Tourist Signs Policy

Reporting Requirement: Report to file.

Designated Persons:

- **Chief Executive Officer** (Authority – All)

The following positions are authorised to enact all listed authorities:

- **Executive Director Corporate & Commercial Services**
 - Manager Governance & Risk
- **Executive Director Community Services**
 - Manager Facilities
 - Team Leader National Anzac Centre Precinct
 - Child Care Educator Team Leader

The following positions are authorised to enact all listed authorities, except the authority to enact Authority (2) & (3):

- Manager Community Relations
- Events Coordinator
- Events Approval & Projects Officer
- Manager Recreation Services (incl. ALAC)
- ALAC Duty Managers & Coordinators
- Manager Arts & Culture
- Library Team Leader
- Team Leader Arts & Culture
- **Executive Director Infrastructure, Development & Environment** (Authority – All)

The following positions are authorised to enact all listed authorities, except the authority to enact Authority (2) & (3):

- Manager Engineering & Sustainability
- Manager City Reserves

021 – Objection to the Rate Record & Release of Rating Information

Reporting Requirement: Report to file.

Delegation: Authority to:

1. Consider any objection to the rate record and may either disallow it or allow it, wholly or in part, pursuant to s6.76(5) of the Act.
2. Grant an extension to the time to make an objection, pursuant to s6.76(4) of the Act.
3. Consider applications to release information detailed in s5.94(m) of the Act, subject to:
 - a. Applications being submitted in the form prescribed from time to time; and
 - b. A Statutory Declaration being completed.
4. Authorise persons to administer any or all of the above functions.

Notes:

- *A local government:*
 - *Is to promptly consider any objection to the rate record and may either disallow it or allow it, wholly or in part.*
 - *May, on application by a person proposed to make an objection to the rate record, extend the time for making the objection for such period as it thinks fit.*
- *The ability for the CEO to deem that documents should not be made available because in the CEO's opinion the meeting should have been closed to the public has been removed.*

Condition of Delegation:

- (a) An extension will only be granted for a maximum period of 30 days.
- (b) If the authorised persons are not satisfied that the information will not be used for commercial purposes the application for information shall be rejected.

Legislative or Policy Reference:

Local Government Act 1995:

- s5.94 (Public can inspect certain local government information),
- s5.95 (Limits on right to inspect local government information),
- s5.96 (Copies of information to be available),
- s6.76 (4)(5) (Grounds of objection).

Local Government (Administration) Regulations 1996:

- r.29B (Copies of certain information not to be provided (Act s. 5.96))

Designated Persons:

- **Chief Executive Officer** (Authority – All)
- **Executive Director Corporate & Commercial Services** (Authority – All)
 - Manager Finance (Limited to enact Authority 1, 2 & 3 only)
 - Rates Officer (Limited to enact Authority 3 only)
 - Manager Governance & Risk (Limited to enact Authority 3 only)
 - Team Leader Records & Council Liaison (Limited to enact Authority 3 only)

022 – Administer Rates & General Debt Recovery Activities

(Administer the recovery, write-off, and exemptions relating to Rates & General Debt)

Delegation: Authority to:

1. Waive, grant concessions, or write off any amount of money owed to the City, pursuant to s6.12(1) of the Act.
2. Write off any amount of money, including rate debts 'penalty interest' where the cost of recovering the debt will be greater than the actual debt.
3. Instruct the City's Debt Recovery Agent to proceed against land and/or property for unpaid rates through the Magistrate's Court.
4. Approve Rate Exemptions. Consider and approve applications for exemption under s6.26 of the Act, subject to applications being submitted in writing and proof of ownership.
5. Administer the Rates Financial Hardship Policy.
6. Authorise persons to administer any or all of the above functions.

Condition of Delegation:

- (a) Write Off Debt (monies owed):
 - Maximum \$10,000.
 - Finance Officers– Rates: limited \$1,500.
 - The full details of the waiver, concession or write off to be recorded on the appropriate financial record and a report being provided to the Community and Corporate Services Committee on an annual basis on the exercise of this delegation.
- (b) Rate Debt Recovery – Authority (3):
 - Rates or service charges to be unpaid.
 - A General Procedure Claim and Property Seizure & Sale Order through the Magistrate's Court has been served on the ratepayer.
 - Property Seizure & Sale Order to be lodged on the land title.
 - Proceed to sell the land through the Bailiff's Office.
- (c) Approve Rate Exemption – Authority (4). If the delegates are not satisfied that the use of the property is exempt under s6.26, of the Act, the application must be referred to the Chief Executive Officer.

Legislative or Policy Reference:

Local Government Act 1995:

- s6.12 (Power to defer, grant discounts, waive or write off debts) (1)(c);
- s6.26 (Rateable land);
- s6.49 Agreement as to payment of rates and service charge;
- s6.56 (Rates or service charges recoverable in court); s6.64 (Actions to be taken);
- s6.66 (Effect of lease);
- s6.68 (Exercise of power to sell land).

Council Policies:

- Rating Subsidy: Sporting and Community Organisations: Subject to a qualifying criterion, a full subsidy of annual rates may be applied.
- Rates Financial Hardship Policy: This policy is applicable to outstanding rates and charges as at the date of adoption and/or re-adoption.

Reporting Requirement: Report to file and to Council annually, noting conditions.

Designated Persons:

- **Chief Executive Officer**
(Authority – All)
- **Executive Director Corporate & Commercial Services**
(Authority – All)
 - Manager Finance
(Authority – All, Exempt 5)
 - Senior Finance Officer – Rates
(Limited to enact Authority 2 only)

023 – Administer the Building Act 2011 and Strata Titles Act 1985

(Occupancy Permit, Building Approval, Certificate for Strata Scheme, Plan of Re-Subdivision)

Delegation: Council designates the following positions to discharge duties, under s50 of the Building Act 2011, subject to conditions:

- Chief Executive Officer
- Executive Director Infrastructure, Development & Environment;
 - Development Engineer
 - Senior Planning Officers
 - Manager Planning & Building Services
 - Coordinator Planning Services
 - Coordinator Building Services
 - Senior Building Surveyors
 - Building Surveyors

Authority to:

1. Grant (under s50 of the Building Act 2011):
 - a. an Occupancy Permit for a building that is a subject of the strata plan to accompany the strata plan as required under the Strata Titles Act 1985 s5B(2)(a); or
 - b. a building Approval Certificate for a building that is a subject of the strata plan to accompany the strata plan as required under the Strata Titles Act 1985 s5B(2)(b), wherein the opinion of the Chief Executive Officer:
 - The buildings shown on the strata plan are first inspected to ensure compliance with approved building plans and specifications; and
 - The buildings are of sufficient standard and suitable to be divided into lots pursuant to the Strata Titles Act 1985.
2. Authorise persons to administer any or all of the above functions.

Condition of Delegation:

- (a) Occupancy Permit - Authority (1). Also satisfied that:
- separate occupation of the proposed lots will not contravene the provisions of any local planning scheme in force under the Planning and Development Act 2005;
 - any consent or approval required under any such local planning scheme or under the provisions of the last-mentioned Act relating to any interim development order, has been given in relation to the separate occupation of the proposed lots; and

- the development of the parcel as a whole, the building and the proposed subdivision of the parcel into lots for separate occupation will not interfere with the existing or likely future amenity of the neighbourhood, having regard to the circumstances of the case and to the public interest.

(b) Approval Certificate – Authority (2). Power to determine applications for the issuing of a certificate of approval under the Building Act 2011, s50 for a plan of subdivision, re-subdivision or consolidation, except those applications that:

- propose the creation of a vacant lot;
- proposed vacant air strata's in multi-tiered strata scheme developments;
- in the opinion of the WAPC as notified to the relevant local government in writing, or in the opinion of the relevant local government as notified to the WAPC in writing, relating to:
 - a type of development; and/or
 - land within an area;

which is of state or regional significance, or in respect of which the WAPC has determined is otherwise in the public interest for the WAPC to determine the application.

(c) A local government that exercises the power referred to in condition of delegation 1(b)(ii) above (Functions to be performed) is to provide WAPC with data on all applications determined under this Instrument of delegation at the conclusion of each financial year in the format prescribed by the WAPC.

Notes: The full Western Australian Planning Commission Delegation is listed at Attachment C.

RE: Strata Title Scheme Applications. Two amendments have been made:

- The first is to grant power to local governments to determine applications relating to restrictive use conditions or by-laws.
- The second is to restrict the power of local governments to determine type 1A and type 2 subdivision applications.

Additional advice is provided at Attachment C, in regard to the process relating to applications to terminate a strata scheme.

Legislative or Policy Reference:

Building Act 2011:

- s50 (Application for occupancy permit or building approval certificate for registration of strata scheme, plan of re-subdivision)

Strata Titles Act 1985:

- Part II (Strata schemes and survey-strata schemes, Division 1 — Creation of lots and common property), s5B(2) (a), & (2)(b). (Further provisions as to registration of plans), s25 (Certificate of Commission)
- *Western Australian Planning Commission - Delegation 2020/01 (gazette 29 January 2021) – local governments, and to member and officers, its power under sections 15, 21 & 22 of the Strata Titles Act 1985.*

Reporting Requirement: Report to Council monthly.

Designated Positions:

- **Chief Executive Officer**
(Authority – All)
- **Executive Director Infrastructure, Development & Environment**
(Authority – All)

The following positions are limited to enact Authority 1a & 1b only:

- Manager Planning & Building Services
- Coordinator Building Services
- Senior Building Surveyor(s)
- Building Surveyor(s)

024 – Building Act 2011
(Administration and Compliance Powers)

Delegation: Authority to:

1. Appoint authorised persons: to administer the Building Act 2011 (the Building Act) and sign the certificate of appointment.
2. Commence Prosecutions pursuant to s139 of the Building Act.
3. Conduct duties as an authorised person pursuant to s96 of the Building Act:
 - a. Enter and inspect buildings (completed or not) and land;
 - b. Serve requirements on an owner or builder imposing requirements as to the manner of carrying out such operations or earthworks for the purpose of minimising such damage, under the Building Act.
4. Serve Notices:
 - a. To stop unlawful work in accordance with s191 of the Building Act;
 - b. Where a building is deemed to be in a dangerous state, cause it to be shored up or otherwise secured and a proper hoarding or fence to be put up for the protection of the public from danger, and shall cause written notice to be served on the owner or occupier, under s192 of the Building Act;
 - c. On the owner or occupier of a neglected and/or dangerous building, to compel removal in accordance with the Building Act, s192 & s193;
 - d. On the owner or occupier of a dilapidated building, to compel renovation in accordance with s194 of the Building Act;
 - e. On the owner or occupier of a uncompleted building, in accordance with s195 of the Building Act.
5. Permits:
 - a. Approve or refuse to approve plans and specifications for a Building Permit submitted under s20 of the Building Act;
 - b. Approve or refuse to approve plans and specifications for a Demolition Permit submitted under s21 of the Building Act;
 - c. Approve, modify or refuse to approve applications for an extension of period of duration for a Occupancy Permit and Building Approval Certificate submitted under s58 of the Building Act;
 - d. Approve, modify or refuse to approve applications for Granting of an Occupancy Permit and Building Approval Certificate submitted under s58 of the Building Act.

Condition of Delegation:

- (a) Authorised Persons - Authority (1) & (3): Appointed authorised person must hold a current authority card.
- (b) An authorised person, shall on demand by the builder, owner or person apparently in charge thereof, produce his authority to enter, to the person demanding it.
- (c) Commence Prosecutions – Authority (2): is restricted to CEO and the Executive Directors.
- (d) Serve Notices – Authority (4):
- (e) Executive Director to sign the Notice.
- (f) Notice must be in accordance with prescribed content.
- (g) In undertaking the functions of these delegations, Building Surveyors must:
- (h) Be employed by the City of Albany in accordance with s5.36 of the Act.
- (i) Hold the appropriate qualifications as set out under r.6 of the Building Services (Registration) Regulations 2011.

Legislative or Policy Reference:

Building Act 2011:

- s20 (Grant of building permit),
- s21 (Grant of demolition permit),
- s22 (Further grounds for not granting an application),
- s58 (Grant of occupancy permit, building approval certificate),
- s65 (Extension of period of duration),
- s96 (Authorised persons),
- s110 (Building orders),
- s117 (Revocation of building order),
- s127 (Delegation: special permit authorities and local governments),
- s139 (Presumptions about authority to do certain things),
- s191 (Notices to stop unlawful work),
- s192 (Dangerous buildings),
- s193 (Neglected buildings),
- s194 (Dilapidated buildings),
- s195 (Uncompleted buildings).

Building Services (Registration) Act 2011

Building Services (Registration) Regulations 2011:

- r.6 (Classes of building service practitioner and building service contractor)

Building Regulations 2012:

- Part 10 (Infringement Notices)
 - r69 (Prescribed offences and modified penalties)
 - r70 (Approved officers and authorised officers)

Local Government Act 1995:

- s5.36 (Local government employees)

Reporting Requirement: Report to file.

Designated Persons:

- **Chief Executive Officer**
(Limited to enact Authority 1, 2 & 4 only)
- **Executive Director Infrastructure, Development & Environment**
(Limited to enact Authority 1, 2 & 4 only)

The following positions are limited to enact Authority 3 only:

- Manager Planning & Building Services
- Development Engineer

The following positions are limited to enact Authority 3 & 4 only:

- Senior Planning & Development Compliance Officer
- Development Compliance Officer(s)

The following positions are limited to enact Authority 3, 4 & 5 only:

- Coordinator Building Services
(Authority 3, 4 & 5 only)
- Senior Building Surveyor(s)
(Authority 3, 4 & 5 only)

The following positions are limited to enact Authority 3 & 5 only:

- Building Surveyor(s)

025 – Swimming Pools

(Authority to Inspect and Enforce Compliance)

Delegation: Council designates the following positions under the Building Act 2011, subject to conditions:

- Chief Executive Officer
- Executive Director Infrastructure, Development & Environment
 - Manager Planning & Building Services
 - Senior Planning & Development Compliance Officer
 - Coordinator Building Services
 - Development Compliance Officer
 - Senior Building Surveyors
 - Building Surveyors

Authority to:

1. Enter and inspect land and swimming pools, issue notices and take out such measures with or without assistants as considered necessary in order to prevent the swimming pool from being a danger to persons who may enter upon the land.
2. Inspect private swimming pools and enforce the provisions of the Building Act 2011 and associated regulations and standards.
3. Authorise persons to administer any or all of the above functions.

Condition of Delegation:

(a) Enter and inspect land and swimming pools:

- Must hold a current authority card, compliant with the transitional provisions prescribed in the regulations.
- An authorised person, shall on demand by the builder, owner, or person apparently in charge thereof, produce his authority to so enter to the person demanding it.

(b) Inspect private swimming pools:

- Executive Director to sign any Prosecution Notices.
- The inspection that is to be conducted at the completion of building work for an enclosure of a private swimming pool is an inspection to assess whether the pool enclosure complies with the requirements in regulation 50.

Legislative or Policy Reference:

Building Act 2011

Building Regulations 2012:

- Division 2 (Kinds of applications for occupancy permits and building approval certificates), r.50 (Application for occupancy permit),
- Division 3 (Making and dealing with applications for occupancy permits and building approval certificates), r.54 (Manner of application).

Reporting Requirement: Report to file.

Designated Persons:

- **Chief Executive Officer**
(Authority – All)
- **Executive Director Infrastructure, Development & Environment**
(Authority – All)
 - Manager Planning & Building Services
(Authority – All)
 - Development Engineer
(Authority – All)

The following positions are limited to enact Authority 1 & 2 only:

- Coordinator Building Services
- Senior Building Surveyor(s)
- Building Surveyor(s)
- Senior Planning & Development Compliance Officer
- Development Compliance Officer

026 – Activities on Private & Public Land

(Take Action and Issue Notices to mitigate hazards to life and property)

Delegation: Authority to:

Schedule 3.1 – Powers under notices to owners or occupiers of land [s3.25((1))]:

1. Issue notices in writing requiring the person to do anything, but not limited to, the following:

- a. [1] Prevent water from dripping or running from a building on the land onto any other land;
- b. [2] Place in a prominent position on the land a number to indicate the address;
- c. [3] Modify or repair, in the interests of the convenience or safety of the public, anything constructed as mentioned in Schedule 9.1, clause 8 of the Act, or repair any damage caused to the public thoroughfare or other public place mentioned in that clause;
- d. [4] (1) Ensure that land that adjoins a public thoroughfare or other public place that is specified for the purposes of this item by a local law —
 - is suitably enclosed to separate it from the public place; and
 - where applicable, is enclosed with a close fence, to the satisfaction of the local government, suitable to prevent sand or other matter coming from the land onto the public place.
- e. [5] (1) Ensure that unsightly land is enclosed, to the satisfaction of the local government, with a fence or other means suitable to prevent the land, so far as is practicable, from being unsightly.

In this item — **unsightly**, in relation to land, means having an appearance that, because of the way in which the land is used, does not conform with the general appearance of other land in the locality.

- f. [5A] (1) Ensure that overgrown vegetation, rubbish, or disused material, as specified, is removed from land that the local government considers to be untidy.

In this item — **disused material** includes disused motor vehicles, old motor vehicle bodies and old machinery.

- g. [6] Take specified measures for preventing or minimising the movement of sand, silt, clay or rocks on or from the land if, in the opinion of the local government, that movement would be likely to adversely affect other land.
- h. [7] Ensure that land that adjoins a public thoroughfare or other public place that is specified for the purposes of this item by a local law is not overgrown.

For the purpose of this item, this includes **Fire Fuel Load Reduction Activities** (slashing, mulching, etc.) to protect private and public property.

- i. [8] Remove all or part of a tree that is obstructing or otherwise prejudicially affecting a thoroughfare that is under the local government's control or management and adjoins the land where the tree is situated.
- j. [9] Ensure that a tree on the land that endangers any person or thing on adjoining land is made safe.
- k. [10] Take specified measures for preventing or minimizing —
 - danger to the public; or
 - damage to property,which might result from cyclonic activity.
- l. [11] Remove bees that are likely to endanger the safety of any person or create a serious public nuisance.
- m. [12] Ensure that an unsightly, dilapidated or dangerous fence or gate that separates the land from land that is local government property is modified or repaired.
- n. [13] Take specific measures to prevent —
 - o. artificial light being emitted from the land; or
 - p. natural or artificial light being reflected from something on the land, creating a nuisance.
- q. [14] (1) Remove or make safe anything that is obstructing or otherwise prejudicially affecting a private thoroughfare so that danger to anyone using the thoroughfare is prevented or minimised.

In this item — **private thoroughfare** has the same meaning as in Schedule 9.1 clause 7(1) of the Act.

Schedule 3.2 – Particular things local governments can do on land even though it is not local government property [s3.27(1)]:

2. Carry out things prescribed in Schedule 3.2 even though the land is not local government property, and the local government does not have consent to act:
 - a. [1] Carry out works for the drainage of land, which includes (Drainage Easements);
 - b. [2] Do earthworks or other works on land for preventing or reducing flooding;
 - c. [3] Take from land any native growing or dead timber, earth, stone, sand or gravel that, in its opinion, the local government requires for making or repairing a thoroughfare, bridge, culvert, fence or gate; (3.36 applies, s3.27(3) applies).
 - d. [4] Deposit and leave on land adjoining a thoroughfare any timber, earth, stone, sand, gravel that is required for making or repairing a thoroughfare, bridge, culvert, fence, or gate; (s3.36 applies, s3.27(3) applies).
 - e. [5] Make a temporary thoroughfare through land for use by the public as a detour while work is being done on a public thoroughfare; (s3.36 applies, s3.27(3) applies).
 - f. [6] Place on land signs to indicate the names of public thoroughfares; and
 - g. [7] Make safe a tree that presents serious and immediate danger to life or property.

Graffiti Vandalism Act 2016:

3. Exercise all powers prescribed in Part 3 of the Graffiti Vandalism Act 2016:

Note: *The number indicated between the brackets i.e. [] is the clause number used in the Act.*

Condition of Delegation:

- (a) The authorised persons must document how they formed the opinion that the things to be performed are necessary to protect and/or enhance the health, safety or amenity of the persons or property in the district or to remove a nuisance.
- (b) Schedule 3.1 – Powers under notices to owners or occupiers of land [s3.25((1)]:

Authority 1e: *The notice cannot be given to an occupier who is not an owner.*

Legislative or Policy Reference:

Local Government Act 1995:

- s3.25 (Notices requiring certain things to be done by owner or occupier of land),
- s3.27 (Particular things local governments can do on land that is not local government property),
- s3.36 (Opening fences),
- Schedule 3.1 – Powers under notices, Division 1 (Things a notice may require to be done),
- Schedule 3.2 – Particular things local governments can do on land even though it is not local government property.

Local Government (Uniform Local Provisions) Regulations 1996:

- r.13 (Requirement to construct or repair crossing — Sch. 9.1 cl. 7(3))

Graffiti Vandalism Act 2016:

- Part 3 (Local government powers)
 - s16 (Delegation by local government),
 - s18 (Notice requiring removal of graffiti)
 - s22 (Objection may be lodged), under the Local Government Act 1995, Part 9 and section 9.6.
 - s25. (Local government graffiti powers on land not local government property)

Reporting Requirement: Report to file.

Designated Persons:

- **Chief Executive Officer** (Authority – All)

Position/ Delegated Authority Limited to Enact	Schedule 3.1 – Powers under notices to owners or occupiers of land:																	Schedule 3.2 – Particular things local governments can do on land even though it is not local government property:						
	a	b	c	d	e	f	g	h	i	j	k	l	m	n	o	p	q	a	b	c	d	e	f	g
Executive Director Infrastructure, Development & Environment	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Manager Planning & Building Services	X	X		X	X	X	X	X	X			X	X	X	X	X	X	X						
Development Engineer	X			X								X		X	X	X								
Planning Coordinator					X	X	X	X	X			X	X	X	X	X								
Senior Planning & Development Compliance Officer	X			X	X	X	X	X	X			X	X	X	X	X	X	X						
Development Compliance Officer	X			X								X		X	X	X	X							
Coordinator Building Services									X					X	X	X	X							
Manager City Reserves						X					X													
Manager Engineering & Sustainability	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Manager Operations	X	X	X	X	X		X		X		X		X	X	X	X	X							
Executive Director Corporate & Commercial Services					X	X	X	X	X			X	X	X	X	X	X							
Manager Public Health & Safety					X	X	X		X			X	X	X	X	X	X							
Coordinator Ranger Services					X	X	X		X			X	X	X	X	X	X							
Senior Rangers & Rangers					X	X	X		X			X	X	X	X	X	X							
Coordinator Environmental Health								X					X											

027 – Designate Prosecution Officers & Authorise Power of Entry

Delegation: Authority to:

1. Authorise a local government person to lawfully enter land or premises or thing without the consent of the owner or occupier.
2. Lawfully enter land, premises or thing unless the owner or occupier or a person authorised by the owner or occupier objects to the entry.
3. Appoint Prosecution Officers for Fines, Penalties and Infringement Notices under the Enforcement Act 1994 (including Provide written notice to the Registrar designating those officers that are Prosecution Officers for the purposes of the Fines, Penalties and Infringement Notices Enforcement Act 1994, Section 13(2).

Condition of Delegation:

- The power to enter property without the consent of the owner (1) is only to be enacted once an Executive Director and/or Line Manager have given verbal approval.

Legislative or Policy Reference:

Local Government Act 1995:

- Part 3 (Functions of local governments), Division 3 (Executive functions of local governments), Subdivision 3 (Powers of entry)
 - s3.28 (When this Subdivision applies)
 - s3.31(2) (General procedure for entering property)
 - s3.32 (Notice of entry)

Planning & Development Act 2005:

- Planning and Development (Local Planning Scheme) Regulations 2015 cl. 79

Building Act 2011:

- Division 3 — Powers of authorised persons, s100 (Entry powers); s101 (Powers after entry for compliance purposes)

Fines, Penalties & Infringement Notices Enforcement Act 1994:

- s13(2) (Approved prosecuting authorities and officers)

Graffiti Vandalism Act 2016:

- Division 4 (Powers of entry), s27. (General procedure for entering property, s28. (Notice of entry), s29. (Entry under warrant)

Reporting Requirement:

- Report to file.

Designated Persons:

- **Chief Executive Officer** (Authority – All)
- **Executive Director Infrastructure, Development & Environment** (Authority – All)
 - Manager Engineering & Sustainability (Limited to enact Authority 2 only)
 - Manager City Reserves (Limited to enact Authority 2 only)

The following positions are limited to enact Authority 1 & 2 only:

- Manager Planning & Building Services
- Development Engineer
- Coordinator Planning Services
- Senior Planners
- Planning Officer
- Coordinator Building Services
- Senior Building Surveyor(s)
- Building Surveyor(s)
- Senior Planning & Development Compliance Officer
- Development Compliance Officer(s)
- **Executive Director Commercial & Community Services** (Authority – All)
 - Manager Public Health & Safety (Limited to enact Authority 1 & 2 only)
 - Coordinator Ranger Services (Limited to enact Authority 2 only)
 - Environmental Health Officers & Technicians (Limited to enact Authority 2 only)

028 – Administer the Subdivision of Land

Delegation: Authority to:

1. Approve subdivision and development that does not comply with Council engineering design guidelines, however satisfies sound engineering principles.
2. Exercise discretion and to make recommendations to the Department of Planning and/or the Western Australian Planning Commission on applications for subdivisions, amalgamation, survey strata and strata of land.
3. Authorise matters relating to the performance of Council's functions with regard to subdivision (including strata and survey strata) applications.
4. Authorise persons to administer any or all of the above functions.

Condition of Delegation:

- (a) The application complies with the provisions of the:
 - Local Planning Scheme (LPS1);
 - Residential Design Codes;
 - Building Code of Australia;
 - Building Regulations of Western Australia; and
 - City of Albany Policies and Local Laws.
- (b) The provision of truncations where necessary, must be to the satisfaction of the Executive Director Infrastructure, Development & Environment and documented on the appropriate file and record.
- (c) Any Applications where the recommendations would be inconsistent with the objectives of Local Planning Scheme (LPS1), a relevant structure plan, outline development plan, policy, or strategy to be referred to Council.

Legislative or Policy Reference:

Local Government Act 1995:

- Schedule 3.1 — Powers under notices to owners or occupiers of land, s3.25 (Notices requiring certain things to be done by owner or occupier of land)

Policy Position:

- Subdivision & Development Guidelines Policy

Reporting Requirement: Report to file.

Designated Persons:

- **Chief Executive Officer**
(Authority – All)

The following positions are authorised to enact all listed authorities:

- **Executive Director Infrastructure, Development & Environment**
 - Manager Planning & Building Services
 - Development Engineer
 - Coordinator Planning Services

The following positions are authorised to enact Authority 2 & 3 only:

- Senior Planning Officers
- Planning Officers

029 – Administer the Bush Fire Act 1954

(Administration & Compliance)

Delegation: Council designates the following positions to issue notices and enforce the Bush Fire Act 1954, subject to conditions:

- Chief Executive Officer
- Executive Director Corporate & Commercial Services
 - Manager Public Health & Safety
 - Community Emergency Services Manager – CESH
 - Chief Bush Fire Control Officer, Deputy Chief Bush Fire Control Officer
 - Coordinator Ranger Services
 - Senior Ranger & Rangers

Authority to:

1. Issue directions to Bush Fire Brigades (includes authority to issue direction regarding burning bush on, or at the margin of, streets, roads and ways under the care, control and management of the local government and give direction to Bush Fire Control Officers, appointed under the Bush Fires Act 1954).
2. Appoint Fire Control Officers & define areas of responsibility (includes the authority to appoint Fire Control Officers, the Chief Bush Fire Control Officer and Deputy Bush Fire Control Officers in accordance with s48 of the Bush Fires Act 1954).
3. Approve Fire Hazard Reduction by Burning Applications (includes Authority to endorse applications submitted for hazard reduction by burning on any land in the district, at the request of the owner or occupier of the land).
4. Give Notice to Install Firebreaks around Properties (includes Authority to take measures for preventing a bush fire, including requiring firebreaks (fire access tracks) around properties).
5. Prosecute and Serve Infringement Notices (Consider allegations and issue infringement notices committed against the Bush Fires Act 1954).
6. Vary Prohibited and Restricted Burning Times. (including authority to vary Prohibited Burning Times, in accordance with s17(7) and (8), of the Bush Fires Act 1954: shortening, extending, suspending or reimposing a period of prohibited burning times; or imposing a further period of prohibited burning times).

Condition of Delegation:

- (a) Issue direction to a registered Bush Fire Brigade: Having reasonably sought information prior to issuing directions and so satisfying themselves that direction is needed.
- (b) Prior to persons, appointed as Rangers, instigating proceedings in a Court of Competent jurisdiction the line Manager is to be consulted.
- (c) Appointed persons must be qualified in accordance with Department of Fire & Emergency Services (DFES) prescribed qualifications.
- (d) The Chief Bush Fire Control Officer and Deputy Bush Fire Control Officers who shall be first, second in seniority of those officer, and subject thereto may determine the respective seniority of the other Bush Fire Control Officers appointed.
- (e) Appointments must be published in a newspaper circulating in the district and Government Gazette.
- (f) Approve Fire Hazard Reduction by Burning Applications: DFES and the Department of Biodiversity, Conservation & Attractions (DBCAs) – Parks and Wildlife Service must be consulted.
- (g) Give Notice to Install Firebreaks around Properties: Prevention measure and fire breaks (fire access tracks) are to be in accordance with the City of Albany Fire Management Requirements Notice (s33 of the Bush Fires Act 1954).
- (h) Vary Prohibited and Restricted Burning Times: The Officer in charge of the regional offices of the Parks & Wildlife Services and DFES are to be consulted before the authority under this delegation is exercised.
- (i) Fire Management Notices must be signed by the designated officer and are to be presented and /or published in accordance with the Act for all variations.

Note: Prior to authorisation and approval of the Annual Fire Management Notice, including variations, the Bush Fire Advisory Committee is to be notified.

Legislative or Policy References:

Bush Fires Act 1954:

- s17 (7) (8) (10)
- (Prohibited burning times may be declared by Minister),
- s18(5)(a) (Restricted burning times may be declared by FES commissioner),
- s33(6) (Local government may require occupier of land to plough or clear fire-break),
- s38 (Local government may appoint bush fire control officer),
- s33(8) (Local government may require occupier of land to plough or clear fire-break)
- s48(1) (Delegation by local governments),
- s59(3) (Prosecution of offences),
- s59A (2) (Alternative procedure)

Fire & Emergency Services Act 1998:

- Part 7- Miscellaneous, s37 (Protection from personal and vicarious liability, s12 (2)(e)(f) (Powers)

Policy Positions:

- Bushfire Management in Conservation, Special Residential and Rural Residential (Special Rural) Zoned Land Policy
- City of Albany - Annual Fire Management Notice

Reporting Requirement: Report to file.

Designated Persons:

- **Chief Executive Officer**
(All, which includes authorising the Annual Fire Management Notice).
- **Executive Director Corporate & Commercial Services**
(All, which includes authorising the Annual Fire Management Notice).
 - Manager Public Health & Safety
(Exempt Authority 2)
 - Community Emergency Services Manager (CESM)
(Exempt Authority 2 & 5)
 - Coordinator Ranger Services
(Authority 4 & 5 only)
 - Senior Rangers & Rangers
(Authority 4 & 5 only)
 - Chief Bush Fire Control Officer
(Authority 1 only)
 - Deputy Chief Bush Fire Control Officer
(Authority 1 only)

030 – Caravan Parks, Camping Grounds, Control of Vehicles

(Including Camping on Public Land and Nature Based Camping)

Delegation: The Chief Executive Officer authorises the following positions to issue notices and enforce the Caravan Parks and Camping Grounds Act 1995 and Control of Vehicles (Off Road Areas) Act 1978, subject to conditions:

- Executive Director Corporate & Commercial Services
 - Manager Public Health & Safety
 - Coordinator Ranger Services
 - Senior Rangers, Rangers,
 - Environmental Health Officers.

Authority to:

1. Enforce the Control of Vehicles (Off Road Areas) Act 1978:
 - a. s6(1) Driving or use of off-road vehicle in area other than private land by consent or permitted area;
 - b. s6(2) Driving or use of vehicle in prohibited area;
 - c. s6(4) a. Using or driving an off-road vehicle in a manner which creates or causes undue or excessive noise;
 - d. s6(4) b. Using or driving off-road vehicle not fitted with an efficient silencing device;
 - e. s7(2) Failure to register vehicle or driving or use of unregistered vehicle;
 - f. s10 Knowingly permitting under-age person to be in charge of vehicle;
 - g. s19(3) Destroying, etc., notice or mark identifying permitted or prohibited area;
 - h. s37(8) Illegal removal of infringement notice from vehicle;
 - i. s38(10) Use of vehicle contrary to prohibition of use notice;
 - j. s38(10) Removal, damage, or obliteration of or to prohibition of use notice attached to vehicle.
2. Declare that a vehicle is an abandoned vehicle wreck under s3.40A(4) of the Local Government Act 1995.
3. Powers of Entry and Inspection of Caravan Parks & Camping Grounds. Designated persons are authorised to act under Part 3, Section 17 (1)(a) of the Caravan Parks and Camping Grounds Act 1995.

Note: Designated officers are empowered to sign documents, enter, and inspect a facility, caravan or camp, issue and withdraw notices, extend the payment date for modified penalties, and initiate appropriate legal action on behalf of the City of Albany when a breach of the Caravan Parks and Camping Grounds Act 1995 and related legislation warrants such action.

Condition of Delegation:

- (a) The power to prosecute any person is only exercised by agreement of the Executive Director Corporate & Commercial Services or the Manager Public Health & Safety.
- (b) A withdrawal notice shall be signed by a person appointed in writing to withdraw infringement notices by the public authority.
- (c) The person who issues an infringement under s23(2) must not withdraw the infringement under s23(7).

Legislative or Policy Reference:

Control of Vehicles (Off-Road Areas) Act 1978:

- s5(1) (5) (Local government's functions),
- s18 (Powers of entry),
- s38 (Authorised officers, who are, functions of etc.),
- s22 (Legal proceedings to be taken by authorised person),
- s23 (Infringement notices)

Local Government Act 1995:

- s3.40A (4)(Abandoned vehicle wreck may be taken)

Caravan Parks and Camping Grounds Act, 1995:

- Part 3 (Powers of entry & inspection), s17 (1)(a) (Power to appoint)

Reporting Requirement: Report to file.

Designated Persons:

- **Chief Executive Officer**
(Authority – All)
- **Executive Director Corporate & Commercial Services**
(Authority – All)
 - Manager Public Health & Safety
(Authority – All)
 - Coordinator Ranger Services
(Authority – All)
 - Senior Rangers & Rangers
(Authority – All)
 - Environmental Health Officers
(Limited to enact Authority 3 Only)

031 – Animal Control

(Cats, Dogs and Stock)

Delegation: Council designates the following positions to administer enforce the Cat Act 2011, Dog Act 1978 and the Local Government (Miscellaneous Provisions) Act 1960, subject to conditions:

- Executive Corporate & Commercial Services
- Manager Public Health & Safety
- Coordinator Ranger Services
- Senior Rangers and Rangers
- Customer Service Officers responsible for administering animal control functions.

Authority to:

1. Register, seize, detain and dispose a dog or cat.
2. Register a dog or cat.
3. Declare a Dog Dangerous in accordance with s33E, s33F of the Dog Act 1976.
4. Consent for a Dog to be destroyed in accordance with s29(10)(e), s33G of the Dog Act 1976.
5. Impound Stock, Dispose Sick or Injured Impounded Animals, Remove and Impound Goods (including Animals) under the Local Government (Miscellaneous Provisions) Act 1960.
6. Appoint persons, establish and operate cat management facilities under the Cat Act 2011.
7. Appoint persons, establish and operate dog management facilities under s11 the Dog Act 1976.
8. Establish public pounds under the Local Government (Miscellaneous Provisions) Act 1960.
9. Refuse registration of a dog in the City of Albany municipality in accordance with s16(3), s17A and s17 of the Dog Act 1976.

Note:

For the purpose of Part XX of the Local Government (Miscellaneous Provisions) Act 1960, a local government is to be regarded as the owner and occupier of streets, ways, reserves, bridges, ferries, foreshores, jetties, wharves, other public places, and unenclosed land abutting them within its district.

Condition of Delegation:

- (a) Withdrawal of an Infringement Notice can only be approved by the:
 - Chief Executive Officer
 - Executive Director Corporate & Commercial Services
 - Manager Public Health & Safety.
- (b) Authorisation under the Dog Act 1976 must be from Council.
- (c) Gazettal of appointment is required.

Legislative or Policy Reference:

Cat Act 2011:

- s42 (Administration by local governments),
- s44 (Delegation by local government),
- s45 (Delegation by CEO of local government),
- s48 (Authorised persons)

Cat Regulations 2012:

- r.30 (Modified penalties (s. 63(2))

Cat (Uniform Local Provisions) Regulations 2013:

- r.3 (These regulations operate as local laws)

Dog Act 1976:

- s10AA (Delegation of local government powers and duties),
- s11 (Staff and services),
- s29 (Power to seize dogs) (1),
- s30A (Operator of dog management facility may have dog micro chipped at owner's expense),
- s33E (Individual dog may be declared to be dangerous dog (declared))* , s33G (Seizure and destruction),
- s48 (Regulations to operate as local laws)

Dog Regulations 2013:

- r.33 (Modified penalties for offences under the principal Act),
- r.36 (Dog Regulations 1976 repealed)

Local Government Act 1995:

- s3.39 (Power to remove and impound),
- s3.48 (Impounding expenses, recovery of)

Local Government (Miscellaneous Provisions) Act 1960:

- r.449 (Pounds, establishing; pound keepers and rangers, appointing)

Local Laws:

Dog Local Law 2017:

- Part 2 Impounding of Dogs,
- Part 3 – Requirements and Limitations on the Keeping of Dogs, Part 4 – Approved Kennel Establishments,
- Part 5 – Misc. (Offence to excrete),
- Part 6 – Enforcement

Animal Local Law 2020

Reporting Requirement: Report to file.

Designated Persons:

- **Chief Executive Officer**
(Authority – All)
- **Executive Director Corporate & Commercial Services**
(Authority – All)
 - Manager Public Health & Safety
(Exempt Authority 3)
 - Coordinator Ranger Services
(Exempt Authority 3 & 9)
 - Senior Rangers & Rangers
(Authority 1, 2, 5 & 7 only)
 - Customer Service Officers
(Authority 2 only)

032 – Emergency Management

(Administration and Compliance Powers)

Delegation: Council designates the following positions to administer and enforce the Emergency Management Act 2005, Bush Fire Act 1954, and Fire & Emergency Services Act 1998, subject to conditions:

- Chief Executive Officer
- Executive Directors
 - Manager Public Health & Safety
 - Community Emergency Services Manager (CESM)
 - Emergency Management Officer - Operations

Authority to:

1. Authorise persons under the Emergency Management Act 2005.
2. Authorise persons to perform all powers and duties relating to Emergency Management under s48 of the Bush Fires Act 1954 relating to emergency management of fire and the operational and strategic preparedness to manage such emergencies.
3. Assist Emergency Services & engage contractors.

Notes: Under section 36 of the Emergency Management Act 2005 it is a function of local government to:

- *Subject to this act, to ensure that effective emergency management arrangements are prepared and maintained for its district;*
- *To manage recovery following an emergency affecting the community in its district; and*
- *To perform other functions given to the local government under this Act to have Local Emergency Arrangements.*

Condition of Delegation:

- (a) If potential engagement cost exceeds allocated budget, the designated officer as soon as reasonably possible is to contact with the Chief Executive Officer before engaging private contractors or incurring any expenses.
- (b) Excludes powers and duties that are prescribed in the Act that must be appointed by the local government.

Legislative or Policy Reference:

Emergency Management Act 2005:

- Part 3 – Local arrangement, s36 (Functions of Local Government),
- s37 (Local emergency coordinators)
- s38 (Local emergency management committees)
- s39 (Functions of local emergency management committees).

Fire & Emergency Services Act 1998:

- Part 2 (Administration), s12 (2)(e)(f) (Powers)
- Part 7 (Miscellaneous), s37(Protection from personal and vicarious liability).

Reporting Requirement: Report to file.

Designated Persons:

- **Chief Executive Officer**
(Authority – All)
- **Executive Director Infrastructure, Development & Environment**
(Authority – All)
- **Executive Director Community Services**
(Authority – All)
- **Executive Director Corporate & Commercial Services**
(Designated Recovery Coordinator)
(Authority – All)

The following positions are authorised to enact all authorisations:

- Finance Manager
(Designated Deputy Recovery Coordinator)
- Manager Public Health & Safety
- Community Emergency Services Manager (CESM)
- Emergency Management Officer - Operations

033 – Public Health

(Administration & Compliance Powers)

Delegation: Council designates the following positions, pursuant to s21 of the Public Health Act 2016 and s26 of the Health (Miscellaneous Provisions) Act 1911 as appointed authorised persons and deputies for the purpose of discharging the City's local government powers and functions:

- Chief Executive Officer
- Executive Director Corporate & Commercial Services
- Manager Public Health & Safety
- Coordinator Health Services
- Environmental Health Officers.

Authority to:

Food Act 2008:

1. Appoint Authorised Officers to exercise the powers and duties set out in the Food Act 2008.
2. Issue prohibition orders in accordance with section 65 of the Food Act 2008;
3. Clear and remove a prohibition order in accordance with section 66 of the Food Act 2008;
4. Provide written notification not to issue a certificate of clearance in accordance with section 67 of the Food Act 2008; and
5. Grant, apply conditions, refuse, vary or cancel registration of a food business in accordance with sections 110 and 112 of the Food Act 2008.

Health (Miscellaneous Provisions) Act 1911:

6. City Environmental Health Officer may only:
 - a. Serve health orders in connection with requirements and repairs to businesses, shops and dwellings in accordance with the provisions of s354.
 - b. Sign and issue licences and registrations issued.
 - c. Enter premises under s349 and administer the provisions in the regulations.

Litter Act 1979:

7. Appoint Authorised Officers to exercise the powers and duties set out in the Litter Act 1979.
8. Enforce the Litter Act 1979 and withdrawal infringements issued under s30(4) of the Litter Act 1979, being:
 - Part IV – Prevention of litter, s23 Littering — cigarette butt; s23 Littering — any other litter; s24 Breaking glass, metal or earthenware; s24A(1) Bill posting; s24A(2) Bill posting on a vehicle;
 - Litter Regulations 1981, r.6 Deposit of domestic or commercial waste in a public litter receptacle, r.8 Transporting load inadequately secured.

Public Health Act 2016:

9. Appoint Authorised Officers to exercise the powers and duties set out in the Public Health Act 2016.
10. All powers and duties conferred or imposed on the City of Albany by the Public Health Act 2016 in accordance with s21(1)(b)(i) of the Public Health Act 2016.

Condition of Delegation:

- (a) Only the Chief Executive Officer and/or Executive Director Corporate & Commercial Services may institute legal proceedings and appoint persons to authorised officer or deputy positions.
- (b) A person who is authorised to give infringement notices and/or enforcement orders is not eligible to be an authorised person for the purposes of withdrawal.
- (c) Setting of annual fees under s6.16 and s6.19 of the Local Government Act 1995 is excluded.
- (d) Environmental Health Officer conditions under the Health (Miscellaneous Provisions) Act 1911:
- (e) Part IV (Sanitary provisions), Divisions 4 (Sanitary conveniences) & 7 (Pollution of water): Authority is limited to the forming of opinion and issuing notices, requisitions, directions and orders and does not include the carrying out or causing to be carried out, of works in default of duly served notices, the undertaking or contracting of works, the provision of sanitary conveniences.
- (f) 'Part V (Dwellings) Division 1 (Houses unfit for occupation): Authority is limited to the forming of opinions and issuing notices and directions and *does not include carrying out, or the arranging for the carrying out, of works in default of duly served notices.*
- (g) Part VII (Nuisances and offensive trades) Division 1 (Nuisances): Authority extends to the issue of requisitions and, in the case of default, the causing of requisite work to be done.
- (h) Delegations with respect to the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974 includes the approval of applications for effluent disposal systems as described in regulation 4 and issue permits to use effluent disposal systems as described in regulation 10.

Notes: For the purposes of the Litter Act 1979 an authorised officer is:

- any member of the Police Force;
- any person appointed as such pursuant to subsection (2) within the area of jurisdiction entrusted to a person by the appointment; within the district of a local government, any person who is:
- a member of the council of the local government;
- an employee of the local government; or
- an honorary inspector appointed by the local government under s27AA;

For the purpose of the Food Act 2008 and Food Regulations 2009, Council is exercising its power of delegation under Section 122.

Legislative or Policy Reference:

Local Government Act 1995:

- Part 9 (Miscellaneous provisions), Division 2 (Enforcement and legal proceedings), Subdivision 1 — (Miscellaneous provisions about enforcement)
- s9.10 (1) (Appointment of authorised persons)

Food Act 2008:

- Part 6 (Improvement notices and prohibition orders)
- Part 10 (Administration), Division 3 (Appointment of authorised officers)
- Part 11(Procedural and evidentiary provisions)

Food Regulations 2009:

- r.5 (Appropriate enforcement agency: local government – s.8)

Public Health Act 2016:

- s21(1)(b)(i) (Enforcement agency may delegate).

Health (Miscellaneous Provisions) Act 1911:

- s26 (Powers of local government)

Litter Act 1979:

- Part V – Enforcement, proceedings and penalties, s26(1)(c) (Authorised officers, appointment and jurisdiction of etc.), s27 (Authorised officers, powers of); s27AA (Honorary inspectors, appointment of), s30 (Infringement notices)

Litter Regulations 1981:

- r.6 Deposit of domestic or commercial waste in a public litter receptacle; and
- r.8 Transporting load inadequately secured.

Public Health Act 2016:

- Part 2 Administration, Division 3 Functions of enforcement agencies, s21(Enforcement agency may delegate to the Chief Executive Officer or an authorised officer designated by the local government).

Local Laws:

- Health Local Laws 2001
- Health (Eating–Houses and Itinerant Food Vendors) Local Laws 2001
- Waste Local Law 2017 (As amended)

Reporting Requirement:

- Report to file. Noting in accordance with section 38 of the Health (Miscellaneous Provisions) Act 1911, local governments are to submit a report to the Chief Health Officer concerning the sanitary conditions of its district, and all works executed and proceedings taken by the local government in February annually.

Designated Persons:

- **Chief Executive Officer**
(Authority - All)
- **Executive Director Corporate & Commercial Services**
(Authority - All)
 - Manager Public Health & Safety
(Limited to enact Authority 7 & 8 only)
 - Coordinator Ranger Services
(Limited to enact Authority 8 only)
 - Senior Rangers & Rangers
(Limited to enact Authority 8 only)
 - Coordinator Health Services
(Authority - All)
 - Environmental Health Officers
(Authority - All)

034 – Illegal Dumping and Noise

construction work on construction sites under noise regulation 13.

Delegation: Council designates the following positions to administer and enforce the Environmental Protection Act 1986 in accordance with the conditions specified:

- Chief Executive Officer
- Executive Corporate & Commercial Services
 - Manager Public Health & Safety
 - Coordinator Health Services
 - Environmental Health Officers
 - Coordinator Ranger Services
 - Senior Rangers, Rangers
- Executive Director Infrastructure, Development & Environment
 - Manager City Reserves

Authority to:

1. Exercise the powers and discharge the duties of the local government under the Environmental Protection Act 1986:
 - a. s79 (Noise); and
 - b. s49A (Dumping Waste).
2. Authorise persons to administer any or all of the above functions.

Notes: A prosecution for an offence under section 79 (Noise) may be instituted by a police officer, or the Chief Executive Officer of a local government, acting with the consent of the CEO of the Department of Environment Regulation.

The delegated power (authorisation) under section 49A (dumping waste) must be delegated from the CEO of the Department of Environment Regulation and the hold the prescribed authority card.

Barking dogs are administered under the Dog Act 1976.

External Statutory Delegations:

Statutory Delegations to local governments assigned from external agencies are listed at Attachment C.

Delegation 52 (gazette 19 March 2004) – local government CEO has powers in relation to environmental protection notices under section 65 of the Act;

Delegation 112 (gazette 20 December 2013) – local government CEO has powers in relation to various approvals and other activities under the noise regulations:

Delegation 119 (gazette 16 May 2014) – local government CEO and Environmental Health Officers have powers in relation to noise management plans for

Condition of Delegation:

- Nil.

Legislative or Policy Reference:

Environmental Protection Act 1986:

- Part II Environmental Protection Authority, Division 1 Composition, procedure, etc. of Environmental Protection Authority,
 - s20. (*Delegation by CEO*)
 - s65. (*Environmental protection notices, issue and effect of*)

Environmental Protection (Noise) Regulations 1997

Environmental Protection Regulations 1987

Reporting Requirement: Report to file.

Designated Persons:

- Chief Executive Officer

(Authority – All)

- **Executive Director Corporate & Commercial Services**

(Authority – All)

- Manager Public Health & Safety (Authority 1, Exempt Authority 2)
- Coordinator Health Services (Authority 1, Exempt Authority 2)
- Environmental Health Officers (Authority 1, Exempt Authority 2)
- Coordinator Ranger Services (Limited to enact Authority 1b only)
- Senior Rangers & Rangers (Limited to enact Authority 1b only)

- **Executive Director Infrastructure, Development & Environment**

(Limited to enact Authority 1b only)

- Manager City Reserves (Limited to enact Authority 1b only)

035 – Creation and Change of Purpose of a Crown Reserve

(Incl. Naming of Streets)

Delegation: Council designates the following positions to administer and enforce the Land Administration Act 1997, subject to conditions:

- Chief Executive Officer
- Executive Director Corporate & Commercial Services
- Executive Director Infrastructure Development & Environment
 - Manager Planning & Building Services
 - Lands Officer
 - Manager City Reserves.

Authority to:

1. Process requests related to Crown Reserves, pursuant to s3.54 of the Local Government Act 1995 and Part 4 of the Land Administration Act 1997.
2. Comment on requests to lease Crown land, where the State manages the lease, pursuant to Part 6 of the Land Administration Act 1997.
3. Forward recommendations of street names to the Geographic Names Committee, Western Australia, under s26A of the Land Administration Act 1997.
4. Authorise persons to administer any or all of the above functions.

Condition of Delegation:

- (a) Process requests related to Crown Reserves (1)
Authority to process matters relating to Crown Reserves, as follows:
- Requests to the Minister for Lands to create a new reserve or transfer Crown land from one form to another (i.e. road reserve to Crown reserve; excision of road reserve from Crown reserve etc.);
 - Change of purpose of a Crown reserve;
 - Changes to reserve boundaries;
 - Acceptance of a management order, where the City is currently managing the land or can do so within existing operational budgets; and
 - Requests to lease Crown land, where no structure will be built (i.e. leases managed by the State, pastoral leases etc.).
- (b) Comment on requests to lease Crown Land (2)
Compliance with the following documents is necessary:
- Local Planning Scheme & Strategies;
 - Adopted Asset Management Plans (Roads; Reserves: Natural and Developed; Drainage); and
 - City of Albany Bushfire Strategy.

- (c) The revocation of a management order of an existing City managed reserve or cancellation of an existing Crown reserve shall be considered by Council.

Legislative or Policy Reference:

Local Government Act 1995:

- Part 3 (Functions of local governments), Division 3 (Executive functions of local governments), s3.54 (Reserves under control of a local government)

Land Administration Act 1997:

- Part 2 (General administration), Division 3 (General), s26A (New subdivisions, names of roads and areas in),
- Part 4 (Reserves)
- Part 6 (Sales, leases, licences, etc. Of Crown land).

Reporting Requirement: Report to file.

Designated Persons:

- **Chief Executive Officer**
(Authority – All)
- **Executive Director Infrastructure, Development & Environment**
(Authority – All)
 - Manager Planning & Building Services
(Limited to enact Authority 1, 2 & 3 only)
 - Development Engineer
(Limited to enact Authority 1 only)
 - Land Officer
(Limited to enact Authority 1 only)
 - Manager City Reserves
(Limited to enact Authority 1 only)

036 – Authority to Approve Blasting and Fire Works

Delegation: Council designates the following positions to administer and discharge the City of Albany duties under the Dangerous Goods Safety Act 2004, subject to conditions:

- Chief Executive Officer
- Executive Director Infrastructure, Development & Environment

Authority to:

1. Grant permission of the local government to allow blasting within a town site in accordance with the Dangerous Goods Safety (Explosives) Regulations 2007, Part 12, Division 4.
2. Approve a Fire Works Application.
3. Authorise persons to administer any or all of the above functions.

Note:

- *In accordance with section 131 of the Dangerous Goods Safety (Explosive) Regulations 2007, a person who wishes to use an explosive in a town site to blast rock or similar solid material, must obtain a written permit to do so from the local authority.*

Condition of Delegation:

- (a) Consultation must be conducted with DFES (FRS district) and the Chief Bush Fire Control Officer (All other areas in municipality), prior to any approval being given.
- (b) The fireworks notice must be in an approved form and contain the following information:
 - the details of the fireworks operator licence that the person holds;
 - the required details of the firework that will be used;
 - the date and time when the firework will be used;
 - where the firework will be used;
 - the purpose of using the firework; and
 - must be a licensed operator.
- (c) In accordance with r.131 (6), on receipt of an application for blasting operations within a town site, the local authority may:
 - Issue a notice that prohibits the explosion;
 - Issue a permit for the explosion; or
 - Issue a permit for the explosion that contains reasonable conditions to ensure the safety of people and or property, to ensure such people are notified of the proposed explosion and to reduce the potential disturbance.

(d) Regulation 131(7) states that a local government shall not grant a permit unless it is satisfied that public risk insurance is in place of at least \$5,000,000 or such higher amount as the local government decides is reasonable.

(e) Albany Airport must be notified of all approvals.

Legislative or Policy Reference:

Dangerous Goods Safety Act 2004
Dangerous Goods Safety (Explosives) Regulations 2007:

- Part 12 — Use of explosives other than fireworks, Division 4 — Using explosives to blast, damage, destroy or demolish, r131 (Blasting in town site, permit required for),
- Part 13 — Use of fireworks, Division 4 — Fireworks events, r139 (Using certain fireworks outdoors other than at fireworks events).

Reporting Requirement: Report to file.

Designated Persons:

- **Chief Executive Officer**
(Authority – All)
- **Executive Director Infrastructure, Development & Environment**
(Limited to enact Authority 1 & 2 only)

037 – Liquor Licensing & Control

Delegation: Council designates the following positions to administer and discharge the City of Albany's duties under the Liquor Control Act 1988 in accordance with the conditions specified:

- Chief Executive Officer
- Executive Director Infrastructure, Development & Environment
 - Manager Planning & Building Services
 - Coordinator Planning Services
- Executive Director Corporate & Commercial Services
 - Manager Public Health & Safety
 - Coordinator Health Services.

Authority to:

1. Enforce all local authority responsibilities under the Liquor Licensing Act 1988 and Liquor Control Act 1988 pursuant to s39 and s40 of the Liquor Control Act 1988;
2. Issue a s39 (Certificate of local government as to whether premises comply with laws) certificate; and/or
3. Issue a s40 (Certificate of planning authority as to whether use of premises complies with planning laws) certificate.

Note:

- *The Liquor Control Act 1988 does not contain a head of power to delegate the appointment of authorised persons to the CEO.*

Condition of Delegation:

- Enforcement (1) subject to compliance with the Local Planning Scheme (LPS1).

Legislative or Policy Reference:

Liquor Licensing Act 1988

Liquor Control Act 1988:

- s39 (Certificate of local government as to whether premises comply with laws) and
- s40 (Certificate of planning authority as to whether use of premises complies with planning laws).

Reporting Requirement: Report to file.

Designated Persons:

- **Chief Executive Officer**
(Authority – All)
- **Executive Director Infrastructure, Development & Environment**
(Authority – All)
 - Manager Planning & Building Services
(Limited to enact Authority 3 only)
 - Coordinator Planning Services
(Limited to enact Authority 3 only)
- **Executive Director Corporate & Commercial Services**
(Authority – All)
 - Manager Public Health & Safety
(Limited to enact Authority 1 & 2 only)
 - Coordinator Health Services
(Limited to enact Authority 1 & 2 only)

038 – Development Control

(Authority to enforce compliance, development control and take legal action)

Delegation: Authority to:

1. Deal with unauthorised development. Give written direction regarding unauthorised development and remove or alter unauthorised development pursuant to s214 and s215 of the Planning & Development Act 2005.
2. Deal with development control, enforcement and legal action (including appeals and SAT matters).
3. Exercise discretion and to approve and apply conditions to planning applications and building licences under the City's Local Planning Scheme (LPS1), Residential Design Codes and Building Code of Australia;
4. Authorise persons to enter premises under the Local Planning Scheme (LPS1);
5. Implement enforcement and legal proceeding matters under the Planning and Development Act 2005, Part 13;
6. Implement matters delegated to the City of Albany under the Planning and Development Act 2005;
7. Exercise discretion when issuing, withdrawing, amending notices and requisitions pursuant to Part 13 of the Planning and Development Act 2005 and the provisions the City's Local Planning Scheme;
8. Exercise discretion and to respond to appeals lodged with the State Administrative Tribunal (SAT) for:
 - a. The determination of planning application appeals under Part 14 of the Planning and Development Act 2005, and the City's Local Planning Scheme (LPS1);
 - b. The determination of building application appeals;
 - c. The determination of 'without prejudice' conditions;
 - d. Prosecute under the Planning and Development Act 2005, Part 13;
 - e. Make recommendations for appointment of consultants/legal representatives for SAT Matters; and
 - f. Mediate matters before the State Administrative Tribunal (SAT).
9. Take action for departure from the requirements and provisions of the City's Local Planning Scheme (LPS1), including the Planning and Development Act 2005, Part 13.
10. Authorise persons to administer any or all of the above functions.

Condition of Delegation:

- (a) Development Control, Enforcement and Legal Action (including Appeals and SAT Matters):
 - The Executive Director Infrastructure, Development & Environment shall sign any Prosecution Notices.

- Quotations are to be obtained and a recommendation is to be provided to the CEO for approval of consultants for all matters which are appealed to the SAT.
- (b) "Without Prejudice" conditions and amended plans for matters mediated in the SAT are to be reported to the Council for consideration and determination.
- (c) Representation is only exercised after consultation with the Executive Director Infrastructure, Development & Environment (or in their absence), the approval of the CEO.
- (d) Any third-party action against the City must be reported to the City's insurer.

Legislative or Policy Reference:

Planning & Development Act 2005:

- Part 13 — Enforcement and legal proceedings
 - s214 (Illegal development, responsible authority's powers as to)
 - s215 (Illegal development, responsible authority's powers to remove etc.),
- Part 14 — Applications for review

Policy Position: Local Planning Scheme (LPS1).

Reporting Requirement: Report to file.

Note: "Without Prejudice" conditions and amended plans for matters mediated in the SAT are to be reported to the Council for consideration and determination.

Designated Persons:

- **Chief Executive Officer**
(Authority – All)
- **Executive Director Infrastructure, Development & Environment**
(Authority – All)

The following authorised persons are limited to enact the following authorities:

- Manager Planning & Building Services
(Authority 1, 2, 3, 4, 8 a, c, d, e & f only)
- Coordinator Building Services
(Authority 1 & 2, & 8 b only)
- Coordinator Planning Services
(Authority 1, 2, 3, 4, 8 a, c, d, e & f only)
- Senior Planning Officer(s)
(Authority 3, 8 a, c, & f only)
- Development Engineer
(Authority 1, 2, 8 a, c, d, e & f only)
- Planning Officer (s)
(Authority 3, 8 a, c, & f only)
- Senior Planning & Development Compliance Officer
(Authority 1, 2, 3, 8 c & f only)
- Development Compliance Officer
(Authority 1, 2 & 8 b only)

039 – Administer the Planning & Development Act 2005

(Including the Appointment of Authorised Persons)

Delegation: Council designates the following positions to administer and enforce the Planning and Development Act 2005, subject to conditions:

- Chief Executive Officer
- Executive Director Infrastructure, Development & Environment
 - Manager Planning & Building Services
 - Coordinator Planning Services
 - Planning Officers

Authority to:

1. Approve or Refuse Local Development Plans (LDPs) after appropriate consultation and where it is unlikely to have an adverse impact on the local area;
2. Appoint persons to administer the Planning & Development Act 2005;
3. Pursuant to s234 of the Planning and Development Act 2005, appoint designated persons to enforce the following sections:
 - a. 228 (Giving of infringement notice)
 - b. 229 (Content of infringement notice)
 - c. 230 (Extension of time)
 - d. 231 (Withdrawal of infringement notice)
4. Approve and decline development applications under the City's Local Planning Scheme (LPS1).
5. Approve development applications with minor variation to Policies and Guidelines.
6. Determine whether to vary a Planning Scheme policy, guideline or provision and/or grant approval with or without conditions.
7. Modify the entry of a place in the heritage list after appropriate consultation.
8. Modify the entry of a place in the local heritage survey after appropriate consultation.

Condition of Delegation:

(a) **RE: AUTHORITY 1:** This delegation is limited to the:

- Chief Executive Officer
- Executive Director Infrastructure, Development & Environment.

If utilised Council is to be advised.

(b) **RE: AUTHORITY 2:** Persons must be approved by the:

- Chief Executive Officer
- Executive Director Infrastructure, Development & Environment
 - Manager Planning & Building Services
 - Coordinator Planning Services

Authorised Person must be:

- selected based on experience and qualifications held; and
- appointed in writing (correspondence to be filed on an appropriate record and a copy of the appointment placed on the person's personal record).

Legal action and prosecution notices:

- The Executive Director Infrastructure, Development & Environment is to approve any legal action and sign any Prosecution Notices.

(c) **RE: AUTHORITY 3:**

- s228 (Giving of infringement notice), s229 (Content of infringement notice), and s230 (Extension of time) and s231 (Withdrawal of infringement notice).
- Chief Executive Officer
- Executive Director Infrastructure, Development & Environment
 - Manager Planning & Building Services
 - Coordinator Planning Services

(d) **RE: AUTHORITY 4:** Refer to prescribed amounts designated to positions.

(e) **RE: AUTHORITY 5:** This delegation is limited to the:

- Chief Executive Officer
- Executive Director Infrastructure, Development & Environment
 - Manager Planning & Building Services

Authorised persons are authorised to:

- Determine if concerns have been adequately addressed post consultation with adjacent landowners, ward councillors, and the community.
- Determine submissions objecting too or seeking changes as being not substantive and approving the application.
- Determine submissions as being substantive and refusing the application.
- Determine submission as being substantive and referring the application for Council determination.

(f) **RE: AUTHORITY 6:** This delegation is limited to the:

- Chief Executive Officer
- Executive Director Infrastructure, Development & Environment

(g) **RE: AUTHORITY 7:** This delegation is limited to the:

- Chief Executive Officer
- Executive Director Infrastructure, Development & Environment

On effecting an amendment to the heritage list, a copy of the updated list is to be distributed to all elected members.

Designated Persons:

AUTHORITY 1 Prescribed Amounts:

Level 1: Up to the prescribed amount that requires referral to a Development Assessment Panel (DAP), includes authority to refuse an application, approve non-conforming land use, permit a change in land use, and approve commercial and residential applications.

- Chief Executive Officer
- Executive Director Infrastructure, Development & Environment
 - Manager Planning & Building Services
 - Coordinator Planning Services

Level 2: Up to 2 million, approve commercial and residential applications, permit a change in land use, and excludes Authority to: refuse an application; and approve non-conforming land use.

- Senior Planning Officer(s)
- Senior Planning Officer(s) – Strategic Planning
- Senior Planning Officer(s) – Senior Planning & Development Compliance
- ~~Planning Officer(s)~~
- ~~Designated Planning Officers~~

Level 3: Up to \$1.5 million, approve commercial and residential applications, permit a change in land use, and excludes Authority to: refuse an application; and approve non-conforming land use.

- ~~Senior Planning Officer(s)~~
- ~~Senior Planning Officer(s) – Strategic Planning~~
- ~~Senior Planning Officer(s) – Senior Planning & Development Compliance~~
- Planning Officer(s)
- Designated Planning Officers

Level 4: Up to \$750 thousand, approve commercial and residential applications, permit a change in land use, and excludes Authority to: refuse an application; and approve non-conforming land use.

- Designated Planning Officers
- Designated Planning Technical Officers

Level 5: Up to \$500 thousand, residential land use only, excludes Authority to: approve commercial land use, refuse an application; approve non-conforming land use; and permit a change in land use.

- Designated Planning Technical Officers

Level 6: Up to \$350 thousand, residential land use only, excludes Authority to: approve commercial land use, refuse an application; approve non-conforming land use; and permit a change in land use.

- Designated Planning Technical Officers

Legislative or Policy Reference:

Heritage Act 2018:

- Part 8 (Local heritage surveys)

Local Government Act 1995:

- s5.42 (Delegation of some powers and duties to CEO),
- s9.10 (1) (Appointment of authorised persons)

Planning and Development Act 2005:

- s234 (Designated persons, appointment of)

Planning and Development (Local Planning Schemes) Regulations 2015

- Part 3 (Heritage protection)

Policy Positions:

- Local Planning Scheme (LPS1)
- State Policy – Local Heritage Surveys

Reporting Requirement:

- Report to file and Council monthly.

040 – Prevent Wind Erosion and Sand Drift

Delegation: Authority to:

1. Serve notice on a person to prevent wind erosion or sand from escaping a property onto other private land or land that is local government property, in accordance with:
 - a. Regulation 21 of the Local Government (Uniform Local Provisions) Regulations 1996;
 - b. Section 3.25(1)(b) of the Act.
2. Authorise persons to administer any or all of the above functions.

Condition of Delegation:

- (a) Persons being local government employees.
- (b) Each person so authorised is to be issued with a certificate stating that the person is so authorised.

Legislative or Policy Reference:

Local Government Act 1995:

- Part 3 (Functions of local governments), Division 3 (Executive functions of local governments)
 - s3.24 (Authorising persons under this Subdivision)
 - s3.25 (1)(b) (Notices requiring certain things to be done by owner or occupier of land).
- Part 9 (Miscellaneous provisions), Division 2 (Enforcement and legal proceedings)
 - s9.10 (Appointment of authorised persons)

Local Government (Uniform Local Provisions) Regulations 1996:

- r.21 (Wind erosion and sand drifts — Sch. 9.1 cl. 12)

Local Law:

- Sand Drift Prevention & Abatement Local Law 2009.

Reporting Requirement: Report to file.

Designated Persons:

- **Chief Executive Officer**
(Authority – All)
- **Executive Director Infrastructure, Development & Environment**
(Authority – All)

Limited to enact Authority 1 only:

- Manager Engineering & Sustainability
- Manager Operations
- Manager Planning & Building Services
- Development Engineer
- Coordinator Building Services
- Senior Planning & Development Compliance Officer
- Development Compliance Officer

- **Executive Corporate & Commercial Services**
(Authority – All)

Limited to enact Authority 1 only:

- Manager Public Health & Safety
- Coordinator Health Services
- Senior Environmental Health Officer(s)
- Environmental Health Officer(s)

041 – Conduct Activities on Public Land

(Close Thoroughfares, Road Reserves, Footpaths, Tracks, Right-of-Way, Including Alterations & Additions to City Premises)

Delegation: Authority to:

1. Stop and mitigate dangerous excavation in or near public thoroughfares (i.e. Roads, Paths, and Tracks).
2. Exercise additional powers when giving a notice under s3.25 of the Act (specifically Schedule 3.1).
3. Obstructing or encroaching on public thoroughfare; Gates and other devices across public thoroughfares; Dangerous excavation in or near public thoroughfare; Constructing private works on, over, or under public places, etc.)
4. Approve Private Works On, Over or Under Public Places Close a thoroughfare, wholly or partially (period not exceeding four weeks)
5. Temporary closure of thoroughfares to vehicles (period exceeding 4 Weeks)
6. Partial Closure of Thoroughfare for Repairs and Maintenance (i.e. Roads, Paths, Tracks)
7. Authorise the encroachment of a public thoroughfare.
8. Obstruct a Public Thoroughfare (i.e. Roads, Paths, Tracks)
9. Provide a gate or other device across a public thoroughfare or serve a Notice to Request the owner or occupier to repair a gate or fence.
10. Serves Notices and take action for offences relating to the protection of thoroughfares from water damage (i.e. Roads, Paths, Tracks).
11. Serve notices and take action to prevent damage to footpaths.
12. Issue a licence to deposit material on street.
13. Determine materials to be used in the road reserve (grant approval for the type and standard of material to be used in structures, including footpaths and road pavements, within the road reserve).
14. Grant permission to a person to alter, obstruct, or interfere with, any watercourse, drain, tunnel, or bridge that is local government property.
15. Approve the construction of a crossing giving access from a public thoroughfare to the land, or a private thoroughfare serving the land, the Local Government (Uniform Local Provisions) Regulations 1996, Regulation 12(1).
16. Manage Rights-of-Way, including paving, drainage and placement and/or removal of obstructions.
17. Authorise persons to administer any or all of the above functions.

Condition of Delegation:

- This delegation does not cover permanent road closures which are governed by the Land Administration Act 1997.

Legislative or Policy Reference:

Local Government Act 1995:

- s3.25 (Notices requiring certain things to be done by owner or occupier of land),
- s3.26 (Additional powers when notices given),
- s3.50A (Partial closure of thoroughfare for repairs or maintenance),
- s3.50 (Closing certain thoroughfares to vehicles) – (1a) (4) (6),
- s3.54 (Reserves under control of a local government),
- Schedule 3.1 – Powers under notices

Local Government (Financial Management)

Regulations 1996:

- r.5 (CEO's duties as to financial management)

Local Government (Uniform Local Provisions)

Regulations 1996:

- r.6 (Obstruction of public thoroughfare by things placed and left — Sch. 9.1 cl. 3(1)(a)),
- r.7 (Encroaching on public thoroughfare — Sch. 9.1 cl. 3(2));
- r.8 (Separating land from public thoroughfare — Sch. 9.1 cl. 4),
- r.11 (Dangerous excavation in or near public thoroughfare — Sch. 9.1 cl. 6),
- r.12 (Crossing from public thoroughfare to private land or private thoroughfare — Sch. 9.1 cl. 7(2)),
- r.14 (Role of Commissioner of Main Roads in some cases — Sch. 9.1 cl. 7(2)),
- r.17 (Private works on, over, or under public places — Sch. 9.1 cl. 8), r.18 (Protection of watercourses, drains, tunnels and bridges — Sch. 9.1 cl. 9),
- r.19 (Protection of thoroughfares from water damage — Sch. 9.1 cl. 10)

Local Laws:

- Local Government Property Local Law 2011
- Activities on Thoroughfares and Public Place & Trading Local Law 2011

Reporting Requirement: Report to file.

Designated Persons:

- **Chief Executive Officer**
(Authority – All)

- **Executive Director Infrastructure, Development & Environment**
(Authority – All)
 - Manager Engineering & Sustainability
(Authority All - Exempt 2 & 16)
 - Manager Operations
(Authority All - Exempt 2, 15 & 16)
 - Manager City Reserves
(Limited to enact Authority 4, 5, 6, 8, 9 & 13 only)

The following positions are limited to enact Authority 2, 3, 4 & 11 only:

- Manager Planning & Building, Services
- Development Engineer
- Senior Planning & Development Compliance Officer
- Development Compliance Officer
- Coordinator Building Services

The following positions are limited to enact Authority 4 & 8 only:

- **Executive Director Corporate & Commercial Services**
 - Manager Public Health & Safety

042 – Approve Public Works, Street Lighting & Verge Development

Delegation: Authority to:

1. Grant approval and impose conditions for works to be undertaken in the street by other authorities, private organisations, or individuals, including the approval of applications to protect verges.
2. Serve notices on persons/ proprietors of premises who have conducted works in a street without Council's permission.
3. Upgrade Existing Street Lights and Underground Power:
 - a. Assess street lighting requests and designs, in relation to the functional road hierarchy, throughout the municipality;
 - b. Approve the installation of additional or higher rated lamps for streetlight upgrading if considered appropriate;
 - c. Approve the issuing of works orders to Western Power for the undergrounding or other modifications to power supplies;
 - d. Approve the upgrading of street lighting; and
 - e. Approve the consequential increased tariff, associated with approved Council projects.
4. Authorise persons to administer any or all of the above functions.

Condition of Delegation:

- (a) **Authority 1:** Grant approval and impose conditions:
 - That the proposed works are legal and do not adversely affect the safety, functionality, and aesthetics of the street or adjoining properties to an unacceptable degree.
 - The owners and occupiers of adjoining properties should be consulted as appropriate prior to approval being determined.
 - If there are objections to the proposal, it be referred to the Council for determination.
- (b) **Authority 2:** Serve notices: Chief Executive Officer to sign any Notices.
- (c) **Authority 3:** Existing street lights and underground power: That the works are associated with projects that has obtained the approval of the Council as necessary and is within the approved budget allocation.

Legislative or Policy Reference:

Local Government Act 1995:

- Part 3 (Functions of local government)
- Schedule 9.1 – Certain matter for which Governor may make regulations, Clause 8 (Private works on, over, or under public places)

Local Laws:

- Local Government Property Local Law 2011
- Activities on Thoroughfares and Public Place and Trading Local Law 2011

Policy Positions:

- Memorial Plaque and Seat Policy
- Verge Development Guidelines

Reporting Requirement: Report to file.

Designated Persons:

- **Chief Executive Officer**
(Authority – All)
- **Executive Director Infrastructure, Development & Environment**
(Authority – All)
 - Manager Engineering & Sustainability
(Limited to enact Authority 1, 2 & 4 only)
 - Manager Operations
(Limited to enact Authority 1 & 2 only)

The following positions are limited to enact Authority 1 only:

- Manager City Reserves
- Manager Planning & Building Services
- Development Engineer
- Senior Planning & Development Compliance Officer
- Development Compliance Officer

043 – Public Traffic Management Treatments

(Authority to implement treatments, amend parking schemes, provision of public transport bus shelters and seating)

Delegation: Authority to:

1. Approve and implement minor amendments to Parking Schemes and ACROD bays and the designation of visitor and authorised vehicle parking.
2. Investigate and develop traffic management treatment proposals and Local Area Traffic Management Scheme proposals in order to identify and address traffic related issues.
3. Locate bus shelters and seats.
4. Authorise persons to administer any or all of the above functions.

Condition of Delegation:

- (a) **Authority 2:** Traffic management treatment. During the course of investigation contact to be made with the residents/residential groups, as appropriate, to:
- identify problems and issues;
 - establish objects of traffic management and develop plans of alternative treatments;
 - evaluate alternative treatments and refine selected plan;
- (b) All alternative routes with regard to road construction or re-construction shall be investigated as part of the design process.
- (c) The selected plan with the proposed traffic treatment is to be presented to the Council for approval.
- (d) Where it is only necessary to consider remedial action, the Council's approval is not required.
- (e) **Authority 2:** Bus shelters and seats. Consultation must be conducted with local residents and Bus Operators, taking into consideration:
- adjacent land use(s);
 - type and number of existing and likely future patrons;
 - the number of and areas served by the bus routes;
 - frequency of bus services; and
 - the above is inserted as a condition of approval.

Note:

- *For the purpose of Authority 1, minor amendment means: change time limits in streets and parking stations.*
- *Traffic management treatment plans are to be presented to Council for approval.*

Legislative or Policy Reference:

- **Local Government Act 1995:**
 - Part 3 (Functions of local government), Schedule 9.1 – Certain matter for which Governor may make regulations, Clause 1 (Parking for the disabled), Clause 2 (Disturbing local government land or anything on it)
- **Local Law:**
 - Parking & Parking Facilities Amendment Local Law 2009 (As amended) and refer to listed determinations.
- **Policy Position:**
 - City of Albany Local Parking Schemes.

Reporting Requirement:

- Report to file.

Designated Persons:

- **Chief Executive Officer**
(Authority – All)
- **Executive Director Infrastructure, Development & Environment**
(Authority – All)
 - Manager Engineering & Sustainability
(Authority – All)
 - Senior Civil Engineering Officer – Roads
(Limited to enact Authority 2 only)

044 – Public Utility Service Works Orders

(Approve Disturbance of Public Land)

Delegation: Authority to:

1. Interfere with soil or take anything from local government land in accordance with the Local Government (Uniform Local Provisions) Regulations 1996 and s3.25 (1)(b) of the Act.
2. Approve and issue works orders to public utility service authorities for service modifications or upgrading associated approved projects.
3. Authorise persons to administer any or all of the above functions.

Condition of Delegation:

- Compliance with the Environmental Code of Conduct Guidelines.

Legislative or Policy Reference:

Local Government Act 1995:

- s3.25(1)(b) (Notices requiring certain things to be done by owner or occupier of land),
- Schedule 3.1 – Powers under notices to owners or occupiers of land.

Local Government (Uniform Local Provisions) Regulations 1996:

- r.5 (1) (Interfering with, or taking from, local government land).

Policy Position:

- Environmental Code of Conduct Guidelines.

Reporting Requirement: Report to file.

Designated Persons:

- **Chief Executive Officer**
(Authority – All)

The following positions have authority to enact all listed authorities:

- **Executive Director Infrastructure, Development & Environment**
 - Manager Engineering & Sustainability
 - Manager City Reserves
 - Manager Operations

045 – Temporary Road Closures

(Authority to close roads due to weather conditions)

Delegation: Authority to:

1. Close Roads;
2. Define and impose conditions for road use;
3. Authorise Road Usage Requests; and
4. Authorise persons to administer any or all of the above functions.

Condition of Delegation:

- (a) Install “Road Closed” signs where possible; and
- (b) Providing an information bulletin to affected agencies, distributed via email, local radio and by posting on the City of Albany website.
- (c) This delegation applies to:
 - vehicles with a Gross Vehicle Mass of 4.5 tonne or greater;
 - vehicles which travel over road under the care and control of the City of Albany.
 - Local traffic (*For example: where a resident is situated on a road which has been closed*) shall be exempt from this policy regardless of the weight requirements provided that any vehicle exceeding 4.5 tonne is unloaded.
- (d) Affected agencies shall include but are not limited to:
 - Heavy Haulage carriers;
 - Main Road Western Australia;
 - Neighbouring Local Authorities;
 - Department of Transport; and
 - Local residents.
- (e) Conditions do not apply during flood or emergency situations where roads may be closed to all vehicles for public safety or other reasons.

Note: Under s3.50 of the Local Government Act 1995 (the Act), the local authority is permitted to close an unsealed road to particular traffic in wet conditions. This is done to prevent unreasonable damage to roads due to excessive vehicle movements.

Under section 3.50(A) of the Act, the City may 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.*
- *This delegation does not cover permanent road closures which are governed by the Land Administration Act 1997.*

Legislative or Policy Reference:

- **Local Government Act 1995:**
 - Part 3 (Functions of local governments), Subdivision 5 (Certain provisions about thoroughfares)
 - s3.50 (Closing certain thoroughfares to vehicles)
- **Road Traffic Act 1974:**
 - Part VI (Miscellaneous)
 - s84 (Damage to road etc. by vehicle, liability for)
- **Local Law:**
 - Activities on Thoroughfares and Public Places and Trading Local Law 2011
- **Policy Position:**
 - Wet Weather Road Closure Policy

Reporting Requirement: Report to file.

Designated Persons:

- **Chief Executive Officer**
(Authority – All)

The following positions have the authority to enact all listed authorities:

- **Executive Director Infrastructure, Development & Environment**
 - Manager Engineering & Sustainability
 - Manager Operations
 - Manager City Reserves

046 – Public Reserve Land Management

(Street ScapE Maintenance, Tree Planting, Pruning & Removal, and the Picking Flora)

Delegation: Authority to:

1. Provide for the management, planting, pruning and removal of street trees in order to enhance the streetscapes and not detract from the community landscape requirements.
2. Approve and refuse applications to pick flora from City of Albany vested reserves and road reserves for educational and scientific purposes in accordance with the conditions imposed by the:
 - a. Local Government Act 1995,
 - b. Land Administration Act 1997,
 - c. Parks & Reserves Act 1895, and
 - d. Wildlife Conservations Act 1950.
3. Authorise persons to administer any or all of the above functions.

Condition of Delegation:

- Compliance with Council Policies and Guidelines.

Note: Section 3.54 of the Local Government Act 1995 states in regards to reserves under control of local government:

- *If land reserved under the Land Administration Act 1997 is vested in or placed under the control and management of a local government, the local government may do anything for the purpose of controlling and managing that land that it could do under section 5 of the Parks and Reserves Act 1895 if it were a Board appointed under that Act to manage and control the land and for that purpose a reference in that section to a by-law is to be read as a reference to a local law.*
- *Subsection (1) is subject to any express provision to the contrary made by an order under the Land Administration Act 1997 in respect of the land.*

Legislative or Policy Reference:

- **Local Government Act 1995:**
 - Schedule 3.2 — Particular things local governments can do on land even though it is not local government property;
 - s3.54 (Reserves under control of a local government)
- **Land Administration Act 1997**
- **Parks & Reserves Act 1895**
- **Wildlife Conservations Act 1950**

• Local Law:

- Local Government Property Local Law

• Policy Positions:

- Street Trees Policy
- Street Trees Guideline

Reporting Requirement: Report to file.

Designated Persons:

• Chief Executive Officer

(Authority – All)

The following positions have the authority to enact all listed authorities:

• Executive Director Infrastructure, Development & Environment

- Manager City Reserves

047 – Authority to Dispose Land Assets (Property)

Delegation: Authority to:

1. To dispose of Council property, in accordance with section 3.58 of the Local Government Act 1995.
2. To engage an auctioneer, real estate agent and/or settlement agent to represent the City and to negotiate the sale of the property.

Condition of Delegation:

- (a) The land is deemed surplus to the City's requirements;
- (b) The land is valued at less than \$50,000 based on an independent market valuation prepared within 6 months of entering into a Contract of Sale;
- (c) The land is not considered to be capable of being independently developed, in accordance with relevant planning and/or building legislation, and/or would not be of significant benefit to anyone other than the transferee;
- (d) The intent to sell the property has been appropriately advertised under section 3.58 of the Local Government Act 1995 and all other requirements of this part have been addressed;
- (e) Should any objections to the land sale be received, an item to Council is required;
- (f) The appointment of an agent to act on behalf of the City must comply with the City's procurement processes.

Legislative or Policy Reference:

Local Government Act 1995:

- s3.58(2) and (3) – Disposing of property.

Reporting Requirement:

- Report to file and Council Committee.

Designated Persons:

- **Chief Executive Officer**
(Authority – All)

048 – National Redress Scheme

Delegation: Council designates the Chief Executive Officer as being authorised to execute a service agreement with the State, if a redress application is received.

Condition of Delegation:

A confidential report to be provided to Council for noting, if a redress application is received by the City of Albany.

Notes:

On the 26 May 2020, Council resolved to participate in the National Redress Scheme as a State Government institution and be included as part of the State Government's declaration.

Application Processing / Staffing and Confidentiality: Administratively the Chief Executive Officer will determine:

- Which position(s) will be responsible for receiving applications and responding to Requests for Information;*
- Support mechanisms for staff members processing Requests for Information.*
- Ensure appointed person(s) will have a level of seniority in order to understand the magnitude of the undertaking and to manage the potential conflicts of interest and confidentiality requirements.*

Local Governments are required to keep their own records regarding a Redress application in a confidential and secure manner, and in line with all requirements in the Act.

The State Government and the City of Albany do not have any influence on the decision made and there is no right of appeal.

Legislative or Policy Reference:

- Institutional Child Sexual Abuse Act 2018 (Cth):** For facilitating the National Redress Scheme.
- Local Government Act 1995 (the Act):** If a redress application is received, the application will be administered in accordance with s.9.49A (4) of the Act.

- State Records Act 2000:** The State Records Office advised (April 2019) all relevant agencies, including Local Governments, of a 'disposal freeze' initiated under the State Records Act 2000 to protect past and current records that may be relevant to actual and alleged incidents of child sexual abuse.

Reporting Requirement:

- Council will receive a confidential report, notifying when a Redress application has been received.
- All information in the report will be de-identified but will make Council aware that an application has been received.

Designated Person:

- **Chief Executive Officer**
(Authority – All)

OFFICE OF CEO

Delegation/Position Title	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48					
Chief Executive Officer	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X				
Executive Assistant to Chief Executive Officer													X																																								
PA to Mayor & Councillors													X																																								
Administration Officer – Office of CEO													X																																								
Manager People & Culture					X																																																
Human Resources Advisor					X																																																
Health & Safety Advisor																																																					

COMMUNITY SERVICES

Delegation/Position Title	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48					
ED Community Services	X	X	X	X	X			X	X	X			X					X		X												X			X																		
Manager Community Relations		X	X		X				X											X																																	
Community Development Coordinator																																																					
Community Development Officers																																																					
Supervisor	X		X																																																		
Marketing and Communications Officer																																																					
Communications Officers																																																					
Events Coordinator	X																				X																																
Event Officers	X																																																				
Events Approval Project Officer	X																				X																																
Albany Bicentenary Project Officer	X																				X																																
Manager Arts & Culture	X				X				X	X											X																																
Library Team Leader	X				X				X	X											X																																
Vancouver Arts Centre Coordinator	X				X																X																																
Manager Facilities	X		X		X																X																																
Team Leader National Anzac Centre Precinct	X				X																																																
Child Care Educator Team Leader	X				X																																																
Manager Recreation Services	X		X		X				X												X																																
Coordinators	X				X																X																																
Duty Managers	X				X																X																																
Supervisors	X				X																X																																

INFRASTRUCTURE, DEVELOPMENT AND ENVIRONMENT SERVICES

Delegation/Position Title	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48				
ED Infrastructure, Development & Environment Services	X	X	X	X	X		X	X	X				X	X				X		X				X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X						
Manager Planning & Building Services	X			X			X	X	X																X	X	X	X		X			X	X	X	X	X	X	X	X	X	X	X									
Coordinator Planning Services	X			X			X																		X	X	X	X						X		X	X	X		X												
Senior Planning Officers																											X	X												X												
Planning Officers																												X													X											
Development Engineer	X			X																					X	X		X	X						X		X		X	X	X											
Lands Officer																																				X																
Technical Officer - Planning and Engineering Support	X																																																			
Coordinator Building Services				X																				X	X	X	X	X										X				X	X									
Senior Building Surveyors																								X	X	X		X																								
Building Surveyors																								X	X	X		X																								
Building Surveyor Technician																								X	X	X		X																								
Senior Planning & Development Compliance Officer	X			X				X																	X	X	X	X										X	X	X	X	X										
Development Compliance Officers																									X	X	X	X										X			X	X	X									
Manager Engineering & Sustainability	X			X				X					X						X								X	X													X	X	X	X	X	X						
Senior Project Administrator																																																				
Project Support Officer																																																				
Civil Infrastructure Project Manager													X						X																																	
Civil Infrastructure Contract Manager																																																				
Team Leader - Asset Management																			X																																	
Team Leader Civil Infrastructure													X						X																																	
Senior Civil Engineering Officer (Assets)													X																																							
Senior Civil Engineering Officer (Roads)													X																																							
Senior Civil Engineering Officer (Drainage)													X																																							
Sustainability Project Officers	X																																																			

Attachment A: Delegations Register – Assigned Authorised Persons

Delegation/Position Title	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48						
Coordinator Sustainability & Waste Strategy	X												X																																									
Building Infrastructure Officer													X																																									
Manager City Reserves	X																			X							X	X													X	X			X	X	X							
Developed Reserves Supervisor	X																			X							X	X												v			X	X	X									
Natural Reserves Supervisor	X																			X							X	X												X			X	X	X									
Animal Control Contractor	X																			X																																		
Manager Operations	X			X	X				X				X														X																											
Operations Administration Coordinator																																																						
Coordinator Waste Management	X																																																					
Waste Project Officer	X																																																					
Manager Major Projects	X		X																																																			

<p>Delegation No: 001 LOCAL GOVERNMENT ACT 1995 AND LOCAL LAWS (Additional Power, Deal with Objections, Grant Time Extensions)</p> <p>Function: Issue licences, notices, approvals and permits relating to City of Albany Local Laws.</p>	Activities on Thoroughfares and Public Places and Trading Local Law	Animals Local Law & Dog Local Law	Extractive Industries Local Law	Fencing Local Law	Health Local Law	Jetties, Bridges, Boat Pens & Swimming Structures Local Law	Local Government Property Local Law	Parking and Parking Facilities Local Law	Prevention and Abatement of Sand Drift Local Law	Signs Local Law	Standing Orders Local Law	The Former Perth	Waste Local Law	Bush Fire Brigade Local Law
Delegated Local Law / Position Title	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)
OFFICE OF CEO														
Office of CEO Team & Direct Reports														
Mayor & Councillors*											X			
Chief Executive Officer	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Executive Assistant to Chief Executive Officer														
PA to Mayor & Councillors														
Administration Officer – Office of CEO														
People & Culture Team														
Manager People & Culture														
Human Resources Advisor														
Health & Safety Advisor														

Delegation No: 001 LOCAL GOVERNMENT ACT 1995 AND LOCAL LAWS (Additional Power, Deal with Objections, Grant Time Extensions) Function: Issue licences, notices, approvals and permits relating to City of Albany Local Laws.														
Delegated Local Law / Position Title	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)
COMMUNITY SERVICES														
Community Services Directorate														
ED Community Services	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Community Relations Business Units														
Manager Community Relations	X						X							
Community Development Team														
Community Development Coordinator	X						X							
Community Development Officers	X						X							
Communications Team														
Supervisor														
Marketing and Communications Officer														
Communications Officers														
Events Team														
Events Coordinator	X						X							
Event Officers														
Albany Bicentenary Project Officer														
Albany Public Library & Vancouver Arts Centre														
Manager Culture & Arts	X						X							
Library Team Leader	X						X							
Vancouver Arts Centre Coordinator	X						X							
Community Facilities														
Manager Facilities	X						X							
Team Leader National Anzac Centre Precinct	X						X							
Child Care Educator Team Leader	X						X							
Recreational Services (incl. ALAC)														
Manager Recreation Services	X						X							
Coordinators	X						X							
Duty Managers	X						X							
Supervisors	X						X							

Delegation No: 001 LOCAL GOVERNMENT ACT 1995 AND LOCAL LAWS (Additional Power, Deal with Objections, Grant Time Extensions) Function: Issue licences, notices, approvals and permits relating to City of Albany Local Laws.														
Delegated Local Law / Position Title	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)
CORPORATE & COMMUNITY SERVICES														
Corporate & Commercial Services Directorate														
ED Corporate & Commercial Services	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Visitor Centre & Tourism Services														
Manager Economic Development * Vacant	X						X							
Albany Visitors Centre Coordinator	X						X							
Revenue Development & Grant Team														
Revenue Development Officer														
Property & Leasing Team														
Senior Team Leader Property, Leasing & Customer Service	X					X	X							
Property Officer (s)	X					X	X							
Governance, Risk & Insurance Team (incl. Airport)														
Manager Governance & Risk	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Records & Freedom of Information Services														
Team Leader Records & Governance														
Risk Support & Insurance Services														
Risk Management/Insurance Officer														
Airport Operations Team														
Senior Aerodrome Reporting Officer	X						X							
Duty Aerodrome Reporting Officers	X						X							
Information Technology Support Services														
Manager IT														
IT Administrator														
Finance, Rates & Procurement Services														
Manager Finance	X					X	X							
Senior Finance Officer (Rates) & Finance Officers (Rates)														
Procurement Officers														
Public Health, Ranger Services & Emergency Management Support Services														
Manager Public Health & Safety	X	X				X	X	X		X				X
Ranger Team														

Delegation No: 001 LOCAL GOVERNMENT ACT 1995 AND LOCAL LAWS (Additional Power, Deal with Objections, Grant Time Extensions) Function: Issue licences, notices, approvals and permits relating to City of Albany Local Laws.														
Delegated Local Law / Position Title	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)
Ranger Coordinator	X	X				X	X	X		X				X
Senior Rangers and Rangers	X	X				X	X	X		X				X
Customer Service Officers (Administration Officers)	X	X				X	X	X		X				
Emergency Management Support Services														
Community Emergency Safety Manager (CESM)														X
Chief Bush Fire Control Officer (CBFCO) & Deputy CBFCO														X
Emergency Management Team Leader														X
Environmental Health Team														
Coordinator Health Services	X	X	X		X				X					
Senior Environmental Health Officer(s)	X	X	X		X				X					
Environmental Health Officer(s)	X	X	X		X				X					

Delegation No: 001 LOCAL GOVERNMENT ACT 1995 AND LOCAL LAWS (Additional Power, Deal with Objections, Grant Time Extensions) Function: Issue licences, notices, approvals and permits relating to City of Albany Local Laws.														
Delegated Local Law / Position Title	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)
INFRASTRUCTURE, DEVELOPMENT & ENVIRONMENT, PLANNING SERVICES														
IDE Directorate														
ED Infrastructure, Development & Environment Services	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Planning & Engineering Services Team														
Manager Planning Services	X		X	X			X			X				
Planning & Development Services														
Coordinator Planning Services			X	X			X			X				
Senior Planning Officers			X	X			X			X				
Planning Officers			X	X			X			X				
Development Engineering Services														
Development Engineer	X		X	X			X		X	X				
Lands Officer														
Technical Officer - Planning and Engineering Support	X		X	X			X		X	X				
Building & Building Compliance Services														
Coordinator Building Services	X		X	X			X		X	X				
Senior Building Surveyors	X		X	X			X		X	X				
Building Surveyors	X		X	X			X		X	X				
Building Surveyor Technician	X		X	X			X		X	X				
Planning & Development Compliance Services														
Senior Planning & Development Compliance Officer	X		X	X			X		X	X				
Development Compliance Officers	X		X	X			X		X	X				
Engineering & Sustainability Services														
Manager Engineering & Sustainability	X			X		X	X	X	X	X			X	
Senior Project Administrator														
Project Support Officer														
Civil Infrastructure Project Manager	X			X		X	X	X	X	X				
Civil Infrastructure Contract Manager														
Team Leader- Asset Management	X			X		X	X	X	X	X				
Team Leader Civil Infrastructure	X			X		X	X	X	X	X				
Senior Civil Engineering Officer (Assets)	X			X		X	X	X	X	X				
Senior Civil Engineering Officers (Roads)	X			X		X	X	X	X	X				

Attachment B: Local Law Register – Assigned Authorised Persons

Delegation No: 001 LOCAL GOVERNMENT ACT 1995 AND LOCAL LAWS (Additional Power, Deal with Objections, Grant Time Extensions) Function: Issue licences, notices, approvals and permits relating to City of Albany Local Laws.														
	Activities on Thoroughfares and Public Places and Trading Local Law	Animals Local Law & Dog Local Law	Extractive Industries Local Law	Fencing Local Law	Health Local Law	Jetties, Bridges, Boat Pens & Swimming Structures Local Law	Local Government Property Local Law	Parking and Parking Facilities Local Law	Prevention and Abatement of Sand Drift Local Law	Signs Local Law	Standing Orders Local Law	The Former Perth	Waste Local Law	Bush Fire Brigade Local Law
Delegated Local Law / Position Title	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)
Senior Civil Engineering Officers (Drainage)	X			X		X	X	X	X	X				
Coordinator Sustainability & Waste Strategy							X						X	
Sustainability Project Officers														
Building Infrastructure Officer														
Reserves Management Team														
Manager City Reserves							X			X				
Developed Reserves Supervisor							X			X				
Natural Reserves Supervisor							X			X				
Animal Control Contractor		X					X							
Operations & Waste Management Services														
Manager Operations	X			X		X	X	X	X	X			X	
Operations Administration Coordinator														
Coordinator Waste Management	X			X		X	X	X	X	X			X	
Waste Project Officer														
Major Projects Team														
Manager Major Projects														

STATUTORY DELEGATIONS TO LOCAL GOVERNMENT FROM EXTERNAL AGENCIES

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- Environmental Protection Act 1986**2
 - NOISE CONTROL – SERVE ENVIRONMENTAL PROTECTION NOTICES (S65(1))2
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 - NOISE CONTROL – NOISE MANAGEMENT PLANTS (s29).....3
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- Planning and Development Act 2005**.....5
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Environmental Protection Act 1986
NOISE CONTROL – SERVE ENVIRONMENTAL PROTECTION NOTICES (S65(1))

Associated Delegation:

ENVIRONMENTAL PROTECTION ACT 1986

Section 20

Delegation No. 52

Pursuant to section 20 of the *Environmental Protection Act 1986*, the Chief Executive Officer hereby delegates as follows:

Powers and duties delegated:

All the powers and duties of the Chief Executive Officer, where any noise is being or is likely to be emitted from any premises not being premises licensed under the Act, to serve an environmental protection notice under section 65(1) in respect of those premises, and where an environmental protection notice is so served in such a case, all the powers and duties of the Chief Executive Officer under Part V of the Act in respect of that environmental protection notice.

Persons to whom delegation made:

This delegation is made to any person for the time being holding or acting in the office of Chief Executive Officer under the *Local Government Act 1995*.

Pursuant to section 59(1)(e) of the *Interpretations Act 1984*, Delegation No. 32, dated 4 February 2000 is hereby revoked.

Dated this 9th day of January 2004.

Approved:

FERDINAND TROMP, A/Chief Executive Officer
Dr JUDY EDWARDS MLA, Minister for the Environment

Extract from *Government Gazette* dated 19 March 2004; page 919.

Environmental Protection Act 1986
NOISE CONTROL – NOISE MANAGEMENT PLANTS (s29)

Associated Delegation:

ENVIRONMENTAL PROTECTION ACT 1986

Delegation No. 112

I, Jason Banks, in my capacity as Acting Chief Executive Officer of the Department of Environment Regulation responsible for the administration of the *Environmental Protection Act 1986* ("the Act"), and pursuant to section 20 of the Act, hereby delegate to any person for the time being holding or acting in the office of a Chief Executive Officer under the *Local Government Act 1995*, my powers and duties under the *Environmental Protection (Noise) Regulation 1997*, other than this power of delegation, in relation to:

- (a) Waste collection and other works - noise management plans relating to specified works under regulation 14A or 14B;
- (b) Bellringing or amplified calls to worship - the keeping of a log of bellringing or amplified calls to worship requested under regulation 15(3)(c)(vi);
- (c) community activities - noise control notices in respect of community noise under regulation 16;
- (d) motor sport venues - noise management plans in relation to motor sport venues under Part 2 Division 3;
- (e) shooting venues - noise management plans in relation to shooting venues under Part 2 Division 4;
- (f) calibration results - requesting, under regulation 23(b), details of calibration results undertaken and obtained under Schedule 4;
- (g) sporting, cultural and entertainment events - approval of events or venue for sporting, cultural and entertainment purposes under Part 2 Division 7, subject to the following limitation:
 - (i) Sub regulation 18 (13) (b) is not delegated.

Under section 59(1) of the *Interpretation Act 1984*, Delegation No. 68, gazetted 22 June 2007 is hereby revoked.

Dated this 12th day of December 2013.

Approved:

JASON BANKS, A/Chief Executive Officer
JOHN DAY, A/Minister for Environment; Heritage

Extract from *Government Gazette* dated 20 December 2013; page 6282.

Environmental Protection Act 1986
NOISE CONTROL – NOISE MANAGEMENT PLANTS (Reg 13)

Associated Delegation:

ENVIRONMENTAL PROTECTION ACT 1986
Delegation No. 119

I, Jason Banks, in my capacity as Acting Chief Executive Officer of the Department responsible for the administration of the *Environmental Protection Act 1986* ("the Act"), and pursuant to section 20 of the Act, hereby delegate to the holder for the time being of the offices of:

- (a) Chief Executive Officer under the *Local Government Act 1995*; and
- (b) to any employee of the local government under the *Local Government Act 1995* who is appointed as an Authorised Person under section 87 of the Act,

all my powers and duties in relation to noise management plans under regulation 13 of the *Environmental Protection (Noise) Regulations 1997* other than this power of delegation.

Under section 59(1)(e) of the *Interpretation Act 1984*, Delegation No. 111, gazetted 20 December 2013, is hereby revoked.

Dated this 1st day of May 2014.

Approved by:

JASON BANKS, A/Chief Executive Officer
Hon ALBERT JACOBS JP MLA, Minister for Environment; Heritage

Extract from *Government Gazette* dated 16 May 2014; page 1548.

Planning and Development Act 2005
**WESTERN AUSTRALIAN PLANNING COMMISSION –
SECTION 15 OF THE STRATA TITLES ACT 1985**

Associated Delegation:

PL402

PLANNING AND DEVELOPMENT ACT 2005

Instrument of Delegation

DEL 2020/01 Powers of Local Governments

Delegation to local governments of certain powers and functions of the Western Australian Planning Commission relating to certain applications under the Strata Titles Act 1985

Preamble

Under section 16 of the Planning and Development Act 2005 (the Act) the Western Australian Planning Commission (the WAPC) may, by resolution published in the Government Gazette, delegate any function under the Act or any other written law to a local government, a committee established under the Local Government Act 1995 or an employee of a local government.

In accordance with section 16(4) of the Act, a reference in this instrument to a function or a power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or imposed on the WAPC by the Act or any other written law as the case requires.

Resolution under section 16 of the Act (delegation)

On 20 January 2021, pursuant to section 16 of the Act, the WAPC RESOLVED –

- A. TO DELEGATE to local governments, and to members and officers of those local governments, its powers and functions under section 15 of the Strata Titles Act 1985 as set out in clause 1 of Schedule 1, within their respective districts, subject to the conditions set out in clause 3 of Schedule 1;
- B. TO DELEGATE to local governments, and to members and officers of those local governments, its powers and functions under sections 21 and 22 of the Strata Titles Act 1985 as set out in clause 2 of Schedule 1, within their respective districts, subject to the conditions set out in clause 3 of Schedule 1;
- C. TO AMEND "Del 2020/01-Powers of Local Governments" to give effect to its resolution and to publish an updated, consolidated instrument.

SAM FAGAN, Western Australian Planning Commission

Schedule 1

1. Applications made under section 15 of the Strata Titles Act 1985

Power to determine applications under section 15 of the Strata Titles Act 1985, except those applications that –

- (a) propose the creation of a vacant lot;
- (b) propose vacant air stratas in multi-tiered strata scheme developments;
- (c) propose the creation or postponement of a leasehold scheme;
- (d) propose a type 1 (a) subdivision or a type 2 subdivision (as defined in section 3 of the Strata Titles Act 1985);
- (e) in the opinion of the WAPC as notified to the relevant local government in writing, or in the opinion of the relevant local government as notified to the WAPC in writing, relate to –
 - i. a type of development; and/or
 - ii. land within an area,

which is of state or regional significance, or in respect of which the WAPC has determined it is otherwise in the public interest for the WAPC to determine the application.

2. Applications under sections 21 and 22 of the Strata Titles Act 1985

Power to determine applications under –

- (a) section 21 of the Strata Titles Act 1985;
- (b) section 22 of the Strata Titles Act 1985 where the amendment or repeal of scheme by-laws requires the approval of the WAPC.

3. Reporting requirements

A local government that exercises the powers referred to in clause 1 and/or clause 2, is to provide the WAPC with data on all applications determined under this Instrument of Delegation. This must be provided at the conclusion of each financial year in the format prescribed by the WAPC.

RE: INSTRUMENT OF DELEGATION – STRATA TITLE SCHEME APPLICATIONS

INSTRUMENT OF DELEGATION – STRATA TITLE SCHEME APPLICATIONS

The Western Australian Planning Commission (WAPC) advises that the Instrument of Delegation (DEL 2020/01 – Powers of Local Government (Strata Titles Act) (the Delegation) has been updated. These changes are appropriate following the 1 May 2020 amendments to the Strata Titles Act 1985 (STA).

Two amendments have been made.

The first is to grant power to local governments to determine applications relating to restrictive use conditions or bylaws.

The second is to restrict the power of local governments to determine type 1A and type 2 subdivision applications.

Lastly, the letter provides advice on process matters relating to applications to terminate a strata scheme.

Restrictive use conditions or by-laws for strata schemes

Where restricted use or planning (scheme by-laws) conditions have been applied to a strata plan (survey-strata or strata) approval is required from the WAPC to impose, amend or remove the condition or by-law (section 21 and 22 of STA). Given these restrictions are often applicable to, or have effect at, the development stage rather than at the subdivision stage, it was considered appropriate to delegate this power to local government.

Type subdivisions that effect an amendment to a strata scheme plan

Prior to the STA amendments coming into effect on 1 May 2020 proposals to add land to or remove land from an existing strata scheme, or to consolidate or re-subdivide the strata schemes, were approved by Landgate. The amendments to the STA have resulted in these proposals being considered types of amendments to a strata scheme, under section 11, and now require subdivision approval from the WAPC.

It is considered appropriate for these applications to be delegated to local government to determine applications to amend a strata scheme where only the internal scheme boundaries are impacted (consolidation or re-subdivision, now referred to as type 1B, type 3 or type 4 amendments) and vacant lots aren't created.

However, applications that result in the addition or removal of land from a strata scheme (type 1A or type 2 amendments) will be determined by the WAPC as the determining authority. This is because often an adjacent green title lot is impacted and, in some cases, independent vacant green title lots may be created. As such, the Delegation has been amended to exclude the power to determine type 1A and type 2 subdivision applications.

Advice on Termination processes

Termination of strata schemes

When the termination process is undertaken, the land ceases to be subdivided by a strata scheme (be it survey-strata, strata, leasehold (strata) or leasehold (survey-strata)). The scheme notice and associated documents are also terminated while the strata company is dissolved. This process includes an application for subdivision, made under the Planning and Development Act 2005 (PD Act), to remove the strata scheme to create a single green title lot. In some instance, there may be a concurrent application to create new strata or green title lots from the subject site.

Given the termination process outlined in Part 12 of the STA, it is recommended that, where further subdivision is proposed, a subdivision application for that proposal is also lodged with the termination proposal to enable the outline of termination report and full termination report (as applicable) to identify the ultimate intent for the subject land.

The termination process provided for under section 177 and 184 of the STA involves a subdivision application under the PD Act. Subdivision applications under the PD Act are not delegated to local government and are to be lodged with the WAPC for determination, (i.e. including where the proposal concerns for strata (built) schemes).

Planning and Development Act 2005
**DEVELOPMENT APPLICATIONS MADE UNDER THE
 AUSPICES OF THE PLANNING AND DEVELOPMENT ACT 2005**

Associated Delegation:

PLANNING AND DEVELOPMENT ACT 2005

Instrument of Delegation

(DoL FILE 1738/2002v8; 858/2001v9)

I, **Donald Terrence Redman MLA**, Minister for Lands, a body corporate continued by section 7(1) of the *Land Administration Act 1997*, under section 267A of the *Planning and Development Act 2005*, HEREBY authorise, in respect of each local government established under the *Local Government Act 1995* and listed in Column 2 of the Schedule, the person from time to time or holding or acting in the position of Chief Executive Officer of the relevant local government, to perform the powers described in Column 1 of the Schedule subject to the conditions listed in Column 3 of the Schedule.

Dated the 2nd day of June 2016

**HON DONALD TERRENCE REDMAN MLA
 MINISTER FOR LANDS**

SCHEDULE

Column 1	Column 2	Column 3
<p>The power to sign as owner in respect of Crown land that is:</p> <ul style="list-style-type: none"> • a reserve managed by the local government pursuant to section 46 of the <i>Land Administration Act 1997</i> and the development is consistent with the reserve purpose and the development is not for a commercial purpose; or • the land is a road of which the local government has the care, control and management under section 55(2) of the <i>Land Administration Act 1997</i> and where there is no balcony or other structure proposed to be constructed over that road unless that structure comes within the definition of: <ul style="list-style-type: none"> ○ a "minor encroachment" in the <i>Building Regulations 2012</i> {Regulation 45A}, or is an "awning, verandah or thing" (Regulation 458), or is a ground anchor, and where the development is consistent with the use of the land as a road. <p>in respect of development applications being made under or referred to in:</p> <p>(i) section 99(2) of the <i>Planning and Development Act 2005</i> in respect of development for which approval is required under a regional Interim development order (as that term, is defined in that Act);</p>	<p>City of Albany</p>	<p>In accordance with and subject to approved Government. Land policies.</p> <p>Any signature subject to the following endorsement:</p> <p>Signed only as acknowledgement that a development application is being made in respect of a proposal that includes Crown Land, Crown reserves under management for the purpose, or a road and to permit this application to be assessed under the appropriate provisions of the <i>Planning and Development Act 2005</i> (including any planning scheme).</p> <p>The signature does not represent approval or consent for planning purposes.</p> <p>Further, in the event that development approval is granted for the proposal, the above signature should not be taken as an acknowledgement of or consent to the commencement or carrying out of the proposed development or to any modification of the tenure or reservation classification of the Crown land component.</p>

Attachment C: Statutory Delegations – Assigned to local government

Column 1	Column 2	Column 3
<p>(ii) section 103(2) of the Planning and Development Act 2005 in respect of development for which approval is required under a local interim development order (as that term, is defined in that Act);</p>		
<p>(iii) section 115 of the Planning and Development Act 2005 in respect of development within a planning control area (as that term, is defined in that Act);</p>		
<p>(iv) section 122A of the Planning and Development Act 2005 in respect of which approval is required under an improvement scheme (as that term is defined in that Act);</p>		
<p>(v) section 162 of the Planning and Development Act 2005 in respect of developments for which approval is required under a Planning scheme or Interim development order (as those terms are defined in that Act);</p>		
<p>(vi) section 163 of the <i>Planning and Development Act 2005</i> in respect of development on land which is comprised within a place entered in the Register maintained by Heritage Council under the <i>Heritage of Western Australia Act 1990</i>, or which such a place forms part;</p>		
<p>(vii) section 171A of the <i>Planning and Development Act 2005</i> in respect of a prescribed development application (as that term is defined in that section of the Act).</p>		

**HON DONALD TERRENCE REDMAN MLA
MINISTER FOR LANDS**

Local Policy Type	Directorate	Document Owner	Document Development Officer	Associated Delegations	Policy Positions / Function or Delegation	Document Owner Review	Council / EMT Review	Website / Intranet
001 – Council	Community Services	Executive Director Community Services	Manager Arts & Culture	004	<u>Art in the Public Domain Policy & Guideline</u> Function: Applies to employee's delegated authority to administer the City's artwork collection. Review & re-adoption Ref: OCM 23 May 2017 Resolution CCCS028. Fully reviewed by MGR and Document Owners.	21/07/2023	Audit & Risk March 2023 OCM	Website / Intranet
001 – Council	Community Services	Executive Director Community Services	Manager Arts & Culture	Nil	<u>Artwork Collection Policy</u> Function: Applies to employee's delegated authority to administer the City's artwork collection. Adoption Ref: OCM 15/05/2007 Resolution 12.8.2 Review Ref: OCM 23 May 2017 Resolution CCCS028. Fully reviewed by MGR and Document Owners.	18/07/2023	Audit & Risk March 2023 OCM	Website/ Intranet
001 – Council	Infrastructure, Development & Environment	Council Executive Director Infrastructure, Development & Environment	Manager Engineering and Sustainability	Nil	<u>Asset Management Policy</u> Function: The objective of this policy is to ensure that Asset Management is embedded in the organisation and is recognised as a substantive corporate function. A recognised asset management culture will enable the City of Albany (the City) to deliver services through infrastructure assets in an equitable and sustainable way. Applicable to staff who administer the assessment of asset impairment. Adoption Ref: OCM April 2017 Resolution DIS017. Fully reviewed by MGR and Document Owners.	23/05/2017	Audit & Risk March 2023 OCM	Website/ Intranet
001 – Council	Corporate & Commercial Services	Executive Director Corporate & Commercial Services	Manager Governance & Risk	Nil	<u>Attendance at Events and Functions Policy</u> Function: The purpose of this policy is to establish guidelines for appropriate disclosure and management of acceptance of invitations to events or functions, or other hospitality occasions, where elected members and employees are invited free of charge, whether as part of their official duties as council or City representatives or not. Applicable to CEO and elected members only. Originally adopted by Council, Adoption Ref: OCM 17/12/2019 Resolution CCS203 and review by document on 02/07/2021. Fully reviewed by MGR and Document Owners.	02/07/2021	Audit & Risk March 2023 OCM	Website/ Intranet
001 – Council	Corporate & Commercial Services Public Health & Safety Team (Rangers)	Executive Director Corporate & Commercial Services	Manager Public Health & Safety	001	<u>Beach Closure Policy & Procedure</u> Function: The purpose of this policy is to provide: <ul style="list-style-type: none"> • Providing direction for responding to shark attacks and shark sightings, as well as the broader approach to safety warnings and information provided to the public. • Guide the administration of the City of Albany Local Government Property Local Law 2011, under which a sign may be erected to regulate, prohibit, or restrict specific activities on the beach or in the water and the giving of directions to swimmers to leave the water if a shark is suspected of being in the vicinity of the beach. • To provide a manageable from a practicable and resource capacity perspective, while also giving the public the option of making an informed decision about personal safety with regards to entering the water after a confirmed shark sighting / attack. Adoption Ref: OCM 31 October 2017 Resolution CCS051.	01/07/2019	Audit & Risk March 2023 OCM	Website/ Intranet
001 – Council	Infrastructure, Development and Environment	Executive Director Infrastructure, Development and Environment	Manager City Reserves	040	<u>Bushfire Attack Level (BAL) Public Land Management Policy</u> Function: The purpose of this policy is to provide guidance when an adjacent or adjoining landowner requests the City to clear vegetation on public land, to reduce their private land Bushfire Attack Level (BAL) rating. Applicable to staff administering clearing permits. Adoption Ref: OCM 22/06/2021 Resolution DIS259.	19/07/2023	Audit & Risk March 2023 OCM	Website/ Intranet
001 – Council	Infrastructure, Development and Environment	Executive Director	Manager Building & Planning Services Manager Public Health & Safety	001	<u>Bushfire Management in Conservation, Special Residential & Rural Residential (Special Rural) Zoned Policy</u> Function: To provide a balanced, fair and enforceable application of the bushfire mitigation measures as required under the Fire Management Notice for land within the City of Albany zoned: <ul style="list-style-type: none"> • Conservation; • Special Residential; and • Rural Residential (Special Rural). Adoption Ref: OCM 24/07/2018 Resolution BFAC006. Reviewed by Document Owner under delegation on 10/08/2022.	10/08/2018	Audit & Risk March 2023 OCM	Website/ Intranet
001 – Council	Corporate & Commercial Services	Executive Director Corporate & Commercial Services	Manager Finance	018	<u>Buy Local (Regional Price Preference) Policy</u> Function: The objective of this policy is to seek to maximise the use of competitive local businesses in goods, services and works purchased or contracted on behalf of the City of Albany. Applicable to staff delegated purchasing authority. Review and re-adoption Ref: OCM 27/09/2022 Resolution CCS469.	27/09/2022	Audit & Risk March 2023 OCM	Website/ Intranet

Local Policy Type	Directorate	Document Owner	Document Development Officer	Associated Delegations	Policy Positions / Function or Delegation	Document Owner Review	Council / EMT Review	Website / Intranet
001 – Council	Corporate & Commercial Services	Executive Director Corporate & Commercial Services	Manager Finance	011	<u>Cash Investment Backing for Reserve Accounts Policy</u> Function: The policy is intended to ensure that where possible, all reserve accounts are backed by cash or investments. Although there is no statutory requirement, it is the policy of the City of Albany that where possible, Reserve Accounts will be 100% backed by either cash, or investments made under the “Policy on Investment of Surplus Funds”. Adoption Ref: OCM 14/03/2022 Resolution AR108.	22/03/2022	Audit & Risk March 2023 OCM	Website/ Intranet
001 – Council	Office of CEO	Chief Executive Officer	Manager People & Culture	005	<u>CEO Performance Review Process Policy</u> Function: This policy position applies to the conduct of CEO performance reviews. It is the objective of this policy to A consistent, transparent and accountable performance review process. Applicable to Council Committee and Council who review CEO’s employment contract. Adoption Ref: OCM 27/04/2021 Resolution CCS339. Fully revised and re-adopted OCM 27/06/2023 Resolution PR013. Fully reviewed by MGR and Document Owners.	18/07/2023	Audit & Risk March 2023 OCM	Website/ Intranet
001 – Council	Office of CEO	Chief Executive Officer	Manager Governance & Risk	003	<u>Civic Affiliations Policy</u> Function: The objective of this policy is to guide elected members, staff and the community on the establishment and operation of civic affiliations such as sister cities and friendship agreements. Applicable to staff who administer Mayor and Council civic duties. Review Reference: OCM 22/03/2022 Resolution AR110. Fully reviewed by MGR and Document Owners.	19/10/2022	Audit & Risk March 2023 OCM	Website/ Intranet
001 – Council	Office of CEO	Chief Executive Officer	Manager People & Culture Manager Governance & Risk	005	<u>Code of Conduct for Council Members, Committee Members and Candidates</u> Function: The Local Government (Model Code of Conduct) Regulations 2021, introduced a mandatory code of conduct for Elected Members, committee members and candidates. The Model Code Regulations provide for: <ul style="list-style-type: none"> • overarching principles to guide behaviour; • behaviours which are managed by local governments; and • rules of conduct breaches which are considered by the Standards Panel. Applicable to all Council Members, Committee Members and Candidates Adoption Ref: OCM 27/04/2021 Resolution CCS339. Revised by Council annually with delegations, last amended with under delegated authority on 17/04/2023. Fully reviewed by MGR and Document Owners.	17/04/2023	Audit & Risk March 2023 OCM	Website/ Intranet
001 – Council	Community Services	Executive Director Community Services	Manager Community Relations	003, 005	<u>Community Engagement Policy</u> Function: Applicable to staff who require to engage with the community. Review Position and Date: This policy is to be reviewed by the document owner annually. Adoption Ref: OCM 24/03/2015 Resolution CSF151. Review Ref: OCM 22/03/2022 Resolution AR110. Fully reviewed by MGR and Document Owners.	19/07/2023	Audit & Risk March 2023 OCM	Website/ Intranet
001 – Council	Community Services	Executive Director Community Services	Manager Community Relations	009	<u>Community Funding Policy</u> Function: To provide an equitable, transparent framework for the allocation and distribution of Community Grants. Adoption Ref: OCM 27/10/2015 Resolution CS025 Review Ref: OCM 22/03/2022 Resolution AR110. Fully reviewed by MGR and Document Owners.	28/03/2023	Audit & Risk March 2023 OCM	Website/ Intranet
001 – Council	Community Services	Executive Director Community Services	Manager Recreation Services	009	<u>Community Sports & Recreation Facilities Small Grant Funding Policy</u> This policy forms part of the future Sport and Recreation Futures Plan suite of documents (2015 – 2030). Review & Adoption Reference: OCM 25/02/2020 Resolution CCS214. Fully reviewed by MGR and Document Owners.	19/07/2023	Audit & Risk March 2023 OCM	Website
001 – Council	Infrastructure, Development & Environment	Executive Director Infrastructure, Development & Environment	Coordinator Planning Services		<u>Container Deposit Scheme Policy</u> Function: To provide an exemption in accordance with Clause 61(1)(i) and (2)(e) of the Planning and Development (Local Planning Schemes) Regulations 2015. Adoption Ref: OCM 25/02/2020 Resolution DIS197. Fully reviewed by MGR and Document Owners.	18/07/2023	Audit & Risk March 2023 OCM	Website/ Intranet
001 – Council	Corporate & Commercial Services	Executive Director Corporate & Commercial Services	Manager Governance & Risk	002	<u>Corporate Document Policy</u> Function: To ensure corporate documents are relevant, uniform, accessible and user friendly. Applicable to staff who administer Corporate Documents. Adoption Ref: 16/05/2006 Report Item 14.1.2.	18/07/2023	Audit & Risk March 2023 OCM	Website/ Intranet

Local Policy Type	Directorate	Document Owner	Document Development Officer	Associated Delegations	Policy Positions / Function or Delegation	Document Owner Review	Council / EMT Review	Website / Intranet
					Review Ref: OCM 23 May 2017 Resolution CCCS028. Fully reviewed by MGR and Document Owners.			
001 – Council	Community Services	Executive Director Community Services	Manager Community Relations		<u>Day Care Policy (City of Albany)</u> Function: Defines the parameters of the City of Albany's role in providing and supporting dare care services within the municipality. Adoption Ref: OCM 24/05/2022 Resolution AR118.	16/08/2022	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
001 – Council	Infrastructure, Development & Environment	Executive Director Infrastructure, Development & Environment	Manager City Reserves	001	<u>Dog Exercise, Prohibited and Rural Areas Leashing Policy</u> (includes Dog Exercise Area Map) Function: This Policy identifies where dogs are prohibited and where dogs are permitted to exercise either on a leash or off-leash within the City of Albany Local Government Area. Adoption Ref: OCM 22/02/2022 Resolution DIS292. Review & Amend Ref: OCM 24/05/2022 Resolution DIS300.	31/08/2022	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
001 – Council	Office of CEO	Executive Director Corporate & Commercial Services	Manager Governance & Risk	003	<u>Elected Member Communications Policy and Guidelines</u> Function: The objective of this policy is to recognise the role of the Mayor as the principal spokesperson of the Council in accordance with section 2.8(1)(d) of the Local Government Act 1995. Adoption Ref: OCM 11/10/2011 Resolution 1.6 Review Reference: OCM 22/03/2022 Resolution AR110. Fully reviewed by MGR and Document Owners.	19/07/2023	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
001 – Council	Office of CEO	Executive Director Corporate & Commercial Services.	Manager Governance & Risk	Nil	<u>Elected Member Professional Development & Training Policy</u> Function: The Local Government Act 1995 (the Act), states in part that a local government must prepare and adopt a policy in relation to the continuing professional development of council members. The objective of this policy is to ensure equity and accessibility to individual training and professional development opportunities, in addition to group training sessions offered by the City of Albany to enable elected members to fulfil their functions in local government. Adoption Ref: OCM 26/03/2019 Resolution CCS138 Review Ref: OCM 25/02/2020 Resolution CCS220. Fully reviewed by MGR and Document Owners.	19/07/2023	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
001 – Council	Corporate & Commercial Services	Executive Director Corporate & Commercial Services	Manager Governance & Risk	Nil	<u>Elected Members Proposed Amendments to Responsible Officer & Committee Recommendation Policy</u> Function: The objective of this policy is to enable: <ul style="list-style-type: none"> The circulation of proposed amendments by Elected Members to all other Elected Members, for the purposes of overcoming any unnecessary duplication of suggested amendments and enabling Elected Members to seek clarification from their colleagues on any suggested amendments. The Chief Executive Officer (CEO) to determine any financial impacts and /or associated risks as a result of the alternate motion. Adoption Ref: OCM 25/03/2014 Resolution CSF065 Review Ref: Reviewed by Document Owner under delegation on 02/07/2021. Fully reviewed by MGR and Document Owners.	19/07/2023	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
001 – Council	Office of CEO	Executive Director Corporate & Commercial Services	Manager Governance & Risk	Nil	<u>Election Caretaker Period Policy</u> Function: The objective of this policy is to establish protocols for preventing actual and perceived advantage or disadvantage to a candidate in a Local Government Election, through the use of public resources or decisions made by the Council or administration on behalf of the City of Albany during the period immediately prior to an election. Adoption Ref: OCM 26/03/2019 Resolution CCS137. Review Ref: Reviewed under delegated authority by the Document Owner on 5 July 2021. Fully reviewed by MGR and Document Owners.	03/09/2022	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
001 – Council	Infrastructure, Development & Environment	Executive Director Infrastructure, Development & Environment	Manager City Reserves	Nil	<u>Environmental Impact Assessment Policy</u> Function: The objective of this policy and associated procedure aim to minimise the environmental impacts that could be caused by works carried out on City controlled land and ensure compliance with legislative and statutory requirements (including International, Federal and State Government legislation and policies). Applicable to staff who administer Environmental Impact Assessments. Adoption Ref: OCM 29/10/2013 Report Item WS007. Review Ref: OCM 23 May 2017 Resolution CCCS028.	01/07/2019	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
001 – Council	Infrastructure, Development & Environment	Executive Director Infrastructure, Development & Environment	Manager Engineering and Sustainability	Nil	<u>Environmental Policy</u> Responsibility and Reporting: Council: is responsible for approving (including amendments to) the following documents:	01/07/2019	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet

Local Policy Type	Directorate	Document Owner	Document Development Officer	Associated Delegations	Policy Positions / Function or Delegation	Document Owner Review	Council / EMT Review	Website / Intranet
					a. Environmental Policy; b. Environmental Strategy, and c. Climate Change Plans. Adoption Ref: OCM 17/08/2010 Resolution 3.7. Review Ref: OCM 23/05/2017 Resolution CCCS028.			
001 – Council	Corporate & Commercial Services	Executive Director Corporate & Commercial Services	Manager Governance & Risk Finance Manager IT Manager	Nil	<u>Fraud & Corruption Control Policy & Guideline</u> Function: The objective of this policy is to outline Council's approach to fraud and corruption prevention, deterrence, and detection. Council is committed to meeting its legislative obligations under the Local Government Act 1995 including: ensuring that resources are maintained in a responsible and accountable manner. Adoption Ref: OCM 26/11/2019 Resolution AR068. Fully reviewed by MGR and Document Owners.	19/07/2023	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
001 – Council	Community Services	Executive Director Community Services	Manager Community Relations	Nil	<u>Freedom of Entry & Keys to the City of Albany Policy & Procedure</u> Function: Applicable to staff who administer City events. Adoption Ref: OCM 27/10/2020 Resolution CCS300. Review Ref: OCM 22/03/2022 Resolution AR110. Fully reviewed by MGR and Document Owners.	19/07/2023	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
001 – Council	Office of CEO	Executive Director Corporate & Community Services	Manager Governance & Risk	002	<u>Governance and Meeting Framework Policy (Terms of Reference)</u> Function: The objective of this policy is to provide a functional, transparent and legally compliant meetings framework Applicable to committee members and staff who administer council committees. Adoption Ref: OCM 22/11/2016 Resolution CSF280. Review Ref: OCM 22 May 2018 Resolution CCS052. Fully reviewed by MGR and Document Owners.	19/07/2023	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
001 – Council	Community Services	Executive Director Community Services	Manager Community Relations	001, 026	<u>Graffiti Management Policy</u> Function: Applicable to staff who administer the control of graffiti and guides public on the process of reporting and treatment. Adoption Ref: OCM 22/11/2016 Resolution CSF281 Review Ref: EMT 16/06/2022 under delegation. Fully reviewed by MGR and Document Owners.	16/06/2022	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
001 – Council	Corporate & Commercial Services	Council Executive Director Corporate & Community Services	Manager Governance & Risk	Nil	<u>Honorary Freeman of the City of Albany</u> Function: The objective of this policy is to establish the circumstances under which the City of Albany Council may bestow the title of "Honorary Freeman of the City of Albany" upon individuals who have made an outstanding and exceptional contribution to our community. Adoption Ref: OCM 26/06/2018 Resolution CCS059. Revised by Council OCM 23/05/2017 Resolution CCCS028. Fully reviewed by MGR and Document Owners.	19/07/2023	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
001 – Council	Corporate & Commercial Services	Executive Director Corporate & Commercial Services	Manager Finance	011	<u>Investment of Surplus Funds Policy & Procedure</u> Delegated Authority: That, under section 6.10 of the Local Government Act 1995, and as prescribed in regulation 19 of the Local Government (Financial Management) Regulations 1996, the CEO be delegated to administer the Investment of Surplus Funds Policy. Function: The policy on Investment of Surplus Funds is intended to reflect the intention of Council to minimise the possibility of incurring capital loss on any investment whilst providing a reasonable rate of return. Adoption Ref: OCM 14/03/2022 Resolution AR108.	22/03/2022	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
001 – Council	Corporate & Commercial Services	Executive Director Corporate & Commercial Services	Manager Governance & Risk	008, 039	<u>Legal Representation for Elected Members, Employees & Volunteers Policy & Procedure</u> Function: Applicable to staff who administer legal representation and guides elected members, employees, and volunteers on the process. Review Position and Date: This policy is to be reviewed by the document owner annually. Synergy Reference: NP21132800. Adoption Ref: OCM 24/09/2013 Resolution CSF013. Review Ref: Reviewed by Document Owner under delegation on 2/7/2021. Fully reviewed by MGR and Document Owners.	19/07/2023	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
001 – Council	Infrastructure, Development & Environment	Executive Director Infrastructure, Development & Environment	Manager Planning & Building Services	040	Local Planning Scheme No 1 Policy Manual Adoption Ref: OCM 27/05/2014, OCM 26/08/2014 Resolution PD032. Review Ref: OCM 23 May 2017 Resolution CCCS028.	17/06/2019	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet

Local Policy Type	Directorate	Document Owner	Document Development Officer	Associated Delegations	Policy Positions / Function or Delegation	Document Owner Review	Council / EMT Review	Website / Intranet
001 – Council	Corporate & Commercial Services	Executive Director Corporate & Commercial Services	Manager Public Health & Safety	032	<u>Local Recovery Plan (City of Albany) Policy</u> Function: The purpose of the Local Recovery plan is to describe the arrangements for effectively managing recovery at a local level, including defining roles and responsibilities. It addresses the restoration of emotional, social, economic and physical wellbeing of a community, the reconstruction of infrastructure and the provision of support services following an emergency. Applicable to LEMC Committee, Council and appointed LEMC Coordinator (Executive Director Corporate & Commercial Services) and Community Emergency Safety Manager (CESM). Adoption Ref: OCM 23/08/2016 Resolution PR002 Review Ref: OCM 23 May 2017 Resolution CCCS028. Fully reviewed by MGR and Document Owners.	29/09/2022	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
001 – Council	Corporate & Commercial Services	Executive Director Corporate & Commercial Services	Manager Finance		<u>Long Term Borrowing Policy</u> Function: Whilst the preferred policy position of the City of Albany (City) is to minimise debt (except for Self-Supporting loans), the City recognises that the acquisition, renewal or construction of assets, it may require the prudent use of loan borrowings, debt instruments or other finance or capital raising methods from time to time. This policy defines the principles to be applied when considering undertaking borrowings or other asset financing. Applicable to staff who administer Long-Term Borrowing on behalf of Council. Adoption Ref: OCM 14/03/2022 Resolution AR108.	22/03/2022	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
001 – Council	Corporate & Commercial Services	Council Executive Director Corporate & Commercial Services	Manager Finance	013	<u>Mayoral Vehicle Policy</u> Function: Under the Local Government Act 1995 (the Act) the Council is required to determine the amount of allowances members are entitled to receive within prescribed limits (set out in the Local Government (Administration) Regulations 1996). Applicable to staff who administer the City's vehicle fleet management. Review/Adoption Ref: OCM 14/12/2021 Resolution AR102. Fully reviewed by MGR and Document Owners.	19/07/2023	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
001 – Council	Infrastructure, Development & Environment	Executive Director Infrastructure, Development & Environment	Manager City Reserves	043	<u>Memorial Plaque & Seat Policy, Guideline and Application</u> Function: The objective of this policy is to recognise residents who have made a significant contribution to the Albany community. The policy provides guidance for plaques and seats : <ul style="list-style-type: none"> On public land or land vested in the care and control of the City of Albany; and City sponsored memorials, plaques and seats. Applicable to staff who administer public submissions for memorial plaques and seats. Adoption Ref: OCM 15/09/2009 Report Item 14.12.2. Review Ref: OCM 28/03/2023 Resolution AR131.	31/05/2023	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
001 – Council	Community Services	Executive Director Community Services	Manager Community Relations Manager Governance & Risk	043	<u>Naming of City Facilities, Roads, Parks, Reserves, Buildings, other Assets, and Awards</u> Function: Council may consider naming recognition as outlined within this policy in honour of persons who have made an outstanding contribution to community or who, in the opinion of the Council, are worthy of such an honour. Adoption Reference: OCM 27/06/2023, Resolution CCS534.	20/07/2023	27/06/2023	Website/ Intranet
001 – Council	Corporate & Commercial Services	Council Executive Director Corporate & Commercial Services	Manager People & Culture	013	<u>Payments to Employees Above Contract or Award Policy</u> Function: To ensure payments made to employees finishing employment, in addition to their contract or award, complies with the conditions prescribed in the Local Government Act 1995. The Local Government Act 1995 requires that a local government prepare a policy in relation to employees, whose employment with the local government is finishing, setting out: <ul style="list-style-type: none"> payment is not to exceed that prescribed by regulations. the circumstances in which the local government will pay an employee an amount in addition to any amount to which the employee is entitled under a contract of employment or award relating to the employee; and the manner of assessment of the additional amount and cause local public notice to be given in relation to the policy. Adoption Ref: OCM 23/06/2015. Resolution CSF174. Review Ref: OCM 23 May 2017 Resolution CCCS028. Fully reviewed by MGR and Document Owners.	19/07/2023	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
001 – Council	Corporate & Commercial Services	Executive Director Corporate & Commercial Services	Manager Governance & Risk		<u>Petition Policy</u> Function: The purpose of this policy is to: <ul style="list-style-type: none"> clearly communicate Council's expectations in relation to the information to be included with a petition 	19/07/2023	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet

Local Policy Type	Directorate	Document Owner	Document Development Officer	Associated Delegations	Policy Positions / Function or Delegation	Document Owner Review	Council / EMT Review	Website / Intranet
					<p>submitted from a member of the public and to specify the legislative requirements that attach to petitions; and</p> <ul style="list-style-type: none"> assist Council in effectively managing petitions in accordance with its legislative obligations and in the interests of the community; and ensure robust communication channels exist between Council and the public in relation to issues of community importance; and ensure adequate and fair opportunity for community participation in Council decision-making, including at formal Council meetings. <p>Adoption Ref: OCM 14/12/2021 Resolution AR105. Fully reviewed by MGR and Document Owners.</p>			
001 – Council	Corporate & Commercial Services	Executive Director Corporate & Commercial Services	Senior Team Leader Property and Leasing	019	<p><u>Property Management (Leases and Licences) Policy</u> Function: The Policy recognises the variety and diversity of Leases and Licences and seeks to ensure that all Lessees and prospective Lessees understand the underlying elements of the Policy. All requests for a Lease or Licence will be determined in a:</p> <ul style="list-style-type: none"> fair, transparent, and where possible, consistent way; and manner that complies with statutory principles and policy. <p>Adoption Ref: OCM 14/07/2015 Resolution CSF181. Review Ref: Reviewed by Document Owner under delegation on 29 June 2021.</p>	29/06/2021	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
001 – Council	Corporate & Commercial Services	Council Executive Director Corporate & Commercial Services	Manager Finance	018, 013	<p><u>Purchasing Policy (Tenders and Quotes)</u> Delegated Authority: The Chief Executive Officer has delegated authority from Council to undertake purchases of goods and services up to the value of \$500,000, and \$1,000,000 where the supply of products or services is procured through the Western Australia Local Government Association (WALGA), State or Commonwealth Governments or any of its agencies that provide preferred supplier contracts or agreements. Function: This policy establishes the purchasing protocols to ensure:</p> <ul style="list-style-type: none"> best value to Council, and equity and transparency to suppliers of the City's goods and services. consistency for all purchasing activities that integrates within all the City of Albany operational areas. the City provides a preference to organisations that demonstrate high levels of Corporate Social Responsibility (CSR) including: <ul style="list-style-type: none"> Supporting people with disabilities or special needs, or contributions to the community such as sponsorships or donations. Have in place or are prepared to consider implementing employment strategies and programs for Indigenous people. Demonstrate sustainable business practices. Supply Australian made products. <p>Adoption Ref: OCM 25/08/2020 Resolution CCS284.</p>	06/09/2021	Audit & Risk March 2023 OCM 28/03/2023	Website
001 – Council	Corporate & Commercial Services	Executive Corporate & Commercial Services	Manager Public Health & Safety	032	<p><u>Radio Communication Allocation to Brigade Members Policy</u> Function: The objective of this policy is to ensure radio communication equipment is appropriately allocated. The policy defines the allocation of radio principles. Adoption Ref: OCM 23/06/2015 Resolution BFAC001. Review Ref: OCM 23 May 2017 Resolution CCCS028.</p>	01/07/2019	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
001 – Council	Corporate & Commercial Services	Executive Director Corporate & Commercial Services	Manager Finance	022	<p><u>Rates Financial Hardship Policy</u> Function: The purpose of this policy is to allow flexibility for payment of outstanding rates and charges for ratepayers in severe financial hardship. The policy prescribes the conditions to guide City Officers, when delegated to consider an application for rates financial hardship from ratepayers experiencing financial hardship. Adoption & Review Ref: OCM 21/06/2022 Resolution CCS442.</p>	21/06/2022	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
001 – Council	Corporate & Commercial Services	Executive Director Corporate & Commercial Services	Manager Finance	022	<p><u>Rating Subsidy - Sporting & Community Organisations Policy</u> Function: Subject to qualifying criteria, a full subsidy of annual rates may be applied. The application of a rating subsidy applies to the use of land and building used by sporting, recreational or community organisations only. Any portion of the land and/or buildings leased to a commercial third party business will be subject to the appropriate rating category. Other charges or levies that may be apply are not bound by this policy. Review/Adoption Ref: OCM 14/12/2021 Resolution AR102.</p>	24/11/2022	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet

Local Policy Type	Directorate	Document Owner	Document Development Officer	Associated Delegations	Policy Positions / Function or Delegation	Document Owner Review	Council / EMT Review	Website / Intranet
001 – Council	Corporate & Commercial Services	Executive Director Corporate & Commercial Services	Manager Public Health & Safety Manager Governance & Risk Manager Planning & Building Services	All Compliance Related Functions	<u>Regulatory Compliance Policy & Guideline</u> Function: The purpose of which is to establish principles and guidelines for compliance and enforcement activities. The effect of which provides a framework of enforcement options and considerations, in line with a recognised Public Interest test. Adoption Ref: OCM 27/06/2017 Resolution DIS030 Review Ref: Reviewed and amended under delegated authority by the Document Owner on 05/07/2021. Minor amendments applied: <ul style="list-style-type: none"> Minor formatting and layout. Term Authorised Officers replaced with Authorised Persons in accordance with amendments to the Local Government Act 1995. Strategic context appended with reference to Community Strategic Plan. Appended with definition of an Authorised Person. Document Owners updated to reflect new position responsible for Public Health & Safety and accountability for Planning and Development Compliance. 	19/07/2023	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
001 – Council	Corporate & Commercial Services	Chief Executive Officer	Manager Governance & Risk	008	<u>Response to Appeals to the State Administrative Tribunal (SAT) Policy</u> Function: The objective of this policy is to clarify the role, responsibility and accountability of the Council and City Officers in respect to decisions it makes which are the subject of an application for review to the SAT. Adoption Ref: OCM 24/06/2014 Resolution CSF092. Review Ref: Reviewed under delegated authority by Document Owner on 20/07/2023.	20/07/2023	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
001 – Council	Corporate & Commercial Services	Executive Director Corporate & Commercial Services	Manager Governance & Risk	005	<u>Risk & Opportunity Management Framework and Risk & Opportunity Management Policy</u> Function: Policy: Define roles, responsibilities, and actions, noting: <ul style="list-style-type: none"> Risk Management falls on all levels of the organisation, which includes the Council as the governing body, the Chief Executive Officer and members of the Executive, staff and persons who perform functions and/or deliver services on behalf of the City. All persons are responsible for: <ul style="list-style-type: none"> ensuring risk management action results in a movement from an endurable (negative) risk treatment towards a pleasing (positive) risk treatment; applying risk management practices in their area of work; ensuring effective communication of risk to others; that other persons (stakeholders) are aware of identified risks associated risk management and mitigation plans; and escalating risk where necessary. Framework: This framework provides a consistent process that enables continual improvement in decision making, and insight into organisational risks and their impacts. Adoption Ref: OCM 24/08/2021 Resolution AR098. Review Ref: Reviewed under delegated authority by Document Owner on 20/07/2023.	20/07/2023	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
001 – Council	Infrastructure, Development & Environment	Executive Director Infrastructure, Development & Environment	Manager Engineering and Sustainability	020, 026, 046 Attachment B – Local Laws	<u>Signs (Service Information and Tourist Signs) Policy</u> Delegated Authority: The CEO is delegated the authority to approve signs within Council's reserves. Amount must be allocated in Council's annual budget. Function: The purpose of the policy is to detail the principles and conditions governing the approval of requests for signage. Adoption Ref: OCM 14/12/2010 Resolution 4.3.29 Review Ref: OCM 23 May 2017 Resolution CCCS028.	01/07/2019	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
001 – Council	Community Services	Executive Director Community Services	Manager Community Relations	001, 026	<u>Smoke-free Outdoors Policy</u> Function: Applicable to staff who administer the use of public spaces, in particular sporting grounds. Adoption Ref: OCM 23/10/2018 Resolution CCS096 Review Ref: Reviewed under delegation on 20/07/2023.	20/07/2023	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
001 – Council	Community Services	Council Executive Community Services	Manager Community Relations	009	<u>Sponsorship Policy & Guideline</u> Function: The purpose of the Sponsorship Policy is to establish principles for sponsorship agreements entered into between the City of Albany and other parties. Adoption Ref: OCM 28/11/2017 Resolution CCS011. Review Ref: Reviewed by Document Owner under delegation on 14/02/2022.	14/02/2022	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
001 – Council	Infrastructure, Development & Environment	Executive Director Infrastructure, Development & Environment	Manager City Reserves	047	<u>Street Trees Management Policy</u> Function: The objective of this policy is to ensure that the City of Albany manages street trees in accordance to best practice guidelines to allow for their protection and preservation, whilst ensuring the public safety is not	01/07/2019	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet

Local Policy Type	Directorate	Document Owner	Document Development Officer	Associated Delegations	Policy Positions / Function or Delegation	Document Owner Review	Council / EMT Review	Website / Intranet
					compromised. Adoption Ref: OCM 17/12/2013. Resolution WS023. Review Ref: OCM 23/05/2017 Resolution CCCS028.			
001 – Council	Infrastructure, Development & Environment	Council Executive Director Infrastructure, Development & Environment	Manager Planning & Building Services	Planning Delegations	<u>Subdivision and Development Guidelines 2018</u> Delegation: The City of Albany's Engineering Officer has delegated authority to approve innovative engineering design that does not conform to these guidelines but satisfies sound engineering principles. This document is an addendum to the Local Government Guidelines for Subdivision Development November 2017 (LGGSD) by the Institute of Public Works Engineering Australia (WA Division), Edition 2.3; and outlines conditions specific to the City of Albany. Function: The subdivision and development of land in Western Australia is controlled by legislation, which includes: <ul style="list-style-type: none"> • Planning and Development Act 2005 • Local Government Act 1995 This policy (guideline) stipulates where the conditions of subdivision approval require the construction of roads and/or drainage shown on the plan of subdivision then, pursuant to the Planning and Development Act 2005, the City of Albany requires that the Developer employ a Consulting Engineer to design the civil engineering works and a Superintendent to ensure the intent of the works for the subdivision is met. Adoption Ref: OCM 23/10/2018 Resolution DIS126.	21/03/2023	Audit & Risk March 2023 OCM 28/03/2023	Intranet
001 – Council	Corporate & Commercial Services	Executive Director Corporate & Commercial Services	Executive Director Corporate & Commercial Services	Nil (Any changes or variations must be approved by Council)	<u>Temporary & Short-Term Extended Trading Hours Policy</u> Function: The objective of the policy is to establish guidelines as to when and where Temporary/Short Term Adjustments to Extended Trading Hours under the Retail Trading Act are to operate within the City of Albany and under what circumstances permission is to be sought from the Department of Commerce for Extended Trading Hours for General Retail Shops. Adoption Ref: OCM July 2016 Resolution ED036. Review Ref: OCM 23 May 2017 Resolution CCCS028.	10/09/2019	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
001 – Council	Infrastructure, Development & Environment	Executive Director Infrastructure, Development & Environment	Manager Planning & Building Services	001, 042	<u>Trading in Public Places Policy</u> Function: The purpose of this policy is; <ul style="list-style-type: none"> • To provide direction to City staff in the processing of applications for trading in public places, in accordance with the City of Albany's "Activities on Thoroughfares and Public Places and Trading Local Law 2011 " . • To provide a clear set of controls for operators to trade under. Adoption Ref: OCM 23/06/2020 Resolution DIS213.	3/11/2020	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
001 – Council	Corporate & Commercial Services	Executive Director Corporate & Commercial Services	Manager Governance	013, 016	<u>Travel and Representation Policy</u> Delegated Authority: The Executive Director Corporate & Commercial Services is responsible for implementing this Policy. The Mayor shall have the authority to assess special, medical or extenuating circumstances and approve business travel. Such requests must be in writing and supported by appropriate evidence. Function: The objective of this policy is to establish clear guidelines for travel and accommodation arrangements for councillors who are required to travel for City business. Adoption Ref: OCM 26/07/2016 Resolution CSF253. Reviewed by Document Owner 20/07/2023.	20/07/2023	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
001 – Council	Infrastructure, Development & Environment City Engineering Team	Council Executive Director Infrastructure, Development & Environment	Manager Engineering and Sustainability	026	<u>Upgrades and Maintenance of Watercourses & Drainage Channels Policy</u> Function: The objective of this policy is to define Council's obligations and policy regarding the maintenance, improvements and rehabilitation of watercourses including Drainage Reserves and Channels. Applicable to staff who administer section 3.27 of the Act under delegation. Adoption Ref: OCM 26/06/2018 Resolution DIS099.	13/05/2020	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
001 – Council	Corporate & Commercial Services	Executive Director Corporate & Commercial Services	Manager Governance	006	<u>Use of Common Seal Policy</u> Function: The objective of this policy is to provide a policy for the use of the Common Seal Applies to employee's who administer the application of the Common Seal and the Execution (Signing) of documents on the City of Albany. Adoption Ref: OCM 15/03/2011 Resolution 4.6 Review Ref: OCM 23 May 2017 Resolution CCCS028. Reviewed on 20/07/2023.	20/07/2023	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet

Local Policy Type	Directorate	Document Owner	Document Development Officer	Associated Delegations	Policy Positions / Function or Delegation	Document Owner Review	Council / EMT Review	Website / Intranet
001 – Council	Corporate & Commercial Services	Executive Director Corporate & Commercial Services	Manager Governance Manager Public Health & Safety	Attachment B – Local Laws (Animals Local Law)	<u>Wandering Cat Management Policy</u> Function: This policy guide authorised persons when having to deal with unidentified and unclaimed cats on land managed by the City of Albany. Adoption Ref: OCM 28/07/2021 Resolution CCS263(2).	12/02/2021	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
001 – Council	Infrastructure, Development & Environment	Executive Director Infrastructure, Development & Environment	Manager Engineering and Sustainability	046	<u>Wet Weather Road Closure Policy</u> Function: The objective of this policy is to ensure safety to all road users and to mitigate damage to road infrastructure, in particular unsealed roads. Adoption Ref: OCM 24/06/2014 Resolution WS043. Review Ref: OCM 23/05/2017 Resolution CCCS028.	01/07/2019	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
002 – Admin	Corporate & Commercial Services	Executive Director Corporate & Commercial Services	Manager Governance & Risk		<u>Acceptable Use of Electronic & Digital Signatures Policy</u> Function: The purpose of this policy is to: <ul style="list-style-type: none"> • Provide guidance on when digital & electronic signatures are considered accepted means of validating the identity of a signer in City of Albany electronic documents and correspondence. • Outline the approval processes and security measures to be considered in relation to the use of digital and electronic signatures. 	19/05/2021	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
002 – Admin	Community Services	Executive Director Community Services	Manager Arts & Culture	Nil	<u>Albany Public Library Collection Development Policy</u> Function: This policy provides a framework for the selection, maintenance, weeding and evaluation of the Albany Public Library's collection. This Collection Development Policy ensures the Albany Public Library's collection remains vibrant, informative, current, inclusive and sustainable.	13/09/2019	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
002 – Admin	Community Services	Executive Director Community Services	Manager Arts & Culture	Nil	<u>Albany Public Library Internet Access - Conditions of Use Policy</u> Function: Establishes the rules to be followed when using library internet facilities.	01/07/2019	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
002 – Admin	Corporate & Commercial Services	Executive Director Corporate & Commercial Services	Manager Finance	Nil	<u>Asset Impairment Policy</u> Function: The Accounting Standard AASB 136 – Impairment of Assets, prescribes the procedures that an entity applies to ensure that its assets are carried at no more than their recoverable amount. An asset is carried at more than its recoverable amount if its carrying amount exceeds the amount to be recovered through the use or sale of the asset. This policy is applicable to staff who administer the assessment of asset impairment. Note: Rescinded as a Council Policy position OCM 14/03/2022 Resolution AR108. Approved on: 14/03/2022 by Document Owners.	22/03/2022	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
002 – Admin	Corporate & Commercial Services	Executive Director	Manager Finance		<u>Budget Variations Guideline Policy</u> Function: To detail financial reporting and approval actions required by staff when budget variations are expected.	20/06/2017	Audit & Risk March 2023 OCM 28/03/2023	Intranet Only
002 – Admin	Office of CEO	Chief Executive Officer	Manager People & Culture		<u>Bullying and Harassment Policy</u> Function: The City has a legal and ethical responsibility to ensure that employees are not subject to inappropriate behaviour that will not only affect their performance but also their health and wellbeing. Approved by EMT on 23/07/2015. Reviewed under delegation by the Document Owner on 08/05/2017. Prepared for presentation to EMT on 12 April 2023.	20/03/2023	Audit & Risk March 2023 OCM 28/03/2023	Intranet Only
002 – Admin	Infrastructure, Development and Environment	Executive Director Infrastructure, Development & Environment	Manager Reserves Manager Public Health & Safety	Nil	<u>Campground Host Policy & Procedure</u> Function: Specify the training and induction requirement of camp hosts. Originally approved by EMT on 12 June 2018. Reviewed under delegation by Document Owner on 15/10/2020.	30/10/2020	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
002 – Admin	Corporate & Commercial Services	Executive Director Corporate & Commercial Services EDCCS	Manager Finance	Nil	<u>Cash Handling Policy</u> Function: Policy defines the Minimum Procedural Framework to account for cash as it is received	20/03/2023	20/03/2023	Intranet Only
002 – Admin	Office of CEO	Chief Executive Officer	Manager Governance & Risk	Nil	<u>Citizenship Ceremony Dress Code</u> Function: The purpose of this policy is to ensure that all participants and attendees at Citizenship Ceremonies are appropriately attired to reflect the significance of the event. Approved by EMT on 4/11/2020.	04/11/2020	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet

Local Policy Type	Directorate	Document Owner	Document Development Officer	Associated Delegations	Policy Positions / Function or Delegation	Document Owner Review	Council / EMT Review	Website / Intranet
002 – Admin	Community Services	Executive Director Community Services	Communications Coordinator		<u>City of Albany Media Liaison Policy</u> Function: The Policy establishes a framework for an effective working relationship with the media, including the identification of the City's authorised spokespersons.	18/01/2022	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
002 – Admin	Office of CEO	Chief Executive Officer	Personal Assistant to Mayor Executive Officer to CEO	Nil	<u>Civic Receptions, Ceremonies and use of Council and Civic Rooms Policy & Guideline</u> This policy and guideline was approved by EMT on 31/05/2017 and is to be reviewed by the document owner annually.	19/10/2022	Audit & Risk March 2023 OCM 28/03/2023	Website
002 – Admin	Corporate & Commercial Services	Executive Director Corporate & Commercial Services	Manager Governance & Risk	FOI WAPOL Memorandum of Understanding	<u>Code of Conduct for Persons with Access to Recorded Material (Audio, CCTV, Camera Footage)</u> Function: This Code has been developed to ensure that authorised persons who are involved with handling of Recorded Material (Visual & Audio) maintain the highest ethical standards.	27/06/2022	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
002 – Admin	Corporate & Commercial Services	Executive Director Corporate & Commercial Services	Manager Finance		<u>Corporate Credit Card Usage Policy</u> Function: The purpose of this policy is to ensure effective controls, policies and procedures are in place with respect to use of Corporate Credit Cards. Reviewed and re-approved by Document Owner on 08/02/2023.	08/02/2023	Audit & Risk March 2023 OCM 28/03/2023	Intranet Only
002 – Admin	Office of CEO	Chief Executive Officer	Manager People & Culture		<u>Corporate Uniform Policy</u> Function: Provides guidance on purchasing and entitlement to corporate uniforms. Approved by EMT and General Consultative Committee (GCC) on 02/05/16. Reviewed under delegation, post consultation with GCC on 18/09/2017.	20/03/2023	Audit & Risk March 2023 OCM 28/03/2023	Intranet Only
002 – Admin	Office of CEO	Chief Executive Officer	HR Coordinator Manage People & Culture		<u>COVID-19 Pandemic Working From Home CEO Directive March 2020</u> Function: This document sets out the guidelines and procedures to be followed when considering a working from home arrangement. Approved by CEO on 20/03/2020. _Outstanding: Assigned priority 1 (g).	20/03/2023	Audit & Risk March 2023 OCM 28/03/2023	Intranet Only
002 – Admin	Corporate & Commercial Services	Executive Director Corporate & Commercial Services	Manager Governance & Risk		<u>Customer Service Commitment and Complaints Resolution Policy & Procedure</u> Function: This document summarises our service commitment to customers and details how we address customer complaints.	01/07/2019	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
002 – Admin	Corporate & Commercial Services	Executive Director Corporate & Commercial Services	Manager IT		<u>Data Breach Response Policy & Procedure</u> Function: This Data Breach Response Policy and Procedure outlines definitions, sets out the procedure and clear lines of authority for City of Albany staff in the event that the City of Albany experiences a data breach, or suspects that a data breach has occurred. Originally approved on 29/01/2021 and re-approved by Document Owner on 20/08/2021.	20/08/2021	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
002 – Admin	Corporate & Commercial Services	Executive Director Corporate & Commercial Services	Manager Governance & Risk		<u>Dealing with challenging behaviour policy</u> Function: This policy explains how the City of Albany staff will deal with persons who: <ul style="list-style-type: none"> • are aggressive complainants; • are rude, abusive, and harassing complainants; • cannot be satisfied despite the best efforts of the City; • constantly raise the same issue with different staff; and/or • make unreasonable demands on the City where resources are substantially and unreasonably diverted away from its other functions or unfairly allocated (compared to other customers). 	05/03/2020	Audit & Risk March 2023 OCM 28/03/2023	Website
002 – Admin	Office of CEO	Chief Executive Officer	Manager People & Culture		<u>Drug and Alcohol Policy</u> Function: The policy provides a consistent and practical approach in managing the risks of impairment, which may be caused by alcohol and drug levels in excess of specified standards whilst at work. To be presented to EMT on 12 April 2023.	20/03/2023	Audit & Risk March 2023 OCM 28/03/2023	Intranet Only
002 – Admin	Office of CEO	Chief Executive Officer	Manager People & Culture		<u>Employee Awards and Gifts Policy</u> Function: The purpose of the policy is to provide parameters, clarity and guidelines on the awards and gifts provided by the City of Albany to employees. Reviewed and approved on 16 March 2023.	16/03/2023	Audit & Risk March 2023 OCM 28/03/2023	Intranet Only

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002 – Admin	Office of CEO	Chief Executive Officer	Manager People & Culture		<u>Employee Code of Conduct Policy</u> Function: The Employee Code of Conduct Policy intends to outline and ensure all employees are aware of and fully understand the City of Albany's expectations in regard to their conduct and standards of behaviour in the workplace; this policy complements the overarching Code of Conduct (Council Members, Committee Members, Staff and Volunteers). Originally approved by CEO & EMT on 05/04/2022 and revised by Document Owner on 02/06/2022.	02/06/2022	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
002 – Admin	Office of CEO	Chief Executive Officer	Manager People & Culture		<u>Equal Employment and Anti-Discrimination Policy</u> Function: Discrimination is against the law and will not be tolerated at the City of Albany under any circumstances. This policy applies to all of the City of Albany employees, contractors, volunteers, apprentices / trainees and work experience students at all City of Albany worksites, with breaches of this policy treated as misconduct or serious misconduct were deemed appropriate.	04/12/2020	Audit & Risk March 2023 OCM 28/03/2023	Intranet Only
002 – Admin	Infrastructure, Development and Environment	Executive Director Infrastructure, Development & Environment	Fleet Officer	Nil	<u>Fleet Management Policy & Guideline</u> Function: This policy guides City employees on motor vehicles, plant, and machinery, enabling the CEO, EDs, and delegated officers to optimise these assets for the City's benefit. The Fleet Management Policy aims to balance guidance and empowerment, encouraging strategic planning and efficient fleet management. This approach aligns with public sector accountability for achieving desired outcomes.	04/07/2023	14/06/2023	Website/ Intranet
002 – Admin	Corporate & Commercial Services	Executive Director Corporate & Commercial Services	Manager Governance & Risk	Attachment B – Local Laws	<u>Flying Drones on Public Property Policy (incl. Model Aircraft)</u> Function: The objective of this policy is to protect people, property and other aircraft from injury or damage that could result from a collision.	07/01/2020	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
002 – Admin	Infrastructure, Development and Environment	Executive Director Infrastructure, Development & Environment	Fleet Officer	Nil	<u>Fuel Card Policy & Procedure</u> Function: The purpose of this policy is to ensure effective controls, policies and procedures are in place with respect to the use of Fuel Cards by the City of Albany (the City). The objective of this policy is to reduce the risk of fraud and misuse of Fuel Cards.	04/07/2023	14/06/2023	Website/ Intranet
002 – Admin	Office of CEO	Chief Executive Officer	Manager People & Culture	005	<u>Grievance Handling Policy and Procedure</u> • Grievance Form (04/12/2020) Function: This policy applies to all workers at all City of Albany worksites, with breaches of this policy treated as misconduct or serious misconduct were deemed appropriate. Approved by EMT on 09/05/2017.	20/03/2023	Audit & Risk March 2023 OCM 28/03/2023	Intranet Only
002 – Admin	Corporate & Commercial Services	Executive Director Corporate & Commercial Services	Manager - Information Technology IT		<u>ICT Policies & Procedures (Manual)</u> Function: The objective of the ICT Policies and Procedures Manual (the Manual) is to define the IT related policies and associated procedures for the City of Albany (the City) as a consolidated resource.	06/05/2022	Audit & Risk March 2023 OCM 28/03/2023	Intranet
002 – Admin	Corporate & Commercial Services	Executive Director Corporate & Commercial Services	Manager Governance & Risk	All	<u>Internal Review Policy & Procedure</u> Function: This policy position explains the general rights of individuals to seek a review of a Council or an Officer's decision or conditions relating to a decision. This policy provides a framework to provide peace of mind to our customers through a transparent, independent, and robust internal review process.	01/07/2019	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
002 – Admin	Office of CEO	Chief Executive Officer	Manager People & Culture		<u>Learning & Development Policy</u> Function: This policy guides the learning and development process and outlines the procedure to be followed for staff and volunteers to attend training. _Outstanding: Assigned priority 1(i)	20/03/2023	Audit & Risk March 2023 OCM 28/03/2023	Intranet Only
002 – Admin	Community Services	Executive Director Community Services	Manager Arts & Culture		<u>Library Collection Policy 2019</u> Function: The policy provides a framework for the selection, maintenance, weeding and evaluation of the Albany Public Library's collection. This Collection Development Policy ensures the Albany Public Library's collection remains vibrant, informative, current, inclusive, and sustainable.	31/07/2019	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
002 – Admin	Community Services	Executive Director Community Services	Manager Arts & Culture		<u>Library Public Information Technology (IT) Use Policy</u> Function: This policy has been developed in order to provide smart, safe and responsible use of technology within the Library.	14/02/2023	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet

Local Policy Type	Directorate	Document Owner	Document Development Officer	Associated Delegations	Policy Positions / Function or Delegation	Document Owner Review	Council / EMT Review	Website / Intranet
002 – Admin	Infrastructure, Development and Environment	Executive Director Infrastructure, Development & Environment	Manager City Reserves	Attachment B – Local Laws	<u>Marine Mammal Carcass or Stranding Response Policy & Procedure</u> Function: To define the responsibilities and procedures for response, noting primary responsibility for responding to reports of stranding or carcasses on City managed beaches will rest with the Manager City Reserves and the Reserves Management Team. Approved by EMT on 16/10/2020.	15/02/2023	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
002 – Admin	Office of CEO	Chief Executive Officer	Manager People & Culture		<u>OSH Contractor Management Policy</u> Function: This policy applies to all City of Albany, managers, employees, volunteers, visitors, responsible officers, contractors and subcontractors at all of the City of Albany sites and centres. Noting the City of Albany will take all reasonable steps to; <ul style="list-style-type: none"> • So far, as practicable, provide and maintain a safe working environment. • Inform our contractors of any hazards we are aware of. • Upon notification, investigate all incidents, hazards and near misses to minimise the risk of risk re-occurrence. • Advise our contractors of our expectations and continually monitor contractor management performance. 	22/02/2021	Audit & Risk March 2023 OCM 28/03/2023	Intranet Only
002 – Admin	Office of CEO	Chief Executive Officer	Manager People & Culture		<u>Prescription Safety Glasses Policy and Procedure</u> Function: The purpose of this document is to define the process and standard for protective eyewear and City of Albany employee eligibility for reimbursement. Approved by EMT on 20/04/2018.	04/12/2020	Audit & Risk March 2023 OCM 28/03/2023	Intranet Only
002 – Admin	Community Services	Executive Director Community Services	Manager Recreational Services		<u>Provision of Community Support Letter Policy</u> Function: The purpose of this policy is to ensure the City of Albany manages requests for letters of support for grant applications in an efficient, effective, transparent and accountable manner.	14/08/2019	Audit & Risk March 2023 OCM 28/03/2023	Website/ Intranet
002 – Admin	Corporate & Commercial Services Office of CEO	Executive Director Corporate & Commercial Services Chief Executive Officer	Manager Governance & Risk Manager People & Culture PID Officers		<u>Public Interest Disclosure Procedures (PID) Policy and Procedure</u> Function: This policy position and associated guidelines have been adapted and enhanced to reflect our operating context and ensure the City's PID Officers and persons raising issues in the public interest have the appropriate resources to: receive, investigate, take appropriate action and provide reports to disclosers. Reviewed and re-approved by EMT on: 09/07/2021. Amendments: <ul style="list-style-type: none"> • Fully reviewed against PID resources published by the Public Sector Commission on 11 August 2020. • Additional Document Development Officer assigned, being the Manager People & Culture. • Quality Assurance assigned to designated PID Officers. 	09/07/2021	Audit & Risk March 2023 OCM 28/03/2023	Website
002 – Admin	Office of CEO	Chief Executive Officer	Manager People & Culture		<u>Recruitment and Selection Policy</u> Function: The objective of this policy is to provide an overview of the processes involved in the recruitment and selection of staff. Approved by EMT on 21/08/2015. _Outstanding: Assigned Priority 1(e).	20/03/2023	Audit & Risk March 2023 OCM 28/03/2023	Intranet Only
002 – Admin	Office of CEO	Chief Executive Officer	Manager People & Culture		<u>Relocation Expenses Policy</u> Function: This policy applies to hiring of new and existing employees who need to relocate from their primary place of residence in order to take up a position at the City of Albany, and to whom the City of Albany offers relocation assistance. Approved by EMT on 11/08/2015. Reviewed and updated on 02/08/2017. Outstanding: Assigned Priority 1(k).	20/03/2023	Audit & Risk March 2023 OCM 28/03/2023	Intranet Only
002 – Admin	Community Services	Executive Director Community Services	Manager Recreational Services		<u>Rules for Playing and Dimensions for Playing Areas at City of Albany Facilities Policy Position</u> Function: The objective of this policy was to minimise sporting injuries at City of Albany facilities. Policy position established to formally adopt the Department Sport and Recreation (DSR) guidelines as the standard for the conduct of sporting activities at City facilities. Approved as a working draft under delegation to facilitate the ALAC playing surface upgrades on 23/01/2017.	22/02/2021	Audit & Risk March 2023 OCM 28/03/2023	Intranet Only
002 – Admin	Community Services	Executive Director Community Services	Manager Community Relations		<u>Social Media Policy and Guidelines</u> Function: This policy applies to everyone who works at the City of Albany, including employees, trainees, contractors, labour-hire staff and volunteers, regardless of whether they work full-time, part-time or casual.	13/07/2022	Audit & Risk March 2023 OCM 28/03/2023	Intranet Only
002 – Admin	Corporate & Commercial Services	Executive Director Corporate & Commercial Services	Manager Finance		<u>Store Card Usage Policy & Procedure</u> Function: The purpose of this policy is to ensure effective controls, policies and procedures are in place with respect to the use of Store Cards by City Officers. Approved by EMT on 04/02/2019. Reviewed under delegation and amended on 19/04/2021.	19/04/2021	Audit & Risk March 2023 OCM 28/03/2023	Intranet Only

Local Policy Type	Directorate	Document Owner	Document Development Officer	Associated Delegations	Policy Positions / Function or Delegation	Document Owner Review	Council / EMT Review	Website / Intranet
002 – Admin	Office of CEO	Chief Executive Officer	Manager People & Culture		<u>Sun Protection in the Workplace Policy & Procedure</u> Function: The purpose of this policy is to implement measures that will assist in the reduced risk of skin cancer posed to Outdoor Workers and Occasional Outdoor Workers and Contractors through exposure to the harmful effects of the sun. Approved by EMT on 13/09/2013. Reviewed by Document Owner under delegation on 22/06/2017.	22/02/2021	22/06/2017	Intranet Only
002 – Admin	Infrastructure, Development and Environment	Executive Director Infrastructure, Development and Environment	Manager Engineering and Sustainability		<u>Supply of Mobile Garbage Bins Policy</u> Function: Formalise the City's Executive position that: Residential property owners are required to purchase and provide their own mobile garbage bins (MGBs) to participate in the kerbside waste collection service. Originally approved by EMT on 06/03/2012 and reviewed under delegation by the Document Owner on 12/06/2017.	01/07/2019	12/06/2017	Website/ Intranet
002 – Admin	Community Services	Executive Director Community Services	Manager Recreational Services	Attachment B – Local Laws	<u>Swimming Coaching Activities at the Albany Leisure & Aquatic Centre (ALAC) Policy</u> Function: The City of Albany employs qualified and accredited swimming Instructors to provide swimming coaching to the community. The objective of this policy is to ensure that appropriate due diligence checks are conducted by ALAC Centre Management.	01/07/2019	27/09/2018	Website/ Intranet
002 – Admin	Office of CEO	Chief Executive Officer	Manager People & Culture		<u>Volunteer Management Policy</u> Function: The objective of the Volunteering Policy is to outline the scope of the organisation wide volunteering program run by the City of Albany including the role and contribution of volunteers to City of Albany programs and services, and the City's commitment to volunteers. Approved by EMT on 2/12/2016. Reviewed by Document Owner under delegation on 02/01/2018.	20/03/2023	2/01/2018	Intranet Only
002 – Admin	Community Services	Executive Director Community Services	Manager Community Relations		<u>Welcome to Country, Acknowledgement of People and Country and Aboriginal Cultural Performances Policy & Procedure</u> Function: The objective of this Policy and Procedure is to establish protocols for City staff about appropriate and consistent recognition and acknowledgement of Menang Noongar people(s) as the traditional custodians of the land on which the City of Albany is situated.	16/05/2022	16/05/2022	Website/ Intranet
002 – Admin	Office of CEO	Chief Executive Officer	Manager People & Culture		<u>Work Health and Safety Policy</u> Function: Statement of commitment and assigned responsibilities under WHS law. Approved by CEO, October 2022.	11/11/2022	Audit & Risk March 2023 OCM 28/03/2023	Intranet Only
002 – Admin	Office of CEO	Chief Executive Officer	Manager People & Culture		<u>Workplace Healthy Catering Policy</u> <ul style="list-style-type: none"> • Healthy Eating and Catering Handbook (04/12/2020) Function: The aim of this policy is providing a framework to guide the provision of food and drinks offered at meetings, events and functions. It is hoped that this will ensure that a variety of healthy foods and drinks are available to promote healthy eating choices as everyday choices. Approved by the CEO and EMT on 28/07/2016.	22/02/2021	28/07/2016	Intranet Only