



## REGISTER OF DELEGATIONS

# Register of Delegations & Authorisations

## REVIEW

Reviewed by	Date approved	References
Council	25 Jun 2024	OCM 25/06/2024 Resolution AR152.
Council	1 Jul 2025	OCM 01/07/2025 Resolution AR178.

## TABLE OF CONTENTS

INTRODUCTION .....	9
Introduction .....	9
Delegations and authorisations under other Legislation .....	10
Transfer of Authority Due to Absence .....	10
Compliance Function Line Managers (includes Coordinators) Authority .....	10
Authorised Person Identity Card and Appointment Certificate .....	10
Facility Emergency Management .....	11
Register of Council Adopted Policies .....	11
Register of City Administrative Policies .....	11
Register of Local Planning Policies .....	11
DELEGATIONS .....	12
Building Act 2011 .....	12
Building Act - Council to CEO & CEO to Employees .....	12
B1.01 - Building Permit (Grant & Refuse) .....	12
B1.02 - Demolition Permits .....	14
B1.03 - Occupancy Permits or Building Approval Certificates .....	16
B1.04 - Designate Employees as Authorised Persons under (Building Act 2011) .....	18
B1.05 - Building Orders .....	20
B1.06 - Inspection and Copies of Building Records .....	22
B1.07 - Authorise persons to commence proceedings under (Building Act 2011) .....	23
B1.08 - Referrals and Issuing Certificates .....	24
B1.09 - Private Pool Barrier – Alternative and Performance Solutions .....	26
B1.10 - Smoke Alarms – Alternative Solutions .....	28
B1.11 - Appoint approved officers and authorised officers under (Building Act 2011) .....	29
Bush Fires Act 1954 .....	31
Bush Fires Act - Council to CEO, Mayor and Chief Bush Fire Control Officer .....	31
BF1.01 - Make Request to FES Commissioner – Control of Fire .....	31
BF1.02 - Prohibited Burning Times - Vary .....	33
BF1.03 - Prohibited Burning Times – Control Activities .....	35
BF1.04 - Restricted Burning Times – Vary and Control Activities .....	37
BF1.05 - Control of Operations Likely to Create Bush Fire Danger .....	39
BF1.06 - Burning Garden Refuse / Open Air Fires .....	41
BF1.07 - Firebreaks .....	43
BF1.08 - Appoint Bush Fire Control Officer/s and Fire Weather Officer .....	45
BF1.09 - Control and Extinguishment of Bush Fires .....	47
BF1.10 - Recovery of Expenses Incurred through Contraventions of this Act .....	49
BF1.11 - Prosecution of Offences (Bush Fires Act) .....	50
Cat Act 2011 .....	52
Cat Act - Council to CEO & CEO to Employees (Authorisations) .....	52

C1.01 - Cat Registrations .....	52
C1.02 - Cat Control Notices .....	54
C1.03 - Approval to Breed Cats (Cat Act) .....	55
C1.04 - Recovery of Costs – Destruction of Cats .....	57
C1.05 - Authorise a person to perform Specified functions under (Cat Act) .....	58
C1.06 - Applications to Keep Additional Cats .....	59
C1.07 - Reduce or Waiver Registration Fee (Cat Act) .....	61
C1.08 - Infringement Notices – Extensions and Withdrawals (Cat Act) .....	62
Council Policy Position (LG Act) .....	63
LG Act 1995 - Council to CEO & CEO to Employees (Authorisations) .....	63
LG1.16 - Appointment of an Acting Chief Executive Officer .....	63
LG4.02 - Application of Regional Price Preference Policy .....	64
LG4.05 - Power to Invest and Manage Investments (LG Act) .....	66
Dog Act 1976 .....	68
Dog Act - Council to CEO & CEO to Employees (Authorisations) .....	68
D1.01 - Appoint Registration Officers (Dog Act) .....	68
D1.02 - Part Payment of Sterilisation Costs / Directions to Veterinary Surgeons (Dog Act) .....	70
D1.03 - Refuse or Cancel Registration (Dog Act) .....	71
D1.04 - Grant Exemption as to Number of Dogs Kept at Premises (Dog Act) .....	73
D1.05 - Kennel Establishments (Dog Act) .....	75
D1.06 - Recovery of Moneys Due Under this Act (Dog Act) .....	76
D1.07 - Dispose of or Sell Dogs Liable to be Destroyed .....	77
D1.08 - Declare Dangerous Dog (Dog Act) .....	79
D1.09 - Dangerous Dog Declared or Seized – Deal with Objections and Determine when to Revoke (Dog Act) .....	81
D1.10 - Deal with Objection to Notice to Revoke Dangerous Dog Declaration or Destruction Notice (Dog Act) .....	82
D1.11 - Determine Recoverable Expenses for Dangerous Dog Declaration (Dog Act) .....	83
Environmental Protection Act 1986 .....	84
EPA Act - Authority to CEO and Authorised Employees .....	84
SI_1.01 - Noise Control – Environmental Protection Notices [Reg.65(1)] (EP Act) .....	84
SI_1.02 - Noise Management Plans – Keeping Log Books, Noise Control Notices, Calibration and Approval of Non-Complying Events (EP Act).....	86
SI_1.03 - Noise Management Plans – Construction Sites (EP Act) .....	88
EPA Act - CEO to Employees .....	90
EH1.04.4 - Environmental Protection - Illegal Dumping & Noise .....	90
Food Act 2008 .....	93
Food Act - Council to CEO & Employees .....	93
EH1.01 - Determine Compensation (Food Act) .....	93
EH1.02 - Prohibition Orders and Certificates of Clearance (Food Act) .....	95
EH1.03 - Food Business Registrations (Food Act) .....	97
EH1.04.0 - Appoint Authorised Officers and Designated Officers under (Food Act 2008, Public Health Act 2016) .....	99
EH1.05 - Debt Recovery and Prosecutions (Food Act) .....	101

EH1.06 - Abattoir Inspections and Fees (Food Act) .....	103
EH1.07 - Food Businesses List – Public Access (Food Act) .....	105
Freedom of Information Act 1992 .....	106
FOI Act - CEO to Employees .....	106
FOI_1.01 - Freedom of Information Act 1992 .....	106
Graffiti Vandalism Act 2016 .....	108
Graffiti Act - Council to CEO & CEO to Employees .....	108
G1.01 - Give Notice Requiring Obliteration of Graffiti (Graffiti Act) .....	108
G1.02 - Notices – Deal with Objections and Give Effect to Notices (Graffiti Act) .....	110
G1.03 - Obliterate Graffiti on Private Property (Graffiti Act) .....	111
G1.04 - Powers of Entry (Graffiti Act) .....	112
Health (Misc Provisions) Act 1911 .....	113
Health (Misc Provisions) Act 1911 - Council to CEO & CEO to Employees .....	113
EH1.04.2 - Health (Miscellaneous Provisions) Act 1911 – Powers of Local Government, Public Buildings, Events and Gatherings.....	113
EH1.04.3 - Health (Miscellaneous Provisions) Act 1911 - Powers of Local Government .....	115
Library Board of Western Australia Act 1951 .....	118
Library Board Act - CEO to Employees .....	118
LB1.01 - Librarian Function & Authority .....	118
Local Government Act 1995 .....	120
LG Act 1995 - Council to CEO & CEO to Employees (Authorisations) .....	120
LA1.01 - Creation and Change of Purpose of a Crown Reserve (Incl. Naming of Streets) .....	120
LG1.01 - Audit – CEO Review of Systems and Procedures (LG Act) .....	122
LG1.02 - Acknowledge Primary and Annual Returns, Gift Declarations and Financial Interest (LG Act) .....	123
LG1.03 - Authorise Persons or classes of persons to Perform Specified Functions under (LG Act 1995) .....	125
LG1.04 - Appoint Authorised Persons or Classes of Persons under (LG Act 1995) .....	128
LG1.05 - Caravan Parks & Camping Grounds Act 1995 .....	130
LG1.06 - Control of Vehicles (Off-Road Areas) Act 1978 .....	132
LG1.07 - Compensation - Damage Incurred when Performing Executive Functions (LG Act) .....	134
LG1.08 - Destruction of Electoral Papers (LG Act) .....	136
LG1.09 - Electoral Enrolment Eligibility Claims and Electoral Roll (LG Act) .....	137
LG1.10 - Extend Time for Lodging an Objection (LG Act) .....	139
LG1.11 - Financial Management Systems and Procedures (LG Act) .....	140
LG1.12 - Information to be Available to the Public (LG Act) .....	142
LG1.13 - Performing Functions Outside the District (LG Act) .....	144
LG1.14 - Corporate Documents & Branding .....	145
LG1.15 - Make Official Public Statements & Information .....	147
LG1.17 - Dealing with objections under Part 9 of Local Government Act 1995 .....	149
LG1.18 - Sign Documents on Behalf of the City of Albany (Execution of Documents) .....	151
LG1.19 - Legal Proceedings - Approval .....	153
LG1.21 - National Redress Scheme .....	155

LG1.22 - Short-Term Rental Accommodation Act 2024 .....	157
LG2.01 - Confiscated or Uncollected Goods or Impounded Goods .....	159
LG2.02 - Declare Vehicle is Abandoned Vehicle Wreck (LG Act) .....	161
LG2.03 - Determine if an Emergency for Emergency Powers of Entry (LG Act) .....	163
LG2.04 - Disposal of Sick or Injured Animals .....	164
LG2.05 - Infringement Notices (LG Act) .....	166
LG2.06 - Obstruction of Footpaths and Thoroughfares .....	168
LG2.07 - Powers of Entry (LG Act) .....	170
LG3.01.1 - Activities on Thoroughfares and Public Places and Trading Local Law 2011 - Infrastructure Control – (LG Act).....	172
LG3.01.2 - Activities on Thoroughfares and Public Places and Trading Local Law 2011 - Trading, Stallholders, Performing and Outdoor Dining (LG Act).....	176
LG3.02 - Animals Local Law 2020 .....	180
LG3.03 - Bush Fire Brigades Local Law 2020 .....	182
LG3.04 - Dog Local Law 2017 .....	183
LG3.05 - Extractive Industries Local Law 2009 .....	184
LG3.06 - Fencing Local Law 2010 .....	185
LG3.07 - Health Local Laws 2001 .....	187
LG3.08 - Jetties, Bridges, Boat Pens & Swimming Structures Local Law 2020 .....	189
LG3.09 - Local Law Relating to the Former Perth 2001 .....	191
LG3.10 - Local Government Property Local Law 2011 .....	192
LG3.11 - Signs Local Law 2006 .....	195
LG3.12 - Waste Local Law 2017 .....	197
LG3.13 - Parking and Parking Facilities Local Law 2009 - Treatment, schemes, bus shelters & seating .....	199
LG4.01 - Agreement as to Payment of Rates and Service Charges (LG Act) .....	201
LG4.03 - Defer, Grant Discounts, Waive or Write Off Debts (LG Act) .....	202
LG4.04 - Payments from the Municipal or Trust Funds (LG Act) .....	204
LG4.06 - Provision of Donations & Sponsorship and the Authority to Apply for Grant Funding and Apply for Subsidies (LG Act).....	207
LG5.01 - Expressions of Interest for Goods and Services (LG Act) .....	209
LG5.02 - Panels of Pre-Qualified Suppliers for Goods and Services (LG Act) .....	211
LG5.03 - Procurement of Goods or Services required to address a State of Emergency (LG Act) .....	213
LG5.04 - Renewal or Extension of Contracts during a State of Emergency (LG Act) .....	215
LG5.05 - Tenders for Goods and Services – Accepting and Rejecting Tenders; Varying Contracts; Exercising Contract Extension Options (LG Act).....	217
LG5.06 - Appoint Persons (other than employees) to Open Tenders (LG Act) .....	220
LG5.07 - Tenders for Goods and Services – Call Tenders (LG Act) .....	221
LG5.08 - Tenders for Goods and Services - Exempt Procurement (LG Act) .....	223
LG6.01 - Determine Due Date for Rates or Service Charges (LG Act) .....	225
LG6.02 - Rate Record - Amendment (LG Act) .....	226
LG6.03 - Rate Record – Objections (LG Act) .....	227
LG6.04 - Recovery of Rates Debts - Actions to Take Possession of the Land (LG Act) .....	228

LG6.05 - Recovery of Rates Debts – Require Lessee to Pay Rent (LG Act) .....	230
LG6.06 - Recovery of Rates or Service Charges (LG Act) .....	231
LG7.01 - Disposing of Property (selling, leasing, transferring property) (LG Act) .....	233
LG8.01 - Close Thoroughfares to Vehicles (Temporary Road Closures) .....	236
LG8.02 - Control Reserves and Certain Unvested Facilities .....	238
LG8.03 - Crossing – Construction, Repair and Removal (LG Act) .....	240
LG8.04 - Determine and Manage Conditions on Approvals to Obstruct a Public Thoroughfare (LG Act) .....	242
LG8.05 - Determine and Manage Conditions on Permission for Dangerous Excavations on or on land adjoining Public Thoroughfares (LG Act).....	244
LG8.06 - Determine and Manage Conditions on Permission for Private Works on, over, or under Public Places (LG Act).....	246
LG8.07 - Gates Across Public Thoroughfares (LG Act) .....	249
LG8.08 - Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift (LG Act) ...	251
LG8.09 - Private Works on, over or under Public Places (LG Act) .....	253
LG8.10 - Public Thoroughfare – Dangerous Excavations (LG Act) .....	255
LG Act 1995 - Council to Committees of Council .....	257
LG9.01 - Audit, Risk and Improvement Committee (LG Act) .....	257
Litter Act 1979 - CEO to Employees .....	259
EH1.04.1 - Appointment of Authorised Officers (Litter Act 1979) .....	259
Permit Authority (Dangerous Goods Regulations - CEO to Employees .....	261
LG1.20 - Authority to Approve Blasting and Fire Works (Dangerous Goods Act 2004) .....	261
Permit Authority (Liquor Control Act) - CEO to Employees .....	263
EH1.08 - Liquor Licensing & Control (Liquor Control Act 1988) .....	263
Planning and Development Act 2005 .....	265
Planning & Development Act - CEO to Employees .....	265
PD1.01 - Appointment of Authorised Persons to administer the Planning & Development Act 2005 (PD Act) .....	265
PD1.02 - Development Control (Authority to enforce compliance, development control and take legal action) (PD Act).....	269
Planning & Development Act - Minister of Lands to CEO .....	271
SI_2.01 - Sign Development Applications for Crown Land as Owner (PD Act) .....	271
Planning & Development Act 2005 - Western Australia Planning Commission to CEO .....	274
SI_2.02 - WA Planning Commission – Powers of Local Governments - s.15 of the Strata Titles Act 1985 (DEL.2020/01).....	274
Public Health Act 2016 .....	277
Public Health Act - Council to CEO & CEO to Employees .....	277
EH2.01 - Appoint Authorised Officer or Approved Officer under (Public Health Act 2016, Asbestos Regs) .....	277
EH2.02 - Enforcement Agency Reports to the Chief Health Officer (Public Health Act) .....	279
EH2.03 - Designate Authorised Officers under (Public Health Act 2016) .....	281
EH2.04 - Dealing with Seized Items under the Public Health Act .....	283
EH2.05 - Appoint Designated Officer – Public Health Information Sharing .....	285
Road Traffic (Vehicles) Act 2012 .....	286
Road Traffic Act - CEO to Employees .....	286

V1.01 - Approval for Certain Local Government Vehicles as Special Use Vehicles (Vehicles Act) ..... 286

V1.02 - Traffic Management - Events on Roads (Vehicles Act) ..... 288

V1.03 - Traffic Management – Road Works (Vehicle Act) ..... 290

AMENDMENTS ..... 292

## INTRODUCTION

### Introduction

Section 5.42 of the *Local Government Act 1995* (the Act) allows for a local government to delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the Act (other than those under s5.43). The local government may also delegate the exercise of any of its powers to Committees pursuant to section 5.16, other than those under Section 5.17(1).

Section 5.44 of the Act provides for the Chief Executive Officer to delegate any of his or her powers to another employee, this must be done in writing. The Act also allows for the Chief Executive Officer to place conditions on any delegations that he or she has delegated. These powers or duties cannot, however, be further sub-delegated. These powers or duties are delegated to assist with improving the time taken to make decisions and are made within the constraints allowed by the relevant legislation. This is consistent with our commitment to a strong customer service focus.

The Department of Local Government & Communities *Guideline No.17 – Delegations*, establishes the principal issue in determining whether a statutory function or duty is suitable for 'acting through' that being - where the statute provides no discretion in carrying out a function or duty, then the function or duty may be undertaken through the 'acting through' concept.

Conversely, where the statute allows for discretion on the part of the decision maker, then the function must either be delegated or a person authorised, or a policy implemented, that provides sufficient control for another person to have that authority and fulfil the function or duty.

The *Local Government Act 1995* does not specifically define the meaning of the term "acting through", however section 5.45(2) states;

*"Nothing in this Division is to read as preventing –*

- (a) A local government from performing any of its functions by acting through a person other than the CEO"; or*
- (b) A CEO from performing any of his or her functions by acting through another person."*

The purpose of this register is to ensure a record is kept of those powers or duties that have been delegated to ensure accountability and to meet the requirements of Section 5.46 of the Act. This register is a public document that contains 'Instruments of Delegation' that detail the function being delegated and the relevant statutory reference which is the source of power for the exercise of that function. Without limiting the effect of sections 58 and 59 of the *Interpretation Act 1984*, these delegations, made under the Act have effect for the period of time specified in the delegation or where no period has been specified, indefinitely. Any decision to amend or revoke these delegations by a local government is to be by an absolute majority.

This register of delegated authority will be reviewed in accordance with the Act on an annual basis.

## Delegations and authorisations under other Legislation

Where legislation provides for the direct delegation to authorise a person or a member of a class of persons by other agencies or decision-makers.

For example: the *Environmental Protection Act* allows for the CEO of the Department of Environment Regulation to grant delegated authority direct to a local government.

The authorisation is dealt with in the relevant legislation and, where required, the Instrument of Delegation or Notice of the Appointment is advertised in the Government Gazette.

Those Delegations or authorisations that may occur under legislation other than the *Local Government Act 1995*, its regulations and the local government's local laws include:

- \_ *Bush Fires Act 1954, regulations and local law created under that Act*
- \_ *Caravan Parks and Camping Grounds Act 1995*
- \_ *Cat Act 2011 and regulations*
- \_ *Control of Vehicles (Off-Road Areas) Act 1978 and regulations*
- \_ *Dog Act 1976 and regulations*
- \_ *Environmental Protection (Noise) Regulations 1997*
- \_ *Environmental Protection Act 1986*
- \_ *Litter Act 1979 and regulations*
- \_ *Local Government (Miscellaneous Provisions) 1960 as amended*

*Note: This is not an exhaustive list.*

## 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 the authority to waive associated fees and charges.

## 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)

## Register of Council Adopted Policies

### **Policies - Council**

- Council adopted Policy Positions and administrative policies authorised under delegation, enable effective and efficient management of City of Albany resources and assist staff and Council to achieve an equitable decision-making process.
- Register of Council Adopted Policies: <https://www.albany.wa.gov.au/documents/policies-council>

## Register of City Administrative Policies

### **Policies - Admin**

- Administrative policies authorised under delegation, enable effective and efficient management of City of Albany resources and assist staff and Council to achieve an equitable decision-making process.
- City of Albany Website: <https://www.albany.wa.gov.au/documents/policies-council>

## Register of Local Planning Policies

### **Policies - Local Planning Policies**

- Register Council adopted local planning policies: <https://www.albany.wa.gov.au/documents/policies-council>

## DELEGATIONS

## Building Act 2011

Delegations under the Building Act 2011.

## Building Act - Council to CEO &amp; CEO to Employees

<b>Delegation</b>	<b>B1.01 Building Permit (Grant &amp; Refuse)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Building Act 2011
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Building Act 2011, s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express power or duty delegated</b>	Building Act 2011: _s.18 Further Information _s.20 Grant of building permit _s.22 Further grounds for not granting an application _s.27(1) and (3) Impose Conditions on Permit Building Regulations 2012: _r.23 Application to extend time during which permit has effect (s.32) _r.24 Extension of time during which permit has effect (s.32(3)) _r.26 Approval of new responsible person (s.35(c))
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Require an applicant to provide any documentation or information required to determine a building permit application [s.18(1)].</li> <li>2. Grant or refuse to grant a building permit [s.20(1) &amp; (2) and s.22].</li> <li>3. Impose, vary or revoke conditions on a building permit [s.27(1) and(3)].</li> <li>4. Determine an application to extend time during which a building permit has effect [r.23].             <ol style="list-style-type: none"> <li>a. Subject to being satisfied that work for which the building permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)]</li> <li>b. Impose any condition on the building permit extension that could have been imposed under s.27 [r.24(2)].</li> </ol> </li> <li>5. Approve, or refuse to approve, an application for a new responsible person for a building permit [r.26].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	This delegation is restricted to administratively granting certificates and permits that have the relevant certifications of building compliance, construction compliance and/or design compliance, as certified and issued by a person meeting the qualification requirements of the Building Services (Registration) Regulations 2011.
<b>Express power to subdelegate</b>	Building Act 2011, s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

<b>Subdelegates</b>	Building Surveyor Coordinator Building Services Executive Director Infrastructure, Development & Environment Manager Development Services
<b>Subdelegate conditions</b>	<i>Subdelegates are appointed by the CEO.</i>
<b>Statutory framework</b>	<p><a href="#">Building Act 2011</a></p> <p>_s.17 Uncertified application to be considered by the building surveyor _s.20 (Grant of building permit), _s.21 (Grant of demolition permit), _s.22 (Further grounds for not granting an _s.23 Time for deciding application for a building or demolition permit _s.58 (Grant of occupancy permit, building approval certificate), _s.65 (Extension of period of duration), _s.96 (Authorised persons), _s.110 (Building orders), _s.117 (Revocation of building order), _s.119 Building and demolition permits – application for review by SAT _s.127 (Delegation: special permit authorities and local governments), _s.139 (Presumptions about authority to do certain things), _s.191 (Notices to stop unlawful work), _s.192 (Dangerous buildings), _s.193 (Neglected buildings), _s.194 (Dilapidated buildings), _s.195(Uncompleted buildings).</p> <p><a href="#">Building Regulations 2012</a></p> <p>_r.25 Review of decision to refuse to extend time during which permit has effect (s.32(3)) – reviewable by SAT application),</p> <p><a href="#">Building Services (Registration Act) 2011</a></p> <p>_Section 7</p> <p><a href="#">Home Building Contracts Act 1991</a></p> <p>_Part 3A, Division 2 – Part 7, Division 2</p> <p><a href="#">Building and Construction Industry Training Fund and Levy Collection Act 1990</a></p> <p><a href="#">Heritage Act 2018</a></p> <p>_s.79 Permit for works affecting registered place</p>
<b>Policy</b>	Resources: City of Albany Website: City of Albany Building & Demolition Information sheets/guidelines/permits information/checklists: <a href="#">Link</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>B1.02 Demolition Permits</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Building Act 2011
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Authority: _Building Act 2011, s.127(1) & (3) – Delegation by special permit authorities and local governments _Building Act 2011, s.127(6A) – Subdelegation by CEO to local government employees
<b>Express power or duty delegated</b>	Building Act 2011 _s.18 – Request further information _s.21 – Grant or refuse demolition permit _s.22 – Grounds for refusing an application _s.27(1) & (3) – Impose, vary, or revoke permit conditions  Building Regulations 2012 _r.23 – Application to extend permit duration (s.32) _r.24 – Extension of permit duration (s.32(3)) _r.26 – Approval of new responsible person (s.35(c))
<b>Function</b>	The delegate is authorised to: (1) Request documentation or information to assess a demolition permit application [s.18(1)] (2) Grant or refuse a demolition permit [s.21, s.22] (3) Impose, vary, or revoke conditions on a demolition permit [s.27(1), (3)] (4) Determine applications to extend the duration of a demolition permit [r.23, r.24(1)] (5) Impose conditions on permit extensions [r.24(2)] (6) Approve or refuse a new responsible person for a demolition permit [r.26]
<b>Delegates</b>	CEO
<b>Conditions</b>	General: This delegation is restricted to administratively granting certificates and permits that have the relevant certifications of building compliance, construction compliance and/or design compliance, as certified and issued by a person meeting the qualification requirements of the Building Services (Registration) Regulations 2011.
<b>Express power to subdelegate</b>	Building Act 2011: _s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
<b>Subdelegates</b>	Building Surveyor Coordinator Building Services Executive Director Infrastructure, Development & Environment Manager Development Services

<b>Subdelegate conditions</b>	<p><i>Subdelegates are appointed by the CEO and operate under the same conditions imposed on the CEO. Specific powers delegated to each role include:</i></p> <p><u>Manager Development Services:</u></p> <p><i>_s.18 (1) Further Information to determine a building permit application</i>  <i>_s.20 Grant or refuse building permit</i>  <i>_s.21 Grant or refuse demolition permit</i>  <i>_s.22 Further grounds for not granting an application</i>  <i>_s.27(1) and (3) Impose, vary and revoke conditions on Permit</i>  <i>_r.23 Application to extend time during which permit has effect</i>  <i>_r.24 Extension of time during which permit has effect</i>  <i>_r.26 Approval of new responsible person (s.35(c))</i></p> <p><u>Coordinator Building Services:</u></p> <p><i>_s.18 (1) Further Information to determine a building permit application</i>  <i>_s.20 Grant or refuse building permit</i>  <i>_s.21 Grant or refuse demolition permit</i>  <i>_s.22 Further grounds for not granting an application</i>  <i>_s.27(1) and (3) Impose, vary and revoke conditions on Permit</i>  <i>_r.23 Application to extend time during which permit has effect</i>  <i>_r.24 Extension of time during which permit has effect</i>  <i>_r.26 Approval of new responsible person (s.35(c))</i></p> <p><u>Senior Building Surveyor:</u></p> <p><i>_r.23 Application to extend time during which permit has effect</i>  <i>_r.24 Extension of time during which permit has effect</i>  <i>_r.26 Approval of new responsible person (s.35(c))</i>  <i>_s.18(1) Further Information to determine a building permit application</i>  <i>_s.20 Grant of building permit</i>  <i>_s.21 Grant demolition permit</i>  <i>_s.27(1) and (3) Impose, vary and revoke conditions on Permit</i></p> <p><u>Building Surveyor:</u></p> <p><i>_s.18(1) Further Information to determine a building permit application</i>  <i>_s.20 Grant of building permit</i>  <i>_s.21 Grant demolition permit</i>  <i>_s.27(1) and (3) Impose, vary and revoke conditions on Permit</i></p>
<b>Statutory framework</b>	<p><i>Building Act 2011</i></p> <p><i>_s.23 – Time for deciding application</i>  <i>_s.119 – Review by SAT</i></p> <p><i>Building Services (Complaint Resolution and Administration) Act 2011 – Part 7, Division 2</i></p> <p><i>Building and Construction Industry Training Fund and Levy Collection Act 1990</i></p> <p><i>Heritage Act 2018 – s.79 (Permit for works affecting registered place)</i></p>
<b>Policy</b>	<p>Resources: City of Albany Website: Building &amp; Demolition <a href="#">Link</a></p>
<b>Record keeping</b>	<p>Report to file.</p>
<b>Date adopted</b>	<p>1 July 2025</p>
<b>Adoption references</b>	<p>OCM 01/07/2025 Resolution AR178</p>
<b>Last reviewed</b>	<p>1 July 2025</p>

<b>Delegation</b>	<b>B1.03 Occupancy Permits or Building Approval Certificates</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Building Act 2011
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Building Act 2011, s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express power or duty delegated</b>	Building Act 2011: _s.55 Further information _s.58 Grant of occupancy permit, building approval certificate _s.62(1) and (3) Conditions imposed by permit authority _s.65(4) Extension of period of duration Building Regulations 2012 _r.40 Extension of period of duration of time limited occupancy permit or building approval certificate (s.65)
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Require an applicant to provide any documentation or information required in order to determine an application [s.55].</li> <li>2. Grant, refuse to grant or to modify an occupancy permit or building approval certificate [s.58].</li> <li>3. Impose, add, vary or revoke conditions on an occupancy permit [s.62(1) and (3)].</li> <li>4. Extend, or refuse to extend, the period in which an occupancy permit or modification or building approval certificate has effect [s.65(4) and r.40].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	General: This delegation is restricted to administratively granting certificates and permits that have the relevant certifications of building compliance, construction compliance and/or design compliance, as certified and issued by a person meeting the qualification requirements of the Building Services (Registration) Regulations 2011.  Council Conditions on this Delegation: <i>Delegation and authority does not apply to those applications that:</i> <ol style="list-style-type: none"> <li>1. Proposed the creation of a vacant lot;</li> <li>2. Proposed vacant air strata's in multi-tiered strata scheme developments;</li> <li>3. 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, or in the opinion of the relevant local government as notified to the WAPC in writing, relate to: <ol style="list-style-type: none"> <li>a) type of development; and/or</li> <li>b) 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.</li> </ol> </li> <li>4. The WAPC is to be provided with data on all applications determined under this instrument of delegation at the conclusion of each financial year in the format as prescribed by the WAPC.</li> <li>5. Must comply with relevant Council Policies.</li> </ol>

<b>Express power to subdelegate</b>	<p>Building Act 2011:</p> <p>_s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO).</p> <p>_s.55 Further information</p> <p>_s.58 Grant of occupancy permit, building approval certificate</p> <p>_s.60 Notice of decision not to grant occupancy permit or grant building approval certificates.62(1) and (3)</p> <p>Conditions imposed by permit authority</p> <p>_s.65(4) Extension of period of duration</p> <p>Building Regulations 2012:</p> <p>_r.40 Extension of period of duration of time limited occupancy permit or building approval certificate (s.65).</p>
<b>Subdelegates</b>	<p>Building Surveyor</p> <p>Chief Executive Officer (CEO)</p> <p>Coordinator Building Services</p> <p>Executive Director Infrastructure, Development &amp; Environment</p> <p>Manager Development Services</p>
<b>Subdelegate conditions</b>	<p><i>Subdelegates are appointed by the CEO.</i></p> <p><i>Senior Building Surveyors and Building Surveyors</i></p> <p><i>_s.55 and s.58 (excluding refusal) only</i></p>
<b>Statutory framework</b>	<p>Building Act 2011: <a href="#">Link</a></p> <p>_s.59 time for granting occupancy permit or building approval certificate</p> <p>_s.60 Notice of decision not to grant occupancy permit or grant building approval certificate</p> <p>_s.121 Occupancy permits and building approval certificates – application for review by SAT</p> <p>Building Services (Complaint Resolution and Administration) Act 2011: <a href="#">Link</a></p> <p>_Part 7, Division 2</p> <p>Building and Construction Industry Training Fund and Levy Collection Act 1990: <a href="#">Link</a></p> <p>Heritage Act 2018: <a href="#">Link</a></p>
<b>Policy</b>	<p>Resources: City of Albany Website: <a href="#">Link</a></p>
<b>Record keeping</b>	<p>Report to file.</p> <p>Each instance of the exercised use of this delegation is to be reported Council monthly.</p>
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>B1.04 Designate Employees as Authorised Persons under (Building Act 2011)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Building Act 2011
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Building Act 2011, s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express power or duty delegated</b>	Building Act 2011: <a href="#">Link</a> _s.96(3) authorised persons _s.99(3) Limitation on powers of authorised person
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Designate an employee as an authorised person [s.96(3)].</li> <li>2. Revoke or vary a condition of designation as an authorised person or give written notice to an authorised person limiting powers that may be exercised by that person [s.99(3)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>1. Decisions under this delegated authority should be in accordance with r.5 of the <i>Building Regulations 2012</i>.</li> <li>2. This delegation is restricted to administratively granting certificates and permits that have the relevant certifications of building compliance, construction compliance and/or design compliance, as certified and issued by a person meeting the qualification requirements of the Building Services (Registration) Regulations 2011.</li> </ol> <p><i>Note: That an authorised person for the purposes of sections 96(3) and 99(3) is not an approved officer or authorised officer for the purposes of Building Reg. 70.</i></p>
<b>Express power to subdelegate</b>	Building Act 2011: _s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
<b>Subdelegates</b>	Building Surveyor Coordinator Building Services Executive Director Infrastructure, Development & Environment Manager Development Services
<b>Subdelegate conditions</b>	<ol style="list-style-type: none"> <li>a. Subdelegates appointed by the CEO.</li> <li>b. Subject to the conditions imposed on the CEO.</li> <li>c. Authority to commence prosecutions must be authorised by line manager / director.</li> </ol>
<b>Statutory framework</b>	Building Act 2011: _s.97 each designated authorised person must have an identity card. _r.5A Authorised persons (s.3) – definition
<b>Policy</b>	Policy Position: <ol style="list-style-type: none"> <li>a. Authorised persons must hold a current authority card.</li> <li>b. An authorised person, shall on demand by the builder, owner or person apparently in charge thereof, produce their authority to enter, to the person demanding it.</li> </ol>

<b>Record keeping</b>	a. Report to file. b. A copy of the Authorisation Certificate / Record is to be placed on the appropriate personal file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>B1.05 Building Orders</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Building Act 2011
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Building Act 2011: <a href="#">Link</a> _s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express power or duty delegated</b>	Building Act 2011: <a href="#">Link</a> _s.110(1) A permit authority may make a building order _s.111(1) Notice of proposed building order other than building order (emergency) _s.117(1) and (2) A permit authority may revoke a building order or notify that it remains in effect _s.118(2) and (3) Permit authority may give effect to building order if non-compliance
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to make Building Orders in relation to: <ol style="list-style-type: none"> <li>a. Building work</li> <li>b. Demolition work</li> <li>c. An existing building or incidental structure [s.110(1)].</li> </ol> </li> <li>2. Authority to give notice of a proposed building order and consider submissions received in response and determine actions [s.111(1)(c)].</li> <li>3. Authority to revoke a building order [s.117].</li> <li>4. If there is non-compliance with a building order, authority to cause an authorised person to: <ol style="list-style-type: none"> <li>a. take any action specified in the order ; or</li> <li>b. commence or complete any work specified in the order; or</li> <li>c. if any specified action was required by the order to cease, to take such steps as are reasonable to cause the action to cease [s.118(2)].</li> </ol> </li> <li>5. Authority to take court action to recover as a debt, reasonable costs and expense incurred in doing anything in regard to non-compliance with a building order [s.118(3)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<p>Council Conditions on this Delegation:</p> <ol style="list-style-type: none"> <li>1. In undertaking the functions of this delegation, Building Surveyors (registered) must be employed by the City of Albany in accordance with s5.36 of the Local Government Act 1995; and as defined in the Building Act 2011 Part 1. 3.</li> <li>2. Must comply with Council policies.</li> </ol>
<b>Express power to subdelegate</b>	Building Act 2011:_ _s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO).
<b>Subdelegates</b>	<p>Building Surveyor  Coordinator Building Services  Development Compliance Officer  Executive Director Infrastructure, Development &amp; Environment  Manager Development Services  Senior Planning and Development Compliance Officer</p>

<b>Subdelegate conditions</b>	<p>a. Same conditions imposed on the CEO.  b. Subdelegates appointed by the CEO.  c. CEO Conditions on this sub-delegation:</p> <p><u>Executive Director Infrastructure, Development &amp; Environment</u>  _s.110(1) A permit authority may make a building order  _s.111(1) Notice of proposed building order other than building order (emergency)  _s.117(1) and (2) A permit authority may revoke a building order or notify that it remains in effect  _s.118(2) and (3) Permit authority may give effect to building order if non-compliance</p> <p><u>Manager Development Services:</u>  _s.110(1) A permit authority may make a building order  _s.111(1) Notice of proposed building order other than building order (emergency)  _s.117(1) and (2) A permit authority may revoke a building order or notify that it remains in effect  _s.118(2) and (3) Permit authority may give effect to building order if non-compliance  _s.114 Service of building order</p> <p><u>Coordinator Building Services:</u>  _s.110(1) A permit authority may make a building order  _s.111(1) Notice of proposed building order other than building order (emergency)  _s.117(1) and (2) A permit authority may revoke a building order or notify that it remains in effect  _s.118(2) and (3) Permit authority may give effect to building order if non-compliance  _s.114 Service of building order</p> <p><u>Senior Building Surveyor &amp; Building Surveyors &amp; Statutory Compliance Enforcement Officers:</u>  _s.114 Service of building order</p>
<b>Statutory framework</b>	<p>Building Act 2011: <a href="#">Link</a>  _s111 Notice of proposed building order other than building order (emergency)  _s112 Content of building order  _s113 Limitation on effect of building order  _s114 Service of building order  _Part 9 Review - s.122 Building orders – application for review by SAT.  Interpretation Act 1984: <a href="#">Link</a></p>
<b>Policy</b>	<p>Regulatory Compliance Policy &amp; Guideline: <a href="#">Link</a></p>
<b>Record keeping</b>	<p>a. Report to file.  b. Each instance of the exercised use of this delegation is to be reported to Council monthly.</p>
<b>Date adopted</b>	<p>1 July 2025</p>
<b>Adoption references</b>	<p>OCM 01/07/2025 Resolution AR178</p>
<b>Last reviewed</b>	<p>1 July 2025</p>

<b>Delegation</b>	<b>B1.06 Inspection and Copies of Building Records</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Building Act 2011
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Building Act 2011, s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express power or duty delegated</b>	Building Act 2011, s.131(2) Inspection, copies of building records
<b>Function</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. Determine an application from an interested person to inspect and copy a building record [s.131(2)].</li> <li>2. Appoint persons to administer this function, specifically members of the Governance and Development Services Information Teams.</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<i>Note: The delegator may perform this function through an officer or agent.</i>
<b>Express power to subdelegate</b>	Building Act 2011, s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO),
<b>Subdelegates</b>	<p>Building Surveyor  Coordinator Building Services  Development Compliance Officer  Executive Director Infrastructure, Development &amp; Environment  Manager Development Services  Senior Planning and Development Compliance Officer</p>
<b>Subdelegate conditions</b>	<ol style="list-style-type: none"> <li>a. Subdelegates appointed by the CEO.</li> <li>b. An officer or agent appointed to perform this function must be appointed in writing.</li> </ol>
<b>Statutory framework</b>	Building Act 2011, s.146 Confidentiality
<b>Policy</b>	Resources: City Albany Website: Search Request for Building Plans
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>B1.07 Authorise persons to commence proceedings under (Building Act 2011)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Building Act 2011
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Building Act 2011, s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express power or duty delegated</b>	Building Act 2011, s.133(1) A permit authority may commence a prosecution for an offence against this Act
<b>Function</b>	Authority to authorise a person to commence a prosecution for an offence against the Building Act 2011 [s.133(1)(b)].
<b>Delegates</b>	CEO
<b>Express power to subdelegate</b>	Building Act 2011, s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
<b>Subdelegates</b>	Executive Director Infrastructure, Development & Environment Manager Development Services
<b>Subdelegate conditions</b>	<i>Subdelegates are appointed by the CEO. Same conditions as imposed on the CEO.</i>
<b>Statutory framework</b>	<a href="#">Building Act 2011</a> , s.146 Confidentiality
<b>Policy</b>	<a href="#">1.47 Regulatory Compliance Policy &amp; Guidelines</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>B1.08 Referrals and Issuing Certificates</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Building Act 2011
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Building Act 2011: _s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express power or duty delegated</b>	Building Act 2011: _s.145A Local Government functions
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Refer uncertified applications under s.17(1) to a building surveyor who is not employed by the local government [s.145A(1)].</li> <li>2. Issue a certificate for Design Compliance, Construction Compliance or Building Compliance whether or not the land subject of the application is located in the City of Albany's District [s.145A(2)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Council Conditions on this Delegation: If the applicant is an Elected Member or an employee, the conflict of interest provisions apply.
<b>Express power to subdelegate</b>	Building Act 2011: _s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
<b>Subdelegates</b>	Executive Director Infrastructure, Development & Environment Manager Development Services
<b>Subdelegate conditions</b>	<i>Subdelegates appointed by the CEO.</i> <i>CEO Conditions on this sub-delegations:</i> <ol style="list-style-type: none"> <li>a. <i>Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with r5. of the Building Regulations 2012.</i></li> <li>b. <i>Before exercising Authority 2 for a building outside of the City of Albany's District [s.145A(2)]., the delegate is to be informed.</i></li> </ol>
<b>Statutory framework</b>	Building Act 2011 Building Regulations 2012
<b>Policy</b>	Council Policy: <a href="#">1.47 Regulatory Compliance Policy &amp; Guidelines</a>
<b>Record keeping</b>	Report to file. Report to Council monthly.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025



<b>Delegation</b>	<b>B1.09 Private Pool Barrier – Alternative and Performance Solutions</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Building Act 2011
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Building Act 2011: _s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express power or duty delegated</b>	Building Regulations 2012: _r.51 Approvals by permit authority
<b>Function</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. Approve requirements alternative to a fence, wall, gate or other component included in the barrier, if satisfied that the alternative requirements will restrict access by young children as effectively as if there were compliant with AS 1926.1 [r.51(2)]</li> <li>2. Approve a door for the purposes of compliance with AS 1926.1, where a fence or barrier would cause significant structural or other problem which is beyond the control of the owner / occupier or the pool is totally enclosed by a building or a fence or barrier between the building and pool would create a significant access problem for a person with a disability [r.51(3)]</li> <li>3. Approve a performance solution to a Building Code pool barrier requirement if satisfied that the performance solution complies with the relevant performance requirement [r.51(5)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Inspect private swimming pools: <ol style="list-style-type: none"> <li>i. Line Manager to sign any Prosecution Notices.</li> <li>ii. The inspection that is to be conducted after building work for an enclosure of a private swimming pool is an inspection to assess whether the pool enclosure complies with the requirements in r.50.</li> </ol> </li> <li>b. Council designates the following classes of persons to administer and enforce this function: Chief Executive Officer, Executive Director Infrastructure, Development &amp; Environment, Manager Development Services, Senior Planning &amp; Development Compliance Officer, Coordinator Building Services, Development Compliance Officer, Senior Building Surveyors and Building Surveyors.</li> </ol>
<b>Express power to subdelegate</b>	Building Act 2011: _s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
<b>Subdelegates</b>	<p>Building Surveyor  Coordinator Building Services  Development Compliance Officer  Executive Director Infrastructure, Development &amp; Environment  Manager Development Services  Senior Planning and Development Compliance Officer</p>
<b>Subdelegate conditions</b>	<p><i>Subdelegates are appointed by the CEO.  Subject to the same conditions imposed on the CEO.</i></p>

<b>Statutory framework</b>	Building Act 2011 Building Regulations 2012
<b>Policy</b>	Policy Position: All private swimming pools and spas that contain water that is more than 300mm deep must have a compliant barrier installed that restricts access by young children to the pool and its immediate surrounds.
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>B1.10 Smoke Alarms – Alternative Solutions</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Building Act 2011
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Building Act 2011, s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express power or duty delegated</b>	Building Regulations 2012: _r.55 Terms Used (alternative building solution approval) _r.61 Local Government approval of battery powered smoke alarms
<b>Function</b>	Authority to: <ul style="list-style-type: none"> <li>1. Approve alternative building solutions which meet the performance requirement of the Building Code relating to fire detection and early warning [r.55].</li> <li>2. Approve or refuse to approve a battery powered smoke alarm and to determine the form of an application for such approval [r.61].</li> </ul>
<b>Delegates</b>	CEO
<b>Express power to subdelegate</b>	Building Act 2011, s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
<b>Subdelegates</b>	Coordinator Building Services Executive Director Infrastructure, Development & Environment Manager Development Services
<b>Subdelegate conditions</b>	<i>Subdelegates appointed by the CEO.</i>
<b>Statutory framework</b>	<ul style="list-style-type: none"> <li>1. Building Regulations 2012: Local Government is responsible for investigating and enforcing the mandatory requirement to fit and maintain smoke alarms under the Building Regulations 2012.</li> <li>2. Smoke Alarm Laws: Department of Energy, Mines, Industry Regulation &amp; Safety: <a href="#">Link</a></li> </ul>
<b>Policy</b>	Resources: Smoke Alarm Laws: Department of Energy, Mines, Industry Regulation & Safety: <a href="#">Link</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>B1.11 Appoint approved officers and authorised officers under (Building Act 2011)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Building Act 2011
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Building Act 2011, s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express power or duty delegated</b>	Building Regulations 2012, r.70 Approved officers and authorised officers
<b>Function</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. Appoint: <ol style="list-style-type: none"> <li>a. An <u>approved officer</u> for the purposes of s.6(a) of the Criminal Procedure Act 2004, in accordance with Building Regulation 70(1) and (1A). <i>(Note: Only employees delegated under s 5.44(1) of the Local Government Act 1995 with power under s 9.19 or 9.20 may be appointed as "approved officers").</i></li> <li>b. An <u>authorised officer</u> for the purposes of s.6(b) of the Criminal Procedure Act 2004, in accordance with Building Regulation 70(2). <i>(Note: Only employees appointed under s 9.10 of the Local Government Act 1995 and authorised for the purpose of performing functions under s 9.16 of that Act may be appointed as "authorised officers" for the purposes of Building Regulation 70(2)).</i></li> </ol> </li> <li>2. Inspect Swimming Pools: <ol style="list-style-type: none"> <li>a. 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.</li> <li>b. Inspect <u>private swimming pools</u> and enforce the provisions of the Building Act 2011 and associated regulations and standards.</li> </ol> </li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<p>Private Swimming Pools (Authority to Inspect and Enforcement):</p> <ol style="list-style-type: none"> <li>a. Line Manager to sign any Prosecution Notices.</li> <li>b. 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.</li> </ol>
<b>Express power to subdelegate</b>	Building Act 2011, s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
<b>Subdelegates</b>	<p>Building Surveyor  Coordinator Building Services  Development Compliance Officer  Executive Director Infrastructure, Development &amp; Environment  Manager Development Services  Senior Planning and Development Compliance Officer</p>
<b>Subdelegate conditions</b>	<i>Subdelegates are appointed by the CEO. Refer to advice notes.</i>

<b>Statutory framework</b>	<a href="#">Building Regulations 2012</a> , reg 70(3) each authorised officer must be issued a certificate of appointment
<b>Policy</b>	<a href="#">1.47 Regulatory Compliance Policy &amp; Guideline</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

## Bush Fires Act 1954

Delegations under the Bush Fires Act 1954.

### Bush Fires Act - Council to CEO, Mayor and Chief Bush Fire Control Officer

<b>Delegation</b>	<b>BF1.01 Make Request to FES Commissioner – Control of Fire</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Bush Fires Act 1954
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Bush Fires Act 1954, s.48 Delegation by local government
<b>Express power or duty delegated</b>	Bush Fires Act 1954, s.13(4) Duties and powers of bush fire liaison officers
<b>Function</b>	Authority to request on behalf of the City that the FES Commissioner authorise the Chief Bush Fire Control Officer or another person to take control of fire operations [s.13(4)].
<b>Delegates</b>	CEO Chief Bushfire Control Officer
<b>Conditions</b>	<ul style="list-style-type: none"> <li>a. Before making the request, if time permits, advise the CEO of the request.</li> <li>b. Noting s.48 Delegation by local governments (4) Nothing in this section is to be read as limiting the ability of a local government to act through its council, members of staff or agents in the normal course of business.</li> </ul>
<b>Express power to subdelegate</b>	<ul style="list-style-type: none"> <li>a. Council designates the following classes of persons to administer and enforce the Bush Fire Act 1954, subject to conditions: Chief Executive Officer, Executive Director Corporate &amp; Commercial Services, Manager Public Health &amp; Safety, Community Emergency Services Manager – CESM, Chief Bush Fire Control Officer, Deputy Chief Bush Fire Control Officer, Coordinator Ranger Services, Senior Ranger &amp; Rangers.</li> <li>b. NIL – Sub-delegation is prohibited by s.48(3).</li> </ul>
<b>Subdelegates</b>	Community Emergency Services Manager Executive Director Corporate & Commercial Services Manager Public Health and Safety
<b>Subdelegate conditions</b>	<i>Subdelegates appointed by the CEO.</i>
<b>Statutory framework</b>	<a href="#">Bush Fires Act 1954</a>
<b>Policy</b>	City of Albany Bush Fire Brigades Local Law 2020: <a href="#">Link</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.

<b>Last reviewed</b>	1 July 2025
----------------------	-------------

<b>Delegation</b>	<b>BF1.02 Prohibited Burning Times - Vary</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Bush Fires Act 1954
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Bush Fires Act 1954:</a> _s.48 Delegation by local government _s.17(10) Prohibited burning times may be declared by Minister (power of delegation to Mayor and Chief Bush Fire Control Officer for ONLY powers under s.17(7) and (8))
<b>Express power or duty delegated</b>	<a href="#">Bush Fires Act 1954:</a> _s.17(7) Prohibited burning times may be declared by Minister <a href="#">Bush Fire Regulations 1954:</a> _r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. _r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times _r.39B Crop dusters etc., use of in restricted or prohibited burning times
<b>Function</b>	Authority, where seasonal conditions warrant it, to determine a variation of the prohibited burning times, after consultation with an authorised CALM Act officer [s.17(7)]. Noting: _s.17(10): <i>A local government may by resolution delegate to its mayor, or president, and its Chief Bush Fire Control Officer, jointly its powers and duties under subsections (7) and (8).</i> _s.48(4) says <i>'Nothing in this section is to be read as limiting the ability of a local government to act through its council, members of staff or agents in the normal course of business'.</i>
<b>Delegates</b>	Chief Bushfire Control Officer Chief Executive Officer (CEO) Mayor
<b>Conditions</b>	a. Decisions under s,17(7) must be undertaken jointly by both the Mayor and the Chief Bush Fire Control Officer and must comply with the procedural requirements of s.17(7B) and (8). b. Noting s.48 Delegation by local governments (4) Nothing in this section is to be read as limiting the ability of a local government to act through its council, members of staff or agents in the normal course of business.
<b>Express power to subdelegate</b>	a. Council designates the following classes of persons to administer 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 – CESM, Chief Bush Fire Control Officer, Deputy Chief Bush Fire Control Officer, Coordinator Ranger Services, Senior Ranger & Rangers. b. NIL – Sub-delegation is prohibited by s.48(3).
<b>Subdelegates</b>	Executive Director Corporate & Commercial Services Manager Public Health and Safety
<b>Subdelegate conditions</b>	<i>Subdelegates appointed by the CEO.</i>

<b>Statutory framework</b>	<ol style="list-style-type: none"> <li>1. The Department of Conservation and Land Management (CALM) was a department of the Government of Western Australia that was responsible for implementing the state's conservation and environment legislation and regulations. It was created by the <a href="#">Conservation and Land Management Act 1984</a>, also known as the CALM Act,[1] which is still in force as of 2024.</li> <li>2. Now known as the Department of Biodiversity, Conservation and Attractions (DBCA).</li> <li>3. Every year the City of Albany issues a Fire Management Notice that outlines the minimum requirements for all landowners and occupiers to prepare for the bushfire season. The Fire Management Notice is issued under Section 33 of the Bush Fire Act 1954 and the requirements contained within are required by law.</li> </ol>
<b>Policy</b>	City of Albany Fire Management Notice: <a href="#">Link</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>BF1.03 Prohibited Burning Times – Control Activities</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Bush Fires Act 1954
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Bush Fires Act 1954</a> , s.48 Delegation by local government
<b>Express power or duty delegated</b>	<p><a href="#">Bush Fires Act 1954</a>:</p> <p>_s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions.</p> <p>_s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land</p> <p>Bush Fire Regulations 1954:</p> <p>_r.15 Permit to burn (Act s.18), form of and apply for after refusal etc.</p> <p>_r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times</p> <p>_r.39B Crop dusters etc., use of in restricted or prohibited burning times</p>
<b>Function</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. Determine permits to burn during prohibited burning times that have previously been refused by a Bush Fire Control Officer [r.15].</li> <li>2. Declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C].</li> <li>3. Determine, during a Prohibited Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B(2)].</li> <li>4. Issue directions, during a Prohibited Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)].</li> <li>5. Prohibit the use of tractors, engines or self-propelled harvester, during a Prohibited Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)].</li> <li>6. Recover the cost of measures taken by the City or Bush Fire Control Officer, to extinguish a fire burning during Prohibited Burning Times, where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire the land they occupy [s.28(4)], including authority to recover expenses in any court of competent jurisdiction [s.28(5)].</li> </ol>
<b>Delegates</b>	Chief Bushfire Control Officer Chief Executive Officer (CEO) Mayor
<b>Express power to subdelegate</b>	<ol style="list-style-type: none"> <li>a. Noting s.48 Delegation by local governments (4) Nothing in this section is to be read as limiting the ability of a local government to act through its council, members of staff or agents in the normal course of business.</li> <li>b. Council designates the following classes of persons to administer and enforce the Bush Fire Act 1954, subject to conditions: Chief Executive Officer, Executive Director Corporate &amp; Commercial Services, Manager Public Health &amp; Safety, Community Emergency Services Manager – CESM, Chief Bush Fire Control Officer, Deputy Chief Bush Fire Control Officer, Coordinator Ranger Services, Senior Ranger &amp; Rangers.</li> <li>c. NIL – Sub-delegation is prohibited by s.48(3)</li> </ol>

<b>Subdelegates</b>	Executive Director Corporate & Commercial Services Manager Public Health and Safety
<b>Subdelegate conditions</b>	<i>Subdelegates appointed by the CEO.</i>
<b>Statutory framework</b>	<a href="#">Bush Fires Act 1954</a> <a href="#">Conservation and Land Management Act 1984</a>
<b>Policy</b>	<a href="#">City of Albany Fire Management Notice</a> <a href="#">City of Albany Volunteer Bush Fire Brigade Operating Procedures</a> Extract: <i>Notifying Residents of Restricted and Prohibited Burning Times</i> _The City of Albany advises local residents of restricted and prohibited burning times through an annual fire management notice issued in conjunction with annual rates notices. _Public notices are also placed in local newspapers and on City of Albany website advising residents of dates. Notices are also published if there is any adjustment to previously advised times. _As a service to local residents some brigades also display appropriate message boards prominently out the front of their fire stations. _Restricted and prohibited times may be varied according to weather conditions.
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>BF1.04 Restricted Burning Times – Vary and Control Activities</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Bush Fires Act 1954
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Bush Fires Act 1954</a> , s.48 Delegation by local government
<b>Express power or duty delegated</b>	<p><a href="#">Bush Fires Act 1954</a>:</p> <p>_s.18(5), (11) Restricted burning times may be declared by FES Commissioner</p> <p>_s.22(6) and (7) Burning on exempt land and land adjoining exempt land</p> <p>_s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions</p> <p>_s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land</p> <p><a href="#">Bush Fire Regulations 1954</a>:</p> <p>_r.15 Permit to burn (Act s.18), form of and apply for after refusal etc.</p> <p>_r.15C Local Government may prohibit burning on certain days</p> <p>_r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times</p> <p>_r.39B Crop dusters etc., use of in restricted or prohibited burning times</p>
<b>Function</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. Where seasonal conditions warrant it and after consultation with an authorised CALM Act officer, determine to vary the restricted burning times in respect of that year [s.18(5)].</li> <li>2. Determine to prohibit burning on Sundays or specified days that are public holidays in the District [r.15C].</li> <li>3. Where a permitted burn fire escapes or is out of control in the opinion of the Bush Fire Control Officer or an officer of the Bush Fire Brigade, determine to recoup bush fire brigade expenses arising from preventing extension of or extinguishing an out of control permitted burn [s.18(11)].</li> <li>4. Determine permits to burn during restricted times that have previously been refused by a Bush Fire Control Officer [r.15].</li> <li>5. Arrange with the occupier of exempt land, the occupier of land adjoining it and the Bush Fire Brigade to cooperate in burning fire-breaks and require the occupier of adjoining land to provide by the date of the burning, ploughed or cleared fire-breaks parallel to the common boundary [s.22(6) and (7)].</li> <li>6. Declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited unless written consent of a Bush Fire Control Officer is obtained [r.38C].</li> <li>7. Determine, during a Restricted Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B].</li> <li>8. Issue directions, during a Restricted Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)].</li> <li>9. Prohibit the use of tractors, engines or self-propelled harvesters, during a Restricted Burning Times, and to give permission for the use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)].</li> <li>10. Recover the cost of measures taken by the City or Bush Fire Control Officer, to extinguish a fire burning during Restricted Burning Times, where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire the land they occupy [s.28(4)], including the authority to recover expenses in any court of competent jurisdiction [s.28(5)].</li> </ol>

<b>Delegates</b>	Chief Bushfire Control Officer Chief Executive Officer (CEO) Mayor
<b>Conditions</b>	Authority: <ul style="list-style-type: none"> <li>a. Where seasonal conditions warrant it, to determine a variation of the prohibited and restricted burning times, after consultation with an authorised CALM Act officer [s.17(7) and s.18(5)].</li> <li>b. To give and publish notices that outline the particulars of the variation [s.17(8)]. Note, the process outlined in s17(8) also applies to restricted burning times [s18(5C)].</li> </ul>
<b>Express power to subdelegate</b>	<ul style="list-style-type: none"> <li>a. Noting s.48 Delegation by local governments (4) Nothing in this section is to be read as limiting the ability of a local government to act through its council, members of staff or agents in the normal course of business.</li> <li>b. Council designates the following classes of persons to administer and enforce the Bush Fire Act 1954, subject to conditions: Chief Executive Officer, Executive Director Corporate &amp; Commercial Services, Manager Public Health &amp; Safety, Community Emergency Services Manager – CESM, Chief Bush Fire Control Officer, Deputy Chief Bush Fire Control Officer, Coordinator Ranger Services, Senior Ranger &amp; Rangers.</li> <li>c. NIL – Sub-delegation is prohibited by s.48(3)</li> </ul>
<b>Subdelegates</b>	Community Emergency Services Manager Executive Director Corporate & Commercial Services Manager Public Health and Safety
<b>Subdelegate conditions</b>	<i>Subdelegates appointed by the CEO.</i>
<b>Statutory framework</b>	<a href="#">Bush Fire Act 1954</a> <a href="#">Conservation and Land Management Act 1984</a>
<b>Policy</b>	Refer to applicable policies.
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>BF1.05 Control of Operations Likely to Create Bush Fire Danger</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Bush Fires Act 1954
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Bush Fires Act 1954</a> , s.48 Delegation by local government
<b>Express power or duty delegated</b>	<p><a href="#">Bush Fires Act 1954</a>: _s.27D Requirements for carriage and deposit of incendiary material</p> <p><a href="#">Bush Fires Regulations 1954</a>: _r.39C Welding and cutting apparatus, use of in open air _r.39CA Bee smoker devices, use of in restricted or prohibited burning times etc. _r.39D Explosives, use of _r.39E Fireworks, use of</p>
<b>Function</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. Give directions to a Bush Fire Control Officer regarding matters necessary for the prevention of fire arising from: <ol style="list-style-type: none"> <li>a. a person operating a bee smoker device during a prescribed period [r.39CA(5)].</li> <li>b. a person operating welding apparatus, a power-operated abrasive cutting disc [r.39C(3)].</li> <li>c. a person using explosives [r.39D(2)].</li> <li>d. a person using fireworks [r.39E(3)].</li> </ol> </li> <li>2. Determine directions or requirements for the carriage and deposit of incendiary materials (hot or burning ash, cinders, hot furnace refuse, or any combustible matter that is burning) [s.27D]. <i>Note: this authority is also prescribed to a Bush Fire Control Officer, a Bush Fire Liaison Officer or an authorised CALM Act officer.</i></li> </ol>
<b>Delegates</b>	<p>CEO Chief Bushfire Control Officer Community Emergency Services Manager Executive Director Corporate &amp; Commercial Services Manager Public Health and Safety</p>
<b>Conditions</b>	Noting s.48 Delegation by local governments (4) Nothing in this section is to be read as limiting the ability of a local government to act through its council, members of staff or agents in the normal course of business.
<b>Express power to subdelegate</b>	<ol style="list-style-type: none"> <li>a. NIL – Sub-delegation is prohibited by s.48(3)</li> <li>b. Council designates the following classes of persons to administer and enforce the Bush Fire Act 1954, subject to conditions: <ol style="list-style-type: none"> <li>1. Chief Executive Officer,</li> <li>2. Executive Director Corporate &amp; Commercial Services,</li> <li>3. Manager Public Health &amp; Safety,</li> <li>4. Community Emergency Services Manager – CESM,</li> <li>5. Chief Bush Fire Control Officer,</li> <li>6. Deputy Chief Bush Fire Control Officer,</li> <li>7. Coordinator Ranger Services, and</li> <li>8. Senior Ranger &amp; Rangers.</li> </ol> </li> </ol>

<b>Subdelegates</b>	Coordinator Ranger Services Ranger Senior Ranger
<b>Subdelegate conditions</b>	<i>Subdelegates appointed by the CEO.</i>
<b>Statutory framework</b>	<a href="#">Bush Fires Act 1954</a> <a href="#">Bush Fires Regulations 1954</a>
<b>Policy</b>	<ol style="list-style-type: none"> <li>1. City of Albany Volunteer Bush Fire Brigade Operating Procedures: <a href="#">Link</a></li> <li>2. Department of Fire &amp; Emergency Services online resources: <a href="#">On-line TFB Activity Notification AFDRS</a></li> </ol>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>BF1.06 Burning Garden Refuse / Open Air Fires</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Bush Fires Act 1954
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Bush Fires Act 1954</a> , s.48 Delegation by local government
<b>Express power or duty delegated</b>	<p><a href="#">Bush Fires Act 1954</a>:</p> <ul style="list-style-type: none"> <li>_s.24F Burning garden refuse during limited burning times</li> <li>_s.24G Minister or local government may further restrict burning of garden refuse</li> <li>_s.25 No fire to be lit in open air unless certain precautions taken</li> <li>_s.25A Power of Minister to exempt from provisions of section 25</li> </ul> <p><a href="#">Bush Fires Regulations 1954</a>:</p> <ul style="list-style-type: none"> <li>_r.27(3) Permit, issue of</li> </ul>
<b>Function</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. Give written permission, during prohibited times and restricted times, for an incinerator located within 2m of a building or fence, only where satisfied it is not likely to create a fire hazard [s.24F(2)(b)(ii) and (4)].</li> <li>2. Prohibit or impose restrictions on the burning of garden refuse that is otherwise permitted under s.24F [s.24G(2)]. <ol style="list-style-type: none"> <li>a. Issue directions to an authorised officer as to the manner in which or the conditions under which permits to burn plants or plant refuse shall be issued in the District [r.27(3) and r.33(5)].</li> <li>b. Prohibit (object to) the issuing of a permit for the burning of a proclaimed plan growing upon any land within the District [r.34].</li> </ol> </li> <li>3. Provide written approval, during prohibited times and restricted times, for fires to be lit for the purposes of: <ol style="list-style-type: none"> <li>a. camping or cooking [s.25(1)(a)].</li> <li>b. conversion of bush into charcoal or for the production of lime, in consultation with an authorised CALM Act officer [s.25(1)(b)].</li> </ol> </li> <li>4. Prohibit the lighting of fires in the open are for the purposes of camping or cooking for such period during the prohibited burning times as specified in a note published in the Gazette and newspaper circulating in the District and authority to vary such notice [s.25 (1a) and (1b)].</li> <li>5. Serve written notice on a person to whom an exemption has been given under s.25 for lighting a fire in open air, prohibiting that person from lighting a fire and to determine conditions on the notice [s.25A(5)].</li> </ol>
<b>Delegates</b>	CEO Chief Bushfire Control Officer
<b>Conditions</b>	Noting s.48 Delegation by local governments (4) Nothing in this section is to be read as limiting the ability of a local government to act through its council, members of staff or agents in the normal course of business.

<b>Express power to subdelegate</b>	<p>a. NIL – Sub-delegation is prohibited by s.48(3).</p> <p>b. Council designates the following classes of persons to administer and enforce the Bush Fire Act 1954, subject to conditions:</p> <ol style="list-style-type: none"> <li>1. Chief Executive Officer</li> <li>2. Executive Director Corporate &amp; Commercial Services</li> <li>3. Manager Public Health &amp; Safety</li> <li>4. Community Emergency Services Manager – CESM</li> <li>5. Chief Bush Fire Control Officer</li> <li>6. Deputy Chief Bush Fire Control Officer</li> <li>7. Coordinator Ranger Services</li> <li>8. Senior Ranger &amp; Rangers.</li> </ol>
<b>Subdelegates</b>	<p>Coordinator Ranger Services  Manager Public Health and Safety  Ranger  Ranger-Fire Mitigation  Senior Ranger</p>
<b>Subdelegate conditions</b>	<p><i>Designated classes of persons listed as "Subdelegates".  Subdelegates appointed by the CEO.</i></p>
<b>Statutory framework</b>	<p><a href="#">Bush Fires Act 1954</a>  <a href="#">Bush Fires Regulations 1954</a>  <a href="#">City of Albany Bush Fire Brigades Local Law 2020</a></p>
<b>Policy</b>	<p>Resources: <a href="#">City of Albany Volunteer Bush Fire Operating Procedures</a></p>
<b>Record keeping</b>	<p>Report to file.</p>
<b>Date adopted</b>	<p>1 July 2025</p>
<b>Adoption references</b>	<p>OCM 01/07/2025 Resolution AR178.</p>
<b>Last reviewed</b>	<p>1 July 2025</p>

<b>Delegation</b>	<b>BF1.07 Firebreaks</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Bush Fires Act 1954
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Bush Fires Act 1954</a> , s.48 Delegation by local government
<b>Express power or duty delegated</b>	<a href="#">Bush Fires Act 1954</a> , s.33 Local government may require occupier of land to plough or clear fire -breaks
<b>Function</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. Give written notice to an owner or occupier of land or all owners or occupiers of land within the District, requiring: <ol style="list-style-type: none"> <li>a. clearing of firebreaks as determined necessary and specified in the notice; and</li> <li>b. act in respect to anything which is on the land and is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire; and</li> <li>c. as a separate or coordinated action with any other person carry out similar actions [s.33(1)].</li> <li>d. determine that these matters have been acted upon to the satisfaction of the City.</li> </ol> </li> <li>2. Direct a Bush Fire Control Officer or any other employee to enter onto the land of an owner or occupier to carry out the requisitions of the notice which have not been complied with [s.33(4)].</li> <li>3. Recover any costs and expenses incurred in doing the acts, matters or things required to carry out the requisitions of the notice [s.33(5)].</li> </ol>
<b>Delegates</b>	CEO Chief Bushfire Control Officer
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. A person authorised to administer this function: <ol style="list-style-type: none"> <li>i. Notice to Install Firebreaks around Properties: Prevention measures and fire breaks (fire access tracks) are to be under the City of Albany Fire Management Requirements Notice (s33 of the Bush Fires Act 1954).</li> <li>ii. Must be qualified following the Department of Fire &amp; Emergency Services (DFES) and/or City prescribed qualifications.</li> </ol> </li> <li>b. Noting s.48 Delegation by local governments (4) Nothing in this section is to be read as limiting the ability of a local government to act through its council, members of staff or agents in the normal course of business.</li> </ol>
<b>Express power to subdelegate</b>	<ol style="list-style-type: none"> <li>a. NIL – Sub-delegation is prohibited by s.48(3).</li> <li>b. Council designates the following classes of persons to administer and enforce the Bush Fire Act 1954, subject to conditions: <ol style="list-style-type: none"> <li>1. Chief Executive Officer,</li> <li>2. Executive Director Corporate &amp; Commercial Services,</li> <li>3. Manager Public Health &amp; Safety,</li> <li>4. Community Emergency Services Manager – CESM,</li> <li>5. Chief Bush Fire Control Officer,</li> <li>6. Deputy Chief Bush Fire Control Officer,</li> <li>7. Coordinator Ranger Services,</li> <li>8. Senior Ranger &amp; Rangers.</li> </ol> </li> </ol>

<b>Subdelegates</b>	Coordinator Ranger Services Executive Director Corporate & Commercial Services Ranger Ranger-Fire Mitigation Senior Ranger
<b>Subdelegate conditions</b>	<p>a. <i>Noting s.48 Delegation by local governments (4) Nothing in this section is to be read as limiting the ability of a local government to act through its council, members of staff or agents in the normal course of business.</i></p> <p>b. <i>Classes of persons designated to perform this function listed as "Subdelegates".</i></p> <p>c. <i>Subdelgates appointed by the CEO.</i></p>
<b>Statutory framework</b>	<a href="#">Bush Fires Act 1954</a> <a href="#">Bush Fires Regulations 1954</a>
<b>Policy</b>	<ol style="list-style-type: none"> <li>1. <a href="#">City of Albany Fire Management Notice</a></li> <li>2. Resources: <ul style="list-style-type: none"> <li><a href="#">_City of Albany Volunteer Bush Fire Brigade Operating Procedures</a></li> <li><a href="#">_City of Albany Fire Information &amp; Guidelines: <u>Link</u></a></li> </ul> </li> </ol>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>BF1.08 Appoint Bush Fire Control Officer/s and Fire Weather Officer</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Bush Fires Act 1954
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Bush Fires Act 1954</a> , s.48 Delegation by local government
<b>Express power or duty delegated</b>	<p><a href="#">Bush Fires Act 1954</a>: _s.38 Local Government may appoint bush fire control officer</p> <p><a href="#">Fire &amp; Emergency Services Act 1998</a>: _s12 (2)(e)(f) (Powers) _s37(Protection from personal and vicarious liability).</p> <p><a href="#">Emergency Management Act 2005</a>: _s36 (Functions of Local Government),</p>
<b>Function</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. Appoint persons to be Bush Fire Control Officers for the purposes of the Bush Fires Act 1954; and of those Officers: <ol style="list-style-type: none"> <li>a. Appoint one as the Chief Bush Fire Control Officer and one as the Deputy Chief Bush Fire Control Officer; and</li> <li>b. Determine the respective seniority of the other Bush Fire Officers so appointed [s.38(1)].</li> </ol> </li> <li>2. Issue directions to a Bush Fire Control Officer to burn on or at the margins of a road reserve under the care, control and management of the City [s.38(5A)].</li> <li>3. Appoint a Fire Weather Officer, selected from senior Bush Fire Control Officers previously appointed and where more than one Fire Weather Officer is appointed, define a part of the District in which each Fire Weather Officer shall have the exclusive right to exercise the powers of s.38(17). [s.38(8) and (9)].</li> <li>4. Appoint deputy Fire Weather Officer/s as necessary and where two or more deputies are appointed, determine seniority [s.38(10)].</li> </ol>
<b>Delegates</b>	CEO Chief Bushfire Control Officer
<b>Conditions</b>	<ol style="list-style-type: none"> <li>1. The Chief Bush Fire Control Officer and Deputy Bush Fire Control Officers who shall be first, second in seniority of those officers, and subject thereto may determine the respective seniority of the other Bush Fire Control Officers appointed.</li> <li>2. Appointments must be published in a newspaper circulating in the district and Government Gazette.</li> <li>3. Appointed persons must be qualified in accordance with the Department of Fire &amp; Emergency Services (DFES) prescribed qualifications.</li> <li>4. Noting s.48 Delegation by local governments (4) Nothing in this section is to be read as limiting the ability of a local government to act through its council, members of staff or agents in the normal course of business.</li> </ol>

<b>Express power to subdelegate</b>	<p>a. NIL – Sub-delegation is prohibited by s.48(3).</p> <p>b. Council designates the following classes of persons to administer and enforce the Bush Fire Act 1954, and Fire &amp; Emergency Services Act 1998 subject to conditions:</p> <ol style="list-style-type: none"> <li>1. Chief Executive Officer</li> <li>2. Executive Director Corporate &amp; Commercial Services</li> <li>3. Manager Public Health &amp; Safety</li> <li>4. Community Emergency Services Manager – CESM</li> <li>5. Chief Bush Fire Control Officer</li> <li>6. Deputy Chief Bush Fire Control Officer</li> <li>7. Coordinator Ranger Services</li> <li>8. Senior Ranger &amp; Rangers</li> </ol>
<b>Subdelegates</b>	Executive Director Corporate & Commercial Services
<b>Subdelegate conditions</b>	<i>The classes of persons authorised to administer this function are listed as "Subdelegates". Subdelegates appointed by the CEO.</i>
<b>Statutory framework</b>	<p><a href="#">Bush Fire Act 1954</a></p> <p><a href="#">Fire &amp; Emergency Services Act 1988</a></p> <p><a href="#">Bush Fire Brigades Local Law 2020</a></p>
<b>Policy</b>	Resources: City of Albany Website: <a href="#">Link</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>BF1.09 Control and Extinguishment of Bush Fires</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Bush Fires Act 1954
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Bush Fires Act 1954</a> , s.48 Delegation by local government
<b>Express power or duty delegated</b>	<a href="#">Bush Fires Act 1954</a> , s.46 Bush fire control officer or forest officer may postpone lighting fire
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to prohibit or postpone the lighting of a fire, despite a permit having been issued, where in the opinion of the Delegate the lighting of a fire would be or become a source of danger by escaping from the land on which it is proposed to be lit [s.46(1A)].</li> <li>2. Where it is proposed that the fire will be lit on land within 3kms of the boundary of forest land, and an authorised CALM Act office is not available or has not exercised the power to prohibit or propose a fire considered to become a source of danger, then the Delegate may make the decision [s.46(1B)].</li> </ol>
<b>Delegates</b>	CEO Chief Bushfire Control Officer
<b>Conditions</b>	<ol style="list-style-type: none"> <li>1. Issue direction to a registered Bush Fire Brigade: Having reasonably sought information prior to issuing directions and so satisfying themselves that direction is needed.</li> <li>2. Noting s.48 Delegation by local governments (4) Nothing in this section is to be read as limiting the ability of a local government to act through its council, members of staff or agents in the normal course of business.</li> </ol>
<b>Express power to subdelegate</b>	<ol style="list-style-type: none"> <li>a. NIL – Sub-delegation is prohibited by s.48(3).</li> <li>b. Council designates the following classes of persons to administer and enforce the Bush Fire Act 1954, subject to conditions: <ol style="list-style-type: none"> <li>1. Chief Executive Officer</li> <li>2. Executive Director Corporate &amp; Commercial Services</li> <li>3. Manager Public Health &amp; Safety</li> <li>4. Community Emergency Services Manager – CESM</li> <li>5. Chief Bush Fire Control Officer</li> <li>6. Deputy Chief Bush Fire Control Officer</li> <li>7. Coordinator Ranger Services</li> <li>8. Senior Ranger &amp; Rangers</li> </ol> </li> </ol>
<b>Subdelegates</b>	Community Emergency Services Manager Coordinator Ranger Services Executive Director Corporate & Commercial Services Manager Public Health and Safety Ranger Senior Ranger
<b>Subdelegate conditions</b>	<i>Classes of persons authorised to administer this function are listed as "Subdelegates". Subdelegates appointed by the CEO.</i>
<b>Statutory framework</b>	<a href="#">Bush Fires Act 1954</a> <a href="#">Bush Fires Regulations 1954</a> <a href="#">City of Albany Bush Fire Brigades Local Law 2020</a>

<b>Policy</b>	<a href="#">City of Albany Fire Management Notice</a> Resources: <ul style="list-style-type: none"> <li>▪ <a href="#">City of Albany Volunteer Bush Fire Brigade Operating Procedures</a></li> <li>▪ <a href="#">City of Albany Website: Fire Information &amp; Guidelines: Link</a></li> </ul>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>BF1.10 Recovery of Expenses Incurred through Contraventions of this Act</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Bush Fires Act 1954
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Bush Fires Act 1954</a> , s.48 Delegation by local government
<b>Express power or duty delegated</b>	<a href="#">Bush Fires Act 1954</a> , s.58 General penalty and recovery of expenses incurred
<b>Function</b>	Authority to recover expenses incurred as a result of an offence against the Bush Fires Act, being expenses incurred through the fulfilment of a duty or doing anything for which the Act empowered or required the City or those on behalf of the City to do [s.58].
<b>Delegates</b>	CEO
<b>Conditions</b>	Noting s.48 Delegation by local governments (4) Nothing in this section is to be read as limiting the ability of a local government to act through its council, members of staff or agents in the normal course of business.
<b>Express power to subdelegate</b>	<p>a. NIL – Sub-delegation is prohibited by s.48(3).</p> <p>b. Council designates the following classes of persons to administer this function:</p> <ol style="list-style-type: none"> <li>1. Executive Director Corporate &amp; Commercial Services</li> <li>2. Manager Public Health &amp; Safety</li> </ol>
<b>Subdelegates</b>	Executive Director Corporate & Commercial Services Manager Public Health and Safety
<b>Subdelegate conditions</b>	<i>Classes of persons authorised to administer this function are listed as "Subdelegates". Subdelegates appointed by the CEO.</i>
<b>Statutory framework</b>	<a href="#">Bush Fires Act 1954</a> <a href="#">Bush Fires Regulations 1954</a>
<b>Policy</b>	Resources: City of Albany Fire Information & Guidelines: <a href="#">Link</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>BF1.11 Prosecution of Offences (Bush Fires Act)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Bush Fires Act 1954
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Bush Fires Act 1954</a> , s.59(3) Prosecution of offences
<b>Express power or duty delegated</b>	<a href="#">Bush Fires Act 1954</a> : _s.59 Prosecution of offences _s.59A(2) Alternative procedure – infringement notices
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Institute and carry on proceedings against a person for an offence alleged to be committed against this Act [s.59].</li> <li>2. Serve an infringement notice for an offence against this Act [s.59A(2)].</li> </ol>
<b>Delegates</b>	CEO Executive Director Corporate & Commercial Services Manager Public Health and Safety
<b>Conditions</b>	Authorisation to prosecute is limited to the following classes of persons: <ol style="list-style-type: none"> <li>a. Executive Director Corporate &amp; Commercial Services,</li> <li>b. Manager Public Health &amp; Safety, and</li> <li>c. Coordinator Ranger Services.</li> </ol>
<b>Express power to subdelegate</b>	<ol style="list-style-type: none"> <li>1. It should be noted that s.48(4) Delegation by local governments. Nothing in this section is to be read as limiting the ability of a local government to act through its council, members of staff or agents in the normal course of business.</li> <li>2. Sub-delegation is prohibited by s.48(3) of the Act.</li> </ol>
<b>Subdelegates</b>	Coordinator Ranger Services Ranger Ranger-Fire Mitigation Senior Ranger
<b>Subdelegate conditions</b>	<i>Classes of persons authorised to administer this function are listed as "Subdelegates". Subdelegates appointed by the CEO.</i>
<b>Statutory framework</b>	<a href="#">Bush Fires Act 1954</a> <a href="#">Bush Fires Regulations 1954</a> <a href="#">City of Albany Bush Fire Brigades Local Law 2020</a>
<b>Policy</b>	<a href="#">City of Albany Fire Management Notice</a> <a href="#">City of Albany Volunteer Bush Fire Brigade Operating Procedures</a> Resources: City of Albany Fire Information & Guidelines: <a href="#">Link</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025

<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

## Cat Act 2011

Delegations under the Cat Act 2011.

## Cat Act - Council to CEO &amp; CEO to Employees (Authorisations)

<b>Delegation</b>	<b>C1.01 Cat Registrations</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Cat Act 2011
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Cat Act 2011</a> , s.44 Delegation by local government
<b>Express power or duty delegated</b>	<p><a href="#">Cat Act 2011</a>:</p> <ul style="list-style-type: none"> <li>_s.9 Registration</li> <li>_s.10 Cancellation of registration</li> <li>_s.11 Registration numbers, certificates and tags</li> </ul> <p><a href="#">Cat Regulations 2012</a>:</p> <ul style="list-style-type: none"> <li>_Schedule 3, cl.1(4) Fees Payable</li> </ul>
<b>Function</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. Grant, or refuse to grant, a cat registration or renewal of a cat registration [s.9(1)].</li> <li>2. Refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.9(6)].</li> <li>3. Cancel a cat registration [s.10].</li> <li>4. Give the cat owner a new registration certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.11(2)].</li> <li>5. Reduce or waive a registration or approval to breed fee, in respect of any individual cat or any class of cats within the City's District [Regs. Sch. 3 cl.1(4)].</li> <li>6. Authorise persons to administer this function.</li> </ol>
<b>Delegates</b>	<p>CEO  Coordinator Ranger Services  Executive Director Corporate &amp; Commercial Services  Manager Public Health and Safety  Ranger  Senior Ranger</p>
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Notices of decisions must include advice as to Objection and Review rights under Part 4, Division 5 of the Cat Act 2011.</li> <li>b. Withdrawal of an Infringement Notice can only be approved by the following classes of persons: <ol style="list-style-type: none"> <li>1. Chief Executive Officer,</li> <li>2. Executive Director Corporate &amp; Commercial Services,</li> <li>3. Manager Public Health &amp; Safety,</li> <li>4. Coordinator Ranger Services.</li> </ol> </li> </ol>
<b>Express power to subdelegate</b>	<a href="#">Cat Act 2011</a> , s.45 Delegation by CEO of local government

<b>Subdelegate conditions</b>	<i>Noting a local government may, in writing, appoint persons or classes of persons to be authorised to perform particular functions regarding the enforcement of laws.</i>
<b>Statutory framework</b>	<p><a href="#">Cat Regulations 2012</a>:</p> <p>_r.11 Application for registration (s.8(2)), prescribes the Form of applications for registration.</p> <p>_r.12 Period of registration (s.9(7))</p> <p>_r.11 Changes in registration</p> <p>_r.14 Registration certificate (s.11(1)(b))</p> <p>_r.15 Registration tags (s.76(2))</p> <p><i>Decisions are subject to Objection and Review by the State Administration Tribunal rights – refer Part 4, Division 5 of the Cat Act 2011.</i></p> <p><a href="#">City of Albany Animals Local Law 2020</a> (Part 8 - Cats)</p>
<b>Policy</b>	<p>Council Policy: <a href="#">1.63 Wandering Cat Management Policy</a></p> <p>Resources:</p> <p>_City of Albany Website: Cat Registration Information: <a href="#">Link</a></p> <p>_The Department of Local Government, Sport and Cultural Industries: Guidelines: <i>The department is responsible for administering the Cat Act 2011 (the Cat Act) and the Dog Act 1976 (the Dog Act). The acts and associated regulations apply throughout Western Australia:</i> <a href="#">Link</a></p>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>C1.02 Cat Control Notices</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Cat Act 2011
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Cat Act 2011</a> , s.44 Delegation by local government
<b>Express power or duty delegated</b>	<a href="#">Cat Act 2011</a> , s.26 Cat control notice may be given to cat owner
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Give a cat control notice to a person who is the owner of a cat ordinarily kept within the City's District [s.26].</li> <li>2. Authorise persons to administer this function.</li> </ol>
<b>Delegates</b>	CEO Coordinator Ranger Services Executive Director Corporate & Commercial Services Manager Public Health and Safety Senior Ranger
<b>Conditions</b>	<ol style="list-style-type: none"> <li>1. Withdrawal of a Notice can only be approved by a delegate.</li> <li>2. Authorisation to administer listed functions, limited to classes of persons designated a Ranger.</li> </ol>
<b>Express power to subdelegate</b>	<a href="#">Cat Act 2011</a> , s.45 Delegation by CEO of local government
<b>Statutory framework</b>	<a href="#">Cat Regulations 2012</a> _r.20 Cat control notice [s.23(3)], prescribes the Form of the notice. <a href="#">City of Albany Animals Local Law 2020</a> (Part 8 - Cats)
<b>Policy</b>	Council Policy: <a href="#">1.63 Wandering Cat Management Policy</a> Resource: _City of Albany Website: Cat Management Information: <a href="#">Link</a> _The Department of Local Government, Sport and Cultural Industries: The department is responsible for administering the Cat Act 2011 (the Cat Act) and the Dog Act1976 (the Dog Act). The acts and associated regulations apply throughout Western Australia: <a href="#">Link</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>C1.03 Approval to Breed Cats (Cat Act)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Cat Act 2011
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Cat Act 2011</a> , s.44 Delegation by local government
<b>Express power or duty delegated</b>	<a href="#">Cat Act 2011</a> : _s.37 Approval to Breed Cats _s.38 Cancellation of approval to breed cats _s.39 Certificate to be given to approved cat breeder
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Grant or refuse to grant approval or renew an approval to breed cats [s.37(1) and (2)].</li> <li>2. Refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.37(4)].</li> <li>3. Cancel an approval to breed cats [s.38].</li> <li>4. Give an approved breeder a new certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.39(2)].</li> <li>5. Authorise persons to administer this function.</li> </ol>
<b>Delegates</b>	CEO Coordinator Ranger Services Executive Director Corporate & Commercial Services Manager Public Health and Safety Senior Ranger
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the Cat Act 2011.</li> <li>b. Authority to authorise persons to administer this function is limited to the following classes of persons: Rangers, and Public Health &amp; Safety Customer Service Officers.</li> </ol>
<b>Express power to subdelegate</b>	Cat Act 2011, s.45 Delegation by CEO of local government
<b>Subdelegates</b>	Ranger
<b>Subdelegate conditions</b>	<i>Subdelegates are appointed by the CEO.  Classes of persons authorised to administer this function listed as "Subdelegates".</i>
<b>Statutory framework</b>	<a href="#">Cat Regulations 2012</a> : _r.21 Application for approval to breed cats (s.36(2)) _r.22 Other circumstances leading to refusal of approval to breed cats (s.37(2)(f)) _r.23 Person who not be refused approval to breed cats (s.37(5)) _r.24 Duration of approval to breed cats (s.37(6)) _r.25 Certificate given to approved cat breeder (s.39(1)) <a href="#">City of Albany Animals Local Law 2020</a> (Part 8 - Cats)

<b>Policy</b>	Council Policy: <a href="#">1.63 Wandering Cat Management Policy</a> Resources: _City of Albany Cat Management Information: <a href="#">Link</a> _The Department of Local Government, Sport and Cultural Industries: The department is responsible for administering the Cat Act 2011 (the Cat Act) and the Dog Act 1976 (the Dog Act). The acts and associated regulations apply throughout Western Australia: <a href="#">Link</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>C1.04 Recovery of Costs – Destruction of Cats</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Cat Act 2011
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Cat Act 2011</a> , s.44 Delegation by local government
<b>Express power or duty delegated</b>	<a href="#">Cat Act 2011</a> , s.49(3) Authorised person may cause cat to be destroyed
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Recover the amount of the costs associated with the destruction and the disposal of a cat [s.49(3)].</li> <li>2. Appoint persons or classes of persons to administer this function.</li> </ol>
<b>Delegates</b>	CEO Coordinator Ranger Services Executive Director Corporate & Commercial Services Manager Public Health and Safety Senior Ranger
<b>Conditions</b>	Council has designated the following positions to administer Animal Control: _Rangers, and _Customer Service Officers responsible for administering animal control functions.
<b>Express power to subdelegate</b>	<a href="#">Cat Act 2011</a> , s.45 Delegation by CEO of local government
<b>Subdelegates</b>	Administration Officer - Ranger & Emergency Services Ranger
<b>Subdelegate conditions</b>	<i>Subdelegates are appointed by the CEO. Authorised classes of persons appointed to administer this function are listed as "Subdelegates".</i>
<b>Statutory framework</b>	<a href="#">Cat Act 2011</a> <a href="#">City of Albany Animals Local Law 2020</a> (Part 8 - Cats)
<b>Policy</b>	Council Policy: <a href="#">1.63 Wandering Cat Management Policy</a> Resources: City of Albany Cat Management Information: <a href="#">Link</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>C1.05 Authorise a person to perform Specified functions under (Cat Act)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Cat Act 2011
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Cat Act 2011</a> , s.44 Delegation by local government
<b>Express power or duty delegated</b>	<a href="#">Cat Act 2011</a> , s.73 Prosecutions
<b>Function</b>	Authority to: Authorise a person to commence a prosecution for an offence against the Cat Act 2011 and the City of Albany Animal Local Law 2020 (Part 8 - Cats) [s.73(1)(b) & (2)(b)].
<b>Delegates</b>	CEO Coordinator Ranger Services Executive Director Corporate & Commercial Services Manager Public Health and Safety
<b>Express power to subdelegate</b>	<a href="#">Cat Act 2011</a> : _s.45 Delegation by CEO of local government
<b>Subdelegate conditions</b>	
<b>Statutory framework</b>	<a href="#">Cat Act 2011</a> <a href="#">Cat Regulations 2012</a> <a href="#">City of Albany Animals Local Law 2020</a> (Part 8 - Cats)
<b>Policy</b>	Council Policy: <a href="#">1.63 Wandering Cat Management Policy</a> Resources: _City of Albany Website: Cat Management Information: <a href="#">Link</a> __The Department of Local Government, Sport and Cultural Industries: The department is responsible for administering the Cat Act 2011 (the Cat Act) and the Dog Act 1976 (the Dog Act). The acts and associated regulations apply throughout Western Australia: <a href="#">Link</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>C1.06 Applications to Keep Additional Cats</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Cat Act 2011
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Cat Act 2011</a> , s.44 Delegation by local government
<b>Express power or duty delegated</b>	<a href="#">Cat (Uniform Local Provisions) Regulations 2013</a> : _r.8 Application to keep additional number of cats _r.9 Grant of approval to keep additional number of cats
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Require any document or additional information required to determine an application [r.8(3)]</li> <li>2. Refuse to consider an application if the applicant does not comply with a requirement to provide any document or information required to determine an application [r.8(4)].</li> <li>3. Grant or refuse approval for the additional number of cats specified in an application to be kept at the prescribed premises and to determine any condition reasonably necessary to ensure the premises are suitable for the additional number of cats [r.9].</li> </ol>
<b>Delegates</b>	Administration Officer - Ranger & Emergency Services CEO Coordinator Ranger Services Executive Director Corporate & Commercial Services Manager Development Services Manager Public Health and Safety Ranger Senior Ranger
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Notices of decisions must include advice on reviewing rights per r.11 of the Cat (Uniform Local Provisions) Regulations 2013.</li> <li>b. Authority to administer this function is limited to classes of persons responsible for administering animal control functions.</li> </ol>
<b>Express power to subdelegate</b>	<a href="#">Cat Act 2011</a> , s.45 Delegation by CEO of local government
<b>Statutory framework</b>	<a href="#">Cat Act 2011</a> <a href="#">Cat (Uniform Local Provisions) Regulations 2013</a> <a href="#">City of Albany Animals Local Law 2020</a> (Part 8 - Cats)
<b>Policy</b>	<b>Policy Position:</b> <i>If you wish to breed cats, you must be an approved cat breeder. A cattery may be considered for approval, subject to conditions.</i> Resources: <ul style="list-style-type: none"> <li>▪ City of Albany Cat Management Information: <a href="#">Link</a></li> <li>▪ The Department of Local Government, Sport and Cultural Industries: The department is responsible for administering the Cat Act 2011 (the Cat Act) and the Dog Act 1976 (the Dog Act). The acts and associated regulations apply throughout Western Australia: <a href="#">Link</a></li> </ul>
<b>Record keeping</b>	Report to file.

<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>C1.07 Reduce or Waiver Registration Fee (Cat Act)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Cat Act 2011
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Cat Act 2011</a> , s.44 Delegation by local government
<b>Express power or duty delegated</b>	<a href="#">Cat Regulations 2012</a> , Schedule 3 Fees clause 1(4)
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Reduce or waiver a fee payable under Schedule 3 clauses (2) or (3) in respect to any individual cat.</li> <li>2. Designate persons or classes of persons to administer this function is limited to persons responsible for administering animal control functions.</li> </ol>
<b>Delegates</b>	CEO Coordinator Ranger Services Executive Director Corporate & Commercial Services Manager Public Health and Safety
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. This delegation does NOT provide authority to determine to reduce or waive the fees payable regarding any <u>class of cat</u> within the District.</li> <li>b. This matter requires a Council decision in accordance with s.6.16, 6.17 and 6.18 of the Local Government Act 1995.</li> <li>c. Noting the Cat Regulations 2012, Schedule 3 outlines the fees related to cat management and clause 1(4): Pensioner Discount: If a person is an eligible pensioner as defined in the Rates and Charges (Rebates and Deferments) Act 1992, they are entitled to a 50% discount on registration fees when registering your cat.)</li> </ol>
<b>Express power to subdelegate</b>	<a href="#">Cat Act 2011</a> , s.45 Delegation by CEO of local government
<b>Statutory framework</b>	<a href="#">Cat Act 2011</a> <a href="#">Cat Regulation 2012</a> <a href="#">City of Albany Cat Local Law 2020</a> (Part 8 - Cats)
<b>Policy</b>	Resources: City of Albany Website: Cat Management Information: <a href="#">Link</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>C1.08 Infringement Notices – Extensions and Withdrawals (Cat Act)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Cat Act 2011
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	<a href="#">Cat Act 2011</a> , s.45 Delegation by CEO of local government
<b>Express power or duty delegated</b>	<a href="#">Cat Act 2011</a> : _s.64 Extension of time _s.65 Withdrawal of notice
<b>Function</b>	Authority to:  <ol style="list-style-type: none"> <li>1. Extend the period of 28 days within which the modified penalty may be paid and the extension may be allowed, whether or not the period of 28 days has elapsed [s.64].</li> <li>2. Withdraw an infringement notice, within one year of the infringement notice being given and whether or not the modified penalty has been paid [s.65].</li> </ol>
<b>Delegates</b>	Coordinator Ranger Services Executive Director Corporate & Commercial Services Manager Public Health and Safety
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Withdrawal of an Infringement Notice limited to delegates only.</li> <li>b. Classe of persons authorised to administer this function is limited to persons responsible for animal control functions.</li> </ol>
<b>Subdelegates</b>	Ranger Senior Ranger
<b>Subdelegate conditions</b>	<i>Classes of persons authorised to administer this function are listed as "Subdelegates".</i>
<b>Statutory framework</b>	<a href="#">Cat Regulations 2012</a> , r.28 Withdrawal of infringement notice (s.65(1)) <a href="#">City of Albany Animals Local Law 2020</a> (Part 8 - Cats)
<b>Policy</b>	Council Policy: <a href="#">1.63 Wandering Cat Management Policy</a> Resources: City of Albany Website: Cat Management Information: <a href="#">Link</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	Adoption Reference: OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

## Council Policy Position (LG Act)

Council Policy Position (Adopted by Absolute Majority) and reviewed annually with delegations.

### LG Act 1995 - Council to CEO & CEO to Employees (Authorisations)

<b>Delegation</b>	<b>LG1.16 Appointment of an Acting Chief Executive Officer</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Council Policy Position (LG Act)
<b>Delegator</b>	Councillor
<b>Express power to delegate</b>	Local Government Act 1995 _s5.36(1)(a) _s5.45(2) "Acting Through"
<b>Express power or duty delegated</b>	<i>Local Government Act 1995</i> _s5.36(1)(a) _s5.45(2) "Acting Through"
<b>Function</b>	Power to appoint an Acting Chief Executive Officer under s5.36(1)(a).
<b>Delegates</b>	Chief Executive Officer (CEO)
<b>Conditions</b>	In accordance with the Council Policy: <a href="#">1.71 Appointment of Acting Chief Executive Officer</a>  <ul style="list-style-type: none"> <li>a. The Employee being designated a "Senior Employee", as prescribed by the Local Government Act.</li> <li>b. Appointments being no longer than 6 weeks.</li> <li>c. Council Members to be advised of acting Chief Executive Officer.</li> <li>d. The acting role to be rotated between the Executive Directors of the City where practicable.</li> </ul>
<b>Express power to subdelegate</b>	Nil.
<b>Statutory framework</b>	Local Government Act 1995 _s5.42 "Acting Through". _5.39C (Policy for temporary employment or appointment of CEO)
<b>Policy</b>	Council Policy: <a href="#">1.71 Appointment of Acting Chief Executive Officer</a>
<b>Record keeping</b>	Report to file. Prior to appointment Council must be informed in writing (email) and registered on the appropriate file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG4.02 Application of Regional Price Preference Policy</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Council Policy Position (LG Act)
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Head of Power: <ul style="list-style-type: none"> <li>▪ Local Government Act 1995, sections 5.42 (Delegation of some powers and duties to CEO) and 5.44 (CEO may delegate powers and duties to other employees).</li> <li>▪ Local Government (Functions and General) Regulations 1996, regulation 24G Adopted regional price preference policy, effect of).</li> </ul>
<b>Express power or duty delegated</b>	Authority to authorise classes of persons to administer the Council Policy: <a href="#">1.89 Buy Local Policy (Regional Price Preference)</a> and decide when not to apply the regional price preference policy to a particular future tender [F&G r.24G].
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Authorise classes of persons to administer the Council Policy: 1.89 Buy Local Policy (Regional Price Preference).</li> <li>2. Decide when not to apply the regional price preference policy to a particular future tender [F&amp;G r.24G].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	In accordance with the Council adopted policy position, the policy applies to: <ol style="list-style-type: none"> <li>a. Quotations of <b>\$50,000</b> value or greater (Major Quotations), and</li> <li>b. All Tenders invited by the City of Albany, for the supply of goods and services and construction (building) services, unless Council resolves that the policy does not apply to a particular tender.</li> </ol>
<b>Express power to subdelegate</b>	Under s.5.44 of the Local Government Act 1995, the CEO may subdelegate powers and duties to other employees.
<b>Subdelegates</b>	Executive Director Community Services Executive Director Corporate & Commercial Services Executive Director Infrastructure, Development & Environment
<b>Subdelegate conditions</b>	<ol style="list-style-type: none"> <li>a. Subject to the condition on delegation to the CEO.</li> <li>b. Each sub-delegate may only use the sub-delegation in regard to contracts that are within the scope of the incumbent's position role and responsibilities.</li> </ol>
<b>Statutory framework</b>	Local Government Act 1995 Local Government (Functions and General) Regulations 1996 Primary & Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Policy</b>	Council Policy: <a href="#">1.68 Purchasing Policy</a> Council Policy: <a href="#">1.8 Buy Local (Regional Price Preference) Policy</a> Admin Policy: <a href="#">2.15 Employee Code of Conduct</a>
<b>Record keeping</b>	Report to file.

<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
22 Oct 2024	Amended delegation	Application of Regional Price Preference Policy (LG Act). "Quotations of \$30,000 value or greater (Major Quotations)." Change to \$50,000.	OCM 22/10/2024 Resolution CCS668.

<b>Delegation</b>	<b>LG4.05 Power to Invest and Manage Investments (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Council Policy Position (LG Act)
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Local Government Act 1995: _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	Local Government Act 1995: _s.6.14 Power to invest Local Government (Financial Management) Regulations 1996 _r.19 Investments, control procedures for
<b>Function</b>	In accordance with the Investment of Council Policy: <a href="#">1.32 Investment of Surplus Funds Policy</a> and the Council Policy: <a href="#">1.9 Cash Investment Backing for Reserves Accounts Policy</a> , Authority to: <ol style="list-style-type: none"> <li>1. Invest money held in the municipal fund or trust fund that is not, for the time being, required for any other purpose [s.6.14(1)].</li> <li>2. Establish and document internal control procedures to be followed in the investment and management of investments [FM r.19].</li> <li>3. Authorise persons to administer the listed functions.</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. All investment activity must comply with the Financial Management Regulation 19C and Council Policies.</li> <li>b. A report detailing the investment portfolio's performance, exposures and changes since last reporting, is to be provided as part of the Monthly Financial Reports.</li> <li>c. Procedures are to be systematically documented and retained in accordance with the Record Keeping Plan, and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles.</li> <li>d. Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit and Risk Committee at least once within every 3 financial years. [Audit r.17].</li> </ol>
<b>Express power to subdelegate</b>	Local Government Act 1995: <a href="#">Link</a> _s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Business Analyst / Management Accountant Executive Director Corporate & Commercial Services Financial Services Coordinator Manager Finance
<b>Subdelegate conditions</b>	<ol style="list-style-type: none"> <li>a. A decision to invest must be jointly confirmed by two Delegates.</li> <li>b. The following positions are authorised to enact the delegation: <ol style="list-style-type: none"> <li>1. Manager Finance</li> <li>2. Financial Services Coordinator</li> <li>3. Business Analyst / Management Accountant</li> </ol> </li> </ol>

<b>Statutory framework</b>	<p>Primary &amp; Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Legislation:</p> <ul style="list-style-type: none"> <li>• <a href="#">Local Government (Financial Management) Regulations 1996</a></li> <li>• Refer r.19C Investment of money, restrictions on (Act s.6.14(2)(a))</li> </ul>
<b>Policy</b>	<p>Council Policy: <a href="#">1.9 Cash Investment Backing fro Reserve Accounts Policy</a></p> <p>Council Policy: <a href="#">1.32 Investment of Surplus Funds Policy</a></p>
<b>Record keeping</b>	<p>Report to file.</p> <p>The Corporate &amp; Commercial Services - Finance Team is responsible for reporting to Council monthly.</p>
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
9 May 2025	Amended delegation	Addition of Financial Services Coordinator to delegates list	---

## Dog Act 1976

Delegations under the Dog Act 1976.

## Dog Act - Council to CEO &amp; CEO to Employees (Authorisations)

<b>Delegation</b>	<b>D1.01 Appoint Registration Officers (Dog Act)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Dog Act 1976
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Dog Act 1976</a> , s.10AA Delegation of local government powers and duties
<b>Express power or duty delegated</b>	<a href="#">Dog Act 1976</a> , s.3 Terms Used (Registration officer means a person authorised by the local government to affect the registration of dogs pursuant to this Act)
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Authorise a person for the purposes of performing the prescribed office of Registration Officer under the <i>Dog Act 1976</i> [s.3].</li> <li>2. Sub-delegate this function.</li> </ol>
<b>Delegates</b>	CEO Coordinator Ranger Services Executive Director Corporate & Commercial Services Manager Public Health and Safety
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. The Chief Executive Officer is permitted to sub-delegate to employees [s.10AA(3)].</li> <li>b. A register of Authorisations is to be maintained as a Local Government Record.</li> <li>c. Only persons who are appropriately qualified and trained may be appointed as Authorised persons.</li> <li>d. Authorisations are to be provided in writing by issuing a Certificate of Authorisation.</li> <li>e. Council has designated the following classes of persons to administer the Dog Act 1978, subject to conditions: <ol style="list-style-type: none"> <li>1. Coordinator Ranger Services, Senior Rangers and Rangers</li> <li>2. Customer Service Officers responsible for administering animal control functions.</li> </ol> </li> </ol>
<b>Express power to subdelegate</b>	Dog Act 1976, s.10AA(3) Delegation of local government powers and duties  <i>Note: Sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)</i>
<b>Statutory framework</b>	<a href="#">Dog Act 1976</a> <a href="#">Dog Regulations 2013</a> <a href="#">City of Albany Animals Local Law 2020</a>
<b>Policy</b>	City of Albany Website: Dog Management Information: <a href="#">Link</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025

<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>D1.02 Part Payment of Sterilisation Costs / Directions to Veterinary Surgeons (Dog Act)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Dog Act 1976
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Dog Act 1976</a> , s.10AA Delegation of local government powers and duties
<b>Express power or duty delegated</b>	<a href="#">Dog Act 1976</a> , s.10A Payments to veterinary surgeons towards costs of sterilisation
<b>Function</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. Determine where a resident who is the owner of a registered dog, would suffer hardship in paying the whole of the cost of sterilisation and determine to pay part of such costs to a maximum value of \$200 [s.10A(1)(a) and (3)].</li> <li>2. Give written directions to a veterinary surgeon to be complied with as a condition of part payment of the cost of sterilisation [s.10A(1)(b) and (2)].</li> </ol>
<b>Delegates</b>	<p>CEO  Coordinator Ranger Services  Executive Director Corporate &amp; Commercial Services  Manager Public Health and Safety</p>
<b>Conditions</b>	The Chief Executive Officer is permitted to sub-delegate to employees [s.10AA(3)].
<b>Express power to subdelegate</b>	<p>Dog Act 1976:  _s.10AA(3) Delegation of local government powers and duties  <i>(Note: Sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)</i></p>
<b>Subdelegates</b>	<p>Ranger  Senior Ranger</p>
<b>Subdelegate conditions</b>	Classes of Persons authorised to administer this function are limited to persons responsible for administering animal control functions.
<b>Statutory framework</b>	<p><a href="#">Dog Act 1976</a>  <a href="#">City of Albany Animals Local Law 2020</a></p>
<b>Policy</b>	City of Albany Website: Dog Management Information: <a href="#">Link</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>D1.03 Refuse or Cancel Registration (Dog Act)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Dog Act 1976
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Dog Act 1976</a> , s.10AA Delegation of local government powers and duties
<b>Express power or duty delegated</b>	<a href="#">Dog Act 1976</a> : _s.15(2) and (4A) Registration periods and fees _s.16(3) Registration procedure _s.17A(2) If no application for registration made _s.17(4) and (6) Refusal or cancellation of registration
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Determine to refuse a dog registration and refund the fee, if any [s.16(2)].</li> <li>2. Direct the registration officer to refuse to effect or renew or to cancel the registration of a dog, and to give notice of such decisions, where: <ol style="list-style-type: none"> <li>i. the applicant, owner or registered owner has been convicted of an offence or paid a modified penalty within the past 3-years in respect of 2 or more offences against this Act, the Cat Act 2011 or the Animal Welfare Act 2002; or</li> <li>ii. the dog is determined to be destructive, unduly mischievous or to be suffering from a contagious or infectious disease or</li> <li>iii. the delegate is not satisfied that the dog is or will be effectively confined in or at premises where the dog is ordinarily kept.</li> <li>iv. the dog is required to be microchipped but is not microchipped; or</li> <li>v. the dog is a dangerous dog [s.16(3) and s.17A(2)].</li> </ol> </li> <li>3. Discount or waive a registration fee, including a concessional fee, for any individual dog or any class of dogs within the City's District [s15(4A)].</li> <li>4. Apply to a Justice of the Peace for an order to seize a dog where, following a decision to refuse or cancel a registration and the applicant / owner has not applied to the State Administration Tribunal for the decision to be reviewed. [s.17(4)].</li> <li>5. Following seizure, to determine to cause the dog to be detained or destroyed or otherwise disposed of as though it had been found in contravention of section 31, 32 or 33A and had not been claimed [s.17(6)]</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. The Chief Executive Officer is permitted to sub-delegate to employees [s.10AA(3)].</li> <li>b. Authority to refuse or cancel registration is limited to delegates.</li> <li>c. Authority for delegates to sub-delegate.</li> <li>d. Classes of Persons authorised to administer listed functions limited to persons responsible for administering animal control.</li> </ol>
<b>Express power to subdelegate</b>	<a href="#">Dog Act 1976</a> , s.10AA(3) Delegation of local government powers and duties  <i>Note: Sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation.</i>

<b>Subdelegates</b>	Coordinator Ranger Services Executive Director Corporate & Commercial Services Manager Public Health and Safety Ranger Senior Ranger
<b>Statutory framework</b>	<a href="#">Dog Act 1976</a> , s.17A If no application for registration made – procedure for giving notice of decision under s.16(3) <i>(Note: Decisions under this delegation may be referred for review by the State Administration Tribunal – s.16A, s.17(4) and (6)).</i> <a href="#">City of Albany Animals Local Law 2020</a> <a href="#">City of Albany Dog Local Law 2017</a>
<b>Policy</b>	Resources: <ul style="list-style-type: none"><li>▪ City of Albany Website: Dog Management Information: <a href="#">Link</a></li></ul>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>D1.04 Grant Exemption as to Number of Dogs Kept at Premises (Dog Act)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Dog Act 1976
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Dog Act 1976</a> , s.10AA Delegation of local government powers and duties
<b>Express power or duty delegated</b>	<a href="#">Dog Act 1976</a> , s.26(3) Limitation as to numbers
<b>Function</b>	Authority to approve, and determine conditions that apply to, an exemption as to the limit to the number of dogs that can be kept at a premises [s.26(3)].
<b>Delegates</b>	CEO Coordinator Ranger Services Executive Director Corporate & Commercial Services Manager Public Health and Safety
<b>Conditions</b>	<p>a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].</p> <p>b. Decisions under this delegation must comply with the relevant provisions of the Dog Act 1976 and the <i>City of Albany Dogs Local Law</i>, including:</p> <ul style="list-style-type: none"> <li>• Consider and be satisfied that for any particular premises the provisions of the Dog Act 1976 relating to kennel establishments need not be applied in the circumstances [s.26(3)].</li> <li>• Apply the provisions of s.26(4).</li> </ul> <p>c. Conditions that must be applied to an approved exemption, include:</p> <ul style="list-style-type: none"> <li>• Fencing at the premises must be adequate and maintained to prevent the dogs from leaving the premises, to the satisfaction of the CEO.</li> <li>• Registrations for each dog subject of the approved exemption must be current and maintained.</li> <li>• An exemption applies only to the dogs registered and listed in the approval and as such cannot be transferred to another dog.</li> </ul>
<b>Express power to subdelegate</b>	<a href="#">Dog Act 1976</a> , s.10AA(3) Delegation of local government powers and duties. <i>Note: Sub-delegation is only permitted where delegation to the CEO expressly authorises sub-delegation.</i>
<b>Subdelegates</b>	Ranger Senior Ranger
<b>Subdelegate conditions</b>	<p>a. Authority to grant an exemption must be given by a delegate.</p> <p>b. Only individuals responsible for administering animal control functions are authorised to carry out the listed functions.</p>
<b>Statutory framework</b>	<a href="#">Dog Act 1976</a> <a href="#">Dog Regulation 2013</a> City of Albany Dog Local Law 2017: <a href="#">Link</a> <i>Note: Decisions under this delegation may be referred for review by the State Administration Tribunal.</i>

<b>Policy</b>	<p><b>Policy Position:</b> The maximum number of adult dogs that may be kept on any property in the City of Albany is 6 (on properties with an area of 4 hectares or greater). If you wish to keep more than 6 dogs, you will need to apply for a kennel licence.</p> <p>Resources:</p> <ul style="list-style-type: none"> <li>▪ City of Albany Dog Management Information: <a href="#">Link</a></li> </ul>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>D1.05 Kennel Establishments (Dog Act)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Dog Act 1976
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Dog Act 1976</a> , s.10AA Delegation of local government powers and duties
<b>Express power or duty delegated</b>	<a href="#">Dog Act 1976</a> , s.27 Licensing of approved kennel establishments
<b>Function</b>	Authority to grant, refuse to grant or cancel a kennel licence [s.27(4) and (6)].
<b>Delegates</b>	CEO Executive Director Corporate & Commercial Services Manager Public Health and Safety
<b>Conditions</b>	<ul style="list-style-type: none"> <li>a. The Chief Executive Officer is permitted to sub-delegate to employees [s.10AA(3)].</li> <li>b. Application processing and decisions under this delegation are to comply with the City of Albany Dogs Local Law.</li> <li>c. Council has designated this function as limited to persons responsible for administering animal control functions.</li> </ul>
<b>Express power to subdelegate</b>	Dog Act 1976, s.10AA(3) Delegation of local government powers and duties.  <i>Note: Sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation.</i>
<b>Statutory framework</b>	The <a href="#">Dog Act 1954</a> , noting that <i>decisions under this delegation may be referred for review by the State Administration Tribunal.</i>
<b>Policy</b>	<b>Policy Position:</b> The maximum number of adult dogs that may be kept on any property in the City of Albany is 6 (on properties with an area of 4 hectares or greater). If you wish to keep more than 6 dogs you will need to apply for a kennel licence. City of Albany Website: Dog Kennels and Catteries: <a href="#">Link</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>D1.06 Recovery of Moneys Due Under this Act (Dog Act)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Dog Act 1976
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Dog Act 1976</a> , s.10AA Delegation of local government powers and duties.
<b>Express power or duty delegated</b>	<a href="#">Dog Act 1976</a> , s.29(5) Power to seize dogs
<b>Function</b>	Authority to recover moneys, in a court of competent jurisdiction, due in relation to a dog for which the owner is liable [s.29(5)].
<b>Delegates</b>	CEO
<b>Conditions</b>	<p>a. The Chief Executive Officer is permitted to sub-delegate to employees [s.10AA(3)].</p> <p>b. Council limits this delegation to classes of persons responsible for animal control.</p>
<b>Express power to subdelegate</b>	<a href="#">Dog Act 1976</a> , s.10AA(3) Delegation of local government powers and duties. <i>Note: Sub-delegation is only permitted where delegation to the CEO expressly authorises sub-delegation.</i>
<b>Subdelegates</b>	Coordinator Ranger Services Executive Director Corporate & Commercial Services Manager Public Health and Safety
<b>Statutory framework</b>	<a href="#">Dog Act 1976</a> : Includes recovery of expenses relevant to: _s.30A(3) Operator of dog management facility may have dog microchipped at owner's expense _s.33M Local government expenses to be recoverable. _s.47 Veterinary service expenses recoverable from local government _r.31 Local government expenses as to dangerous dogs (declared) <a href="#">City of Albany Dog Local Law 2017</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>D1.07 Dispose of or Sell Dogs Liable to be Destroyed</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Dog Act 1976
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Dog Act 1976</a> , s.10AA Delegation of local government powers and duties
<b>Express power or duty delegated</b>	<a href="#">Dog Act 1976</a> , s.29(11) Power to seize dogs
<b>Function</b>	Authority to dispose of or sell a dog which is liable to be destroyed [s.29(11)].
<b>Delegates</b>	CEO Coordinator Ranger Services Executive Director Corporate & Commercial Services Manager Public Health and Safety
<b>Conditions</b>	<ul style="list-style-type: none"> <li>a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].</li> <li>b. Proceeds from the sale of dogs are to be directed into the Municipal Fund.</li> <li>c. Council limits the sub delegation of this function to persons responsible for animal control.</li> </ul>
<b>Express power to subdelegate</b>	Dog Act 1976: _s.10AA(3) Delegation of local government powers and duties <i>(Note: Sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)</i>
<b>Subdelegates</b>	Senior Ranger
<b>Subdelegate conditions</b>	<i>Note: Classes of persons listed as subdelegates are authorised to administer this function.</i>
<b>Statutory framework</b>	<a href="#">Dog Act 1976</a> <a href="#">City of Albany Dog Local Law 2017</a>
<b>Policy</b>	<p><b>Policy Position:</b> Unidentified dogs that have been in the pound for longer than three days, or unidentified cats that have been retained for three working days that are not claimed by owners, may be rehomed. The City of Albany works closely with animal rescue organisations to find new homes for impounded animals. If your dog or cat has been referred to a rescue organisation for re-homing you will need to contact them directly as they will be the new legal owner of the animal. A re-homing fee applies to animals rehomed directly from the City of Albany.</p> <p>City of Albany Website: <a href="#">Link</a></p>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.

<b>Last reviewed</b>	1 July 2025
----------------------	-------------

<b>Delegation</b>	<b>D1.08 Declare Dangerous Dog (Dog Act)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Dog Act 1976
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Dog Act 1976</a> , s.10AA Delegation of local government powers and duties
<b>Express power or duty delegated</b>	<a href="#">Dog Act 1976</a> , s.33E(1) Individual dog may be declared to be dangerous dog (declared)
<b>Function</b>	Authority to declare an individual dog to be a dangerous dog [s.33E(1)].
<b>Delegates</b>	CEO Executive Director Corporate & Commercial Services Manager Public Health and Safety
<b>Conditions</b>	<ul style="list-style-type: none"> <li>a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].</li> <li>b. Council condition: Declaration must be certified by either the CEO or Executive Director Corporate &amp; Commercial Services.</li> </ul>
<b>Express power to subdelegate</b>	Dog Act 1976, s.10AA(3) Delegation of local government powers and duties  <i>Note: Sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation.</i>
<b>Subdelegates</b>	Coordinator Ranger Services Senior Ranger
<b>Subdelegate conditions</b>	<i>Note: Classes of persons authorised to administer this function are listed as "Subdelegates".</i>
<b>Statutory framework</b>	<a href="#">Dog Act 1976</a> <i>Note: Decisions under this delegation may be referred for review by the State Administration Tribunal.</i>

<b>Policy</b>	<p>Policy Positions:</p> <ul style="list-style-type: none"> <li>• <b>Dangerous Dogs.</b> Owners of a restricted breed dog, or a dog that has been declared dangerous by a local government must abide by the stringent laws that are in place to protect the community. If you own a restricted breed dog or a dog crossed with a restricted breed, you need to declare this on the application form when you register your dog for the first time, or renew its registration. Penalties for breaches of the Dog Act 1976 by a dangerous dog are double those which apply to other dogs.</li> <li>• <b>Restricted Breeds.</b> Certain breeds of dogs have been identified by the Commonwealth Government as being particularly aggressive. These breeds have been banned from import into Australia. It is an offence to sell, buy or advertise for sale restricted breed dogs. The following breeds (or crosses of these breeds) are classified as restricted: Pit Bull Terriers, American Pit Bull Terriers, Dogo Argentino, Fila Brasileiro, Japanese Tosa and Perro de Pressa Canario.</li> <li>• <b>Declared Dangerous Dogs.</b> A local government may declare a dog dangerous if it has caused injury or damage by an attack on, or chasing, a person, animal or vehicle or if a dog has repeatedly shown a tendency to attack or chase causing no injury.</li> </ul> <p>City of Albany Website: Dogs Control Information: <a href="#">Link</a></p>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>D1.09 Dangerous Dog Declared or Seized – Deal with Objections and Determine when to Revoke (Dog Act)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Dog Act 1976
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Dog Act 1976</a> , s.10AA Delegation of local government powers and duties
<b>Express power or duty delegated</b>	<a href="#">Dog Act 1976</a> : _s.33F(6) Owners to be notified of making of declaration _s.33G(4) Seizure and destruction _s.33H(1) and (2) Local government may revoke declaration or proposal to destroy
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Consider and determine to either dismiss or uphold an objection to the declaration of a dangerous dog [s.33F(6)].</li> <li>2. Consider and determine to either dismiss or uphold an objection to seizure of a dangerous dog [s.33G(4)].</li> <li>3. Revoke a declaration of a dangerous dog or revoke notice proposing to cause a dog to be destroyed, only where satisfied that the dog can be kept without likelihood of any contravention of this Act [s.33H(1)].</li> <li>4. Before dealing with an application to revoke a declaration or notice, require the owner of the dog to attend with the dog a course in behaviour and training or otherwise demonstrate a change in the behaviour of the dog [s.33H(2)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].</li> <li>b. Council limits the delegation of this function to classes of persons responsible for animal control.</li> </ol>
<b>Express power to subdelegate</b>	<a href="#">Dog Act 1976</a> , s.10AA(3) Delegation of local government powers and duties. <i>Note: Sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation.</i>
<b>Subdelegates</b>	Executive Director Corporate & Commercial Services Manager Public Health and Safety
<b>Statutory framework</b>	<i>Under the <a href="#">Dog Act 1976</a>, decisions may be referred for review by the State Administration Tribunal – See s.33H(5) of the Dog Act 1976).</i>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>D1.10 Deal with Objection to Notice to Revoke Dangerous Dog Declaration or Destruction Notice (Dog Act)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Dog Act 1976
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Dog Act 1976</a> , s.10AA Delegation of local government powers and duties
<b>Express power or duty delegated</b>	<a href="#">Dog Act 1976</a> , s.33H(5) Local government may revoke a declaration or proposal to destroy
<b>Function</b>	Authority to consider and determine to either dismiss or uphold an objection to a decision to revoke [s.33H(5)] a notice: <ul style="list-style-type: none"> <li>a. Declaring a dog to be dangerous; or</li> <li>b. Proposing to cause a dog to be destroyed.</li> </ul>
<b>Delegates</b>	CEO Executive Director Corporate & Commercial Services
<b>Conditions</b>	<ul style="list-style-type: none"> <li>a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].</li> <li>b. Council Condition: Declaration to revoke Dangerous Dog Declaration must be certified by CEO.</li> </ul>
<b>Express power to subdelegate</b>	<a href="#">Dog Act 1976</a> , s.10AA(3) <i>Delegation of local government powers and duties.</i> <i>Note: Sub-delegation is only permitted where the delegation to the CEO expressly authorises sub-delegation.</i>
<b>Statutory framework</b>	Under the <a href="#">Dog Act 1976</a> , decisions may be referred for review by the State Administration Tribunal.
<b>Policy</b>	City of Albany Website: <a href="#">Link</a>
<b>Record keeping</b>	Report to file. Report to Council Committee.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>D1.11 Determine Recoverable Expenses for Dangerous Dog Declaration (Dog Act)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Dog Act 1976
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Dog Act 1976</a> , s.10AA Delegation of local government powers and duties
<b>Express power or duty delegated</b>	<a href="#">Dog Act 1976</a> , s.33M(1)(a) Local Government expenses to be recoverable
<b>Function</b>	Authority to determine the reasonable charge to be paid by an owner at the time of payment of the registration fee under s.15, up to the maximum amount prescribed, having regard to expenses incurred by the Local Government in making inquiries, investigations and inspections concerning the behaviour of a dog declared to be dangerous [s.33H(5)].
<b>Delegates</b>	CEO
<b>Conditions</b>	<p>a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].</p> <p>b. Council condition: Sub delegation limited to persons responsible for animal control.</p>
<b>Express power to subdelegate</b>	<a href="#">Dog Act 1976</a> , s.10AA(3) Delegation of local government powers and duties <i>Note: Sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation.</i>
<b>Subdelegates</b>	Executive Director Corporate & Commercial Services Manager Public Health and Safety
<b>Statutory framework</b>	<a href="#">Dog Act 1976</a> <a href="#">City of Albany Dog Local Law 2017</a> <i>Note: Decisions may be referred for review by the State Administration Tribunal.</i>
<b>Policy</b>	City of Albany Website: <a href="#">Link</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

## Environmental Protection Act 1986

Environmental Protection Act 1986 and including State Government Authorisation and Delegations to Local Governments, including: Environmental Protection (Noise) Regulations 1997, Environmental Protection Regulations 1987

### EPA Act - Authority to CEO and Authorised Employees

<b>Delegation</b>	<b>SI_1.01 Noise Control – Environmental Protection Notices [Reg.65(1)] (EP Act)</b>
<b>Category</b>	PART 3 - STATUTORY DELEGATIONS ASSIGNED TO LOCAL GOVERNMENT
<b>Head of power</b>	Environmental Protection Act 1986
<b>Delegator</b>	Environmental Protection Authority
<b>Express power to delegate</b>	Environmental Protection Act 1986 _Section 20 of the Environmental Protection Act 1986
<b>Express power or duty delegated</b>	<a href="#">Instrument of delegation</a> — Government Gazette No. 47. pg. 919 - 19 March 2004: _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.
<b>Function</b>	_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 <i>Local Government Act 1995</i> .
<b>Delegates</b>	CEO
<b>Subdelegates</b>	Coordinator Health Services Environmental Health Officer Executive Director Corporate & Commercial Services Manager Public Health and Safety Senior Environmental Health Officer
<b>Subdelegate conditions</b>	<i>Classes of persons authorised to administer this function are listed as "Subdelegates". Subdelegates appointed by the CEO.</i>
<b>Statutory framework</b>	Environmental Protection Act 1986
<b>Policy</b>	Council Policy: <a href="#">1.47 Regulatory Compliance Policy &amp; Guideline</a>
<b>Record keeping</b>	Report to file.

<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>SI_1.02 Noise Management Plans – Keeping Log Books, Noise Control Notices, Calibration and Approval of Non-Complying Events (EP Act)</b>
<b>Category</b>	PART 3 - STATUTORY DELEGATIONS ASSIGNED TO LOCAL GOVERNMENT
<b>Head of power</b>	Environmental Protection Act 1986
<b>Delegator</b>	Environmental Protection Authority
<b>Express power to delegate</b>	<a href="#">Environmental Protection Act 1986</a> _Section 20 Delegation by CEO
<b>Express power or duty delegated</b>	Pursuant to section 20 of the Act, delegate to any person for the time being holding or acting in the office of a Chief Executive Officer under the <i>Local Government Act 1995</i> , powers and duties under the <i>Environmental Protection (Noise) Regulations 1997</i> , other than this power of delegation.
<b>Function</b>	Any person for the time being holding or acting in the office of a Chief Executive Officer under the <i>Local Government Act 1995</i> , powers and duties under the <i>Environmental Protection (Noise) Regulations 1997</i> , other than this power of delegation, in relation to— <ul style="list-style-type: none"> <li>a. waste collection and other works—noise management plans relating to specified works under regulation 14A or 14B;</li> <li>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);</li> <li>c. community activities—noise control notices in respect of community noise under regulation 16;</li> <li>d. motor sport venues—noise management plans in relation to motor sport venues under Part 2 Division 3;</li> <li>e. shooting venues—noise management plans in relation to shooting venues under Part 2 Division 4;</li> <li>f. calibration results—requesting, under regulation 23(b), details of calibration results undertaken and obtained under Schedule 4;</li> <li>g. sporting, cultural and entertainment events—approval of events or venues for sporting, cultural and entertainment purposes under Part 2 Division 7, subject to the following limitation— <ul style="list-style-type: none"> <li>i. Subregulation 18(13)(b) is not delegated.</li> </ul> </li> </ul>
<b>Delegates</b>	CEO
<b>Conditions</b>	Subregulation 18(13)(b) is not delegated.
<b>Subdelegates</b>	Coordinator Health Services Environmental Health Officer Executive Director Corporate & Commercial Services Manager Public Health and Safety Senior Environmental Health Officer
<b>Subdelegate conditions</b>	<i>Classes of persons authorised to administer this function are listed as "Subdelegates". Subdelegates are appointed by the CEO.</i>
<b>Statutory framework</b>	<a href="#">Environmental Protection Act 1986</a>
<b>Policy</b>	Council Policy: <a href="#">1.47 Regulatory Compliance Policy &amp; Guideline</a>
<b>Record keeping</b>	Report to file.

<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>SI_1.03 Noise Management Plans – Construction Sites (EP Act)</b>
<b>Category</b>	PART 3 - STATUTORY DELEGATIONS ASSIGNED TO LOCAL GOVERNMENT
<b>Head of power</b>	Environmental Protection Act 1986
<b>Delegator</b>	Environmental Protection Authority
<b>Express power to delegate</b>	<a href="#">Environmental Protection Act 1986</a> _Section 20 Environmental Protection Act 1986
<b>Express power or duty delegated</b>	<a href="#">Instrument of delegation</a> Government Gazette No 71, 16 May 2014 Delegation No 119 Pg. 1548: Pursuant to section 20 of the Act, 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 powers and duties in relation to noise management plans under regulation 13 of the <i>Environmental Protection (Noise) Regulations 1997</i> , other than this power of delegation.
<b>Function</b>	1. All power 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. 2. Authority to appoint any employee of a local government under the Local Government Act 1995 who is appointed as an Authorised Person under section 87 of the EPA Act.
<b>Delegates</b>	CEO
<b>Conditions</b>	The authority to appoint an employee is limited to the CEO.
<b>Express power to subdelegate</b>	Nil.
<b>Subdelegates</b>	Coordinator Development Assessment and Customer Relations Coordinator Health Services Coordinator Planning Services Development Compliance Officer Development Engineer Environmental Health Officer Executive Director Corporate & Commercial Services Executive Director Infrastructure, Development & Environment Manager Development Services Manager Public Health and Safety Senior Environmental Health Officer Senior Planning and Development Compliance Officer
<b>Subdelegate conditions</b>	<i>Subdelegates are appointed by the CEO.</i>
<b>Statutory framework</b>	Environmental Protection Act 1986 Environmental Protection (Noise) Regulations 1997
<b>Policy</b>	Council Policy: <a href="#">1.47 Regulatory Compliance Policy &amp; Guideline</a>

<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

## EPA Act - CEO to Employees

<b>Delegation</b>	<b>EH1.04.4 Environmental Protection - Illegal Dumping &amp; Noise</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Environmental Protection Act 1986
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	<p><b>_Delegation 52</b> (Gazette 19 March 2004) – local government CEO has powers in relation to environmental protection notices under section 65 of the Act;</p> <p><b>_Delegation 112</b> (Gazette 20 December 2013) – local government CEO has powers in relation to various approvals and other activities under the noise regulations;</p> <p><b>_Delegation 119</b> (Gazette 16 May 2014) – local government CEO and Environmental Health Officers have powers in relation to noise management plans for construction work on construction sites under noise regulation 13.</p>
<b>Express power or duty delegated</b>	<p><a href="#">Environmental Protection Act 1986:</a></p> <p>_s79 (Noise); and</p> <p>_s49A (Dumping Waste).</p>
<b>Function</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. Exercise the powers and discharge the duties of the local government under the Environmental Protection Act 1986.</li> <li>2. Authorise classes of persons to administer any or all of the functions under: <ol style="list-style-type: none"> <li>a. s79 (Noise); and</li> <li>b. s49A (Dumping Waste).</li> </ol> </li> </ol>
<b>Delegates</b>	<p>Coordinator Health Services  Coordinator Ranger Services  Coordinator Waste Operations  Executive Director Corporate &amp; Commercial Services  Executive Director Infrastructure, Development &amp; Environment  Manager City Reserves  Manager Operations  Manager Public Health and Safety</p>
<b>Conditions</b>	<p><b>Authorised Classes of Persons</b>  <b>Corporate &amp; Commercial Services</b></p> <ul style="list-style-type: none"> <li>▪ Executive Corporate &amp; Commercial Services</li> <li>▪ Manager Public Health &amp; Safety</li> <li>▪ Coordinator Health Services</li> <li>▪ Environmental Health Officers</li> <li>▪ Coordinator Ranger Services (Dumping Waste Only)</li> <li>▪ Senior Rangers, Rangers (Dumping Waste Only)</li> </ul> <p><b>Infrastructure, Development &amp; Environment (Dumping Waste Only)</b></p> <ul style="list-style-type: none"> <li>• Executive Director Infrastructure, Development &amp; Environment</li> <li>• Manager City Reserves</li> <li>• Manager Operations</li> <li>• Coordinator Waste Services</li> <li>• City of Albany Waste Contractors (subject to induction and authorisation by a City employee)</li> </ul>

<b>Subdelegates</b>	<p>Developed Reserves Supervisor  Environmental Health Officer  Leading Hand Natural Reserves  Natural Reserves and Mowing Supervisor  Ranger  Reserves Officer  Senior Environmental Health Officer  Senior Ranger</p>
<b>Subdelegate conditions</b>	<p><i>Note: The classes of persons authorised to administer and enforce this function are listed as "Subdelegates."</i></p> <p><i>The following classes of persons are authorised only for matters related to dumping of waste:</i></p> <ul style="list-style-type: none"> <li>• <i>Manager City Reserves</i></li> <li>• <i>Developed Reserves Supervisor</i></li> <li>• <i>Natural Reserves and Mowing Supervisor</i></li> <li>• <i>Leading Hand Natural Reserves</i></li> <li>• <i>Reserves Officer(s)</i></li> </ul>
<b>Statutory framework</b>	<p><b>Environmental Protection Act 1986</b></p> <ul style="list-style-type: none"> <li>▪ This Act is the principal legislation governing environmental protection in WA. It defines pollution, environmental harm, and prescribes enforcement powers including: <ul style="list-style-type: none"> <li>◦ Section 65: Authorises the CEO to issue Environmental Protection Notices for breaches, including illegal dumping.</li> <li>◦ Section 74A: Supports enforcement of noise standards under the Noise Regulations.</li> </ul> </li> </ul> <p><b>Environmental Protection (Noise) Regulations 1997</b></p> <ul style="list-style-type: none"> <li>• These regulations set prescribed standards for noise emissions and provide exemptions under specific conditions: <ul style="list-style-type: none"> <li>◦ Regulation 7 &amp; 11: Define permissible noise levels and measurement protocols.</li> <li>◦ Regulation 18: Allows the CEO to approve public events that exceed noise limits if compliance would compromise the event's character.</li> <li>◦ Division 3 (Regulations 16AA to 16AE): Applies to motorsport venues, allowing exemptions if operating under an approved Noise Management Plan (NMP).</li> </ul> </li> </ul> <p><b>Environmental Protection Regulations 1987</b></p> <ul style="list-style-type: none"> <li>• These regulations support the broader enforcement framework, including licensing, waste management, and pollution control. They underpin the illegal dumping provisions and link to the Act's enforcement powers.</li> </ul>
<b>Policy</b>	<p>Council Policy: <a href="#">1.47 Regulatory Compliance Policy and Guidelines</a>  Resource: City of Albany Website: Waste Education: <a href="#">Link</a></p>
<b>Record keeping</b>	<p>Report to file.</p>
<b>Date adopted</b>	<p>1 July 2025</p>
<b>Adoption references</b>	<p>OCM 01/07/2025 Resolution AR178.</p>
<b>Last reviewed</b>	<p>1 July 2025</p>

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
3 Jun 2025	Amended delegation	The following classes of persons limited to illegal dumping only: Manager City Reserves, Developed Reserves Supervisor, Natural Reserves and Mowing Supervisor, Leading Hand Natural Reserves and Reserves Officer(s).	CEO Authorisation: 03/06/2025.

## Food Act 2008

Delegations under the Food Act 2008.

## Food Act - Council to CEO &amp; Employees

<b>Delegation</b>	<b>EH1.01 Determine Compensation (Food Act)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Food Act 2008
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Food Act 2008</a> , s.118 Functions of enforcement agencies and delegation... _(2)(b) Enforcement agency may delegate a function conferred on it _(3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] _(4) Sub-delegation permissible only if expressly provided in regulations
<b>Express power or duty delegated</b>	<a href="#">Food Act 2008</a> : _s.56(2) Compensation to be paid in certain circumstances _s.70(2) and (3) Compensation
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Determine applications for compensation in relation to any item seized, if no contravention has been committed and the item cannot be returned [s.56(2)].</li> <li>2. Determine an application for compensation from a person on whom a prohibition notice has been served and who has suffered loss as the result of the making of the order and who considers that there were insufficient grounds for making the order [s.70 (2) and (3)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer (CEO) Executive Director Corporate & Commercial Services Manager Public Health and Safety
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.</li> <li>b. Compensation under this delegation may only be determined upon documented losses up to a maximum of <b>\$1000</b>. Compensation requests above this value are to be reported to Council.</li> </ol>
<b>Express power to subdelegate</b>	<i>Note: Nil. The Food Regulations 2009 do not provide for sub-delegation.</i>
<b>Statutory framework</b>	<a href="#">Food Act 2008</a> <i>Note: Decisions may be referred for review by the State Administration Tribunal.</i>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025



<b>Delegation</b>	<b>EH1.02 Prohibition Orders and Certificates of Clearance (Food Act)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Food Act 2008
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Food Act 2008</a> , s.118 Functions of enforcement agencies and delegation... _(2)(b) Enforcement agency may delegate a function conferred on it _(3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] _(4) Sub-delegation permissible only if expressly provided in regulations
<b>Express power or duty delegated</b>	<a href="#">Food Act 2008</a> : _s.65(1) Prohibition orders _s.66 Certificate of clearance to be given in certain circumstances _s.67(4) Request for re-inspection
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Serve a prohibition order on the proprietor of a food business in accordance with s.65 of the Food Act 2008 [s.65(1)].</li> <li>2. Give a certificate of clearance, where inspection demonstrates compliance with a prohibition order and any relevant improvement notices [s.66].</li> <li>3. Give written notice to the proprietor of a food business on whom a prohibition order has been served of the decision not to give a certificate of clearance after an inspection [s.67(4)].</li> </ol>
<b>Delegates</b>	CEO Coordinator Health Services Environmental Health Officer Executive Director Corporate & Commercial Services Manager Public Health and Safety Senior Environmental Health Officer
<b>Conditions</b>	In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.
<b>Express power to subdelegate</b>	<i>NIL – Food Regulations 2009 do not provide for sub-delegation</i>
<b>Statutory framework</b>	<a href="#">Food Act 2008</a> <i>Note: Decisions under this delegation may be referred for review by the State Administration Tribunal.</i> Resource: Guide to Regulator Guideline Number 1: Introduction of Regulatory Auditing In Western Australia: <a href="#">Link</a>
<b>Policy</b>	Council Policy: <a href="#">1.47 Regulatory Compliance Policy &amp; Guideline</a> Council Policy: <a href="#">1.58 Trading in Public Places Policy</a> Resources: _Mobile food business centralised register (Department of Health WA): <a href="#">Link</a> _Temporary, Mobile and Home-Based Food Businesses; City of Albany website: <a href="#">Link</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025

<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>EH1.03 Food Business Registrations (Food Act)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Food Act 2008
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Food Act 2008</a> , s.118 Functions of enforcement agencies and delegation... _(2)(b) Enforcement agency may delegate a function conferred on it _(3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] _(4) Sub-delegation permissible only if expressly provided in regulations
<b>Express power or duty delegated</b>	<a href="#">Food Act 2008</a> : _s.110(1) and (5) Registration of food business _s.112 Variation of conditions or cancellation of registration of food businesses
<b>Function</b>	Authority to:  1. Consider applications and determine registration of a food business and grant the application with or without conditions or refuse the registration [s.110(1) and (5)]. 2. Vary the conditions or cancel the registration of a food business [s.112].
<b>Delegates</b>	CEO Executive Director Corporate & Commercial Services
<b>Conditions</b>	In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to: a. Food Act 2008 Regulatory Guideline No.1 Introduction of Regulatory Food Safety Auditing in WA: <a href="#">Link</a> b. Food Unit Fact Sheet 8 – Guide to Regulatory Guideline No.1: <a href="#">Link</a> c. WA Priority Classification System: <a href="#">Link</a> d. Verification of Food Safety Program Guideline: <a href="#">Link</a>
<b>Express power to subdelegate</b>	<i>NIL – Food Regulations 2009 do not provide for sub-delegation.</i>
<b>Subdelegates</b>	Coordinator Health Services Environmental Health Officer Manager Public Health and Safety Senior Environmental Health Officer
<b>Subdelegate conditions</b>	<i>Note: Classes of persons authorised to administer this function on behalf of the CEO are listed as "Subdelegates".</i>
<b>Statutory framework</b>	<a href="#">Food Act 2008</a> <i>Note: Decisions may be referred for review by the State Administration Tribunal.</i>
<b>Policy</b>	Council Policy: <a href="#">1.47 Regulatory Compliance Policy &amp; Guideline</a> Council Policy: <a href="#">1.58 Trading in Public Places Policy</a> Resources: _Mobile food business centralised register (Department of Health WA): <a href="#">Link</a> _Temporary, Mobile and Home-Based Food Businesses; City of Albany website: <a href="#">Link</a>
<b>Record keeping</b>	Report to file.

<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>EH1.04.0 Appoint Authorised Officers and Designated Officers under (Food Act 2008, Public Health Act 2016)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Food Act 2008
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Food Act 2008</a> , s.118 Functions of enforcement agencies and delegation... _(2)(b) Enforcement agency may delegate a function conferred on it _(3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] _(4) Sub-delegation permissible only if expressly provided in regulations
<b>Express power or duty delegated</b>	<a href="#">Food Act 2008</a> : _s.22(1) Appointment of authorised officers _s.26(6), (7) and (13) Infringement Officers Public Health Act 2016 _s.21(1)(b)(i)
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Appoint persons to undertake the functions of an enforcement agency under this Act. [s.118(1)].</li> <li>2. Appoint a person to be an authorised officer for the purposes of the Food Act 2008 [s.122(1)].</li> <li>3. Appoint an Authorised Officer appointed under s.122(1) of this Act or the s.24(1) of the Public Health Act 2016, to be a Designated Officer for the purposes of issuing Infringement Notices under the Food Act 2008 [s.126(13)].</li> <li>4. Appoint an Authorised Officer to be a Designated Officer (who is prohibited by s.126 (13) from also being a Designated Officer for the purpose of issuing infringements), for the purpose of extending the time for payment of modified penalties [s.126(6)] and determining withdrawal of an infringement notice [s.126(7)].</li> </ol>
<b>Delegates</b>	CEO Executive Director Corporate & Commercial Services
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to: <ol style="list-style-type: none"> <li>i. Appointment of Authorised Officers as Meat Inspectors: <a href="#">Link</a></li> <li>ii. Appointment of Authorised Officers: <a href="#">Link</a></li> <li>iii. Appointment of Authorised Officer - Designated Officers Only: <a href="#">Link</a></li> <li>iv. Appointment of Authorised Officers - Appointment of persons to assist with the discharge of duties of an Authorised Officer: <a href="#">Link</a></li> </ol> </li> <li>b. A register of authorised officers appointed is to be maintained[s.122(3)].</li> <li>c. Authorised Officers are to be issued with a certificate of authority. [s.123(1)].</li> </ol>
<b>Express power to subdelegate</b>	<i>Note - The Food Regulations 2009 do not provide for sub-delegation.</i>
<b>Subdelegates</b>	Coordinator Health Services Environmental Health Officer Manager Public Health and Safety Senior Environmental Health Officer

<b>Subdelegate conditions</b>	<i>Note: Authorised classes of persons are listed as "Subdelegates".</i>
<b>Statutory framework</b>	<a href="#">Food Act 2008</a>
<b>Policy</b>	Council Policy: <a href="#">1.47 Regulatory Compliance Policy &amp; Guidelines</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>EH1.05 Debt Recovery and Prosecutions (Food Act)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Food Act 2008
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<p>Food Act 2008, Section 118 – Functions of Enforcement Agencies and Delegation</p> <ul style="list-style-type: none"> <li>• Subsection (2)(b): Confirms that an enforcement agency may delegate a function conferred on it under the Act.</li> <li>• Subsection (3): States that delegation is subject to conditions outlined in section 119 and any guidelines adopted under section 120.</li> <li>• Subsection (4): Clarifies that sub-delegation is only permissible if expressly provided for in the regulations</li> </ul>
<b>Express power or duty delegated</b>	<p><a href="#">Food Act 2008</a>, Express Powers Delegated</p> <ul style="list-style-type: none"> <li>• Section 54 – Authority to recover costs for destruction or disposal of forfeited items.</li> <li>• Section 125 – Authority to institute legal proceedings for offences under the Act.</li> </ul>
<b>Function</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. Recover costs incurred in connection with the lawful destruction or disposal of a seized item, including: <ol style="list-style-type: none"> <li>1. Storage costs [s.54(1)]</li> <li>2. Legal costs from any subsequent proceedings in a court of competent jurisdiction [s.54(3)]</li> </ol> </li> <li>2. Institute legal proceedings for an offence under the Food Act 2008 [s.125]</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.
<b>Express power to subdelegate</b>	None. The Food Regulations 2009 do not provide any authority for sub-delegation.
<b>Subdelegates</b>	<p>Coordinator Health Services  Executive Director Corporate &amp; Commercial Services  Manager Public Health and Safety  Senior Environmental Health Officer</p>
<b>Subdelegate conditions</b>	<p>Authorised persons:</p> <ol style="list-style-type: none"> <li>a. Subject to the conditions imposed on the CEO.</li> <li>b. Classes of persons authorised to administer this function on behalf of the CEO are listed as "Subdelegates".</li> </ol>

<b>Statutory framework</b>	<p><a href="#">Food Act 2008</a> (WA)</p> <ul style="list-style-type: none"> <li>▪ The Food Act 2008 establishes the legal foundation for food safety regulation in Western Australia. It aligns with the Australia New Zealand Food Standards Code and provides enforcement powers to local governments. Key provisions include: <ul style="list-style-type: none"> <li>◦ Section 54: Recovery of costs for destruction or disposal of seized items.</li> <li>◦ Section 125: Authority to institute legal proceedings for offences.</li> <li>◦ Section 118–120: Delegation framework for enforcement agencies, including conditions and limitations on sub-delegation.</li> </ul> </li> <li>▪ The Act is supported by fact sheets and guidance from the WA Department of Health. <a href="#">Link</a></li> </ul> <p><a href="#">Food Regulations 2009</a> (WA)</p> <ul style="list-style-type: none"> <li>• These regulations operationalise the Food Act by specifying procedures, standards, and administrative requirements. They cover: <ul style="list-style-type: none"> <li>◦ Registration and notification of food businesses.</li> <li>◦ Labelling, handling, and hygiene standards.</li> <li>◦ Enforcement mechanisms and penalties.</li> </ul> </li> </ul>
<b>Policy</b>	<p>Council Policy: <a href="#">1.58 Trading in Public Places Policy</a></p> <p>This policy outlines how food businesses must comply with the Food Act 2008, Food Regulations 2009, and the City of Albany Health Local Laws. This documents also detail registration requirements, fit-out standards for mobile food vehicles, and approval processes for events and markets.</p>
<b>Record keeping</b>	<p>Report to file.</p>
<b>Date adopted</b>	<p>1 July 2025</p>
<b>Adoption references</b>	<p>OCM 01/07/2025 Resolution AR178.</p>
<b>Last reviewed</b>	<p>1 July 2025</p>

<b>Delegation</b>	<b>EH1.06 Abattoir Inspections and Fees (Food Act)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Food Act 2008
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<p><a href="#">Food Act 2008</a> (s.118)</p> <ul style="list-style-type: none"> <li>▪ Delegation Permitted: An enforcement agency may delegate any function conferred on it under the Act [s.118(2)(b)].</li> <li>▪ Conditions Apply: Any delegation is subject to conditions outlined in section 119 and must comply with guidelines adopted under section 120.</li> <li>▪ Sub-delegation Restrictions: Sub-delegation is only permitted if it is expressly provided for in the regulations [s.118(4)].</li> </ul>
<b>Express power or duty delegated</b>	<p><a href="#">Food Regulations 2009</a></p> <ul style="list-style-type: none"> <li>• Regulation 43 – Authority for a local government to require security (e.g. a bond or guarantee) in relation to food business operations.</li> <li>• Regulation 45 – Authority to withdraw inspection services from a food business, typically in response to non-compliance or failure to meet regulatory obligations.</li> </ul>
<b>Function</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. In relation to abattoir meat inspection fees under Food Regulation 41, the authorised officer may: <ol style="list-style-type: none"> <li>1. Require a person to provide security [r.43]</li> <li>2. Determine the form in which the security is to be provided [r.43]</li> <li>3. Discharge a security held by the City [r.43]</li> </ol> </li> <li>2. Issue written notice and withdraw abattoir meat inspection services if fees are due and payable [r.45]</li> </ol>
<b>Delegates</b>	<p>CEO  Executive Director Corporate &amp; Commercial Services  Manager Public Health and Safety</p>
<b>Conditions</b>	In accordance with section 118(3)(b) of the Food Act 2008, this delegation is subject to the relevant CEO Guidelines issued by the Department of Health, as amended from time to time.
<b>Express power to subdelegate</b>	<i>None. The Food Regulations 2009 do not provide any authority for sub-delegation.</i>
<b>Subdelegates</b>	<p>Coordinator Health Services  Senior Environmental Health Officer</p>
<b>Subdelegate conditions</b>	<p>Subdelegate conditions:</p> <ol style="list-style-type: none"> <li>a. Subject to the conditions imposed on the CEO.</li> <li>b. Classes of persons authorised to administer this function on behalf of the CEO are listed as "Subdelegates".</li> </ol>
<b>Statutory framework</b>	<p><a href="#">Food Act 2008</a>  <a href="#">Food Regulations 2009</a></p>
<b>Policy</b>	Resources: City of Albany Food Business Information: <a href="#">Link</a>

<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>EH1.07 Food Businesses List – Public Access (Food Act)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Food Act 2008
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<p><a href="#">Food Act 2008</a>, s.118 Functions of enforcement agencies and delegation</p> <ul style="list-style-type: none"> <li>▪ (2)(b) Enforcement agency may delegate a function conferred on it</li> <li>▪ (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120]</li> <li>▪ (4) Sub-delegation permissible only if expressly provided in regulations</li> </ul>
<b>Express power or duty delegated</b>	<a href="#">Food Regulations 2009</a> , r.51 Enforcement agency may make list of food
<b>Function</b>	Authority to decide to make a list of food businesses maintained under s.115(a) or (b) publicly available [r.51].
<b>Delegates</b>	CEO Executive Director Corporate & Commercial Services
<b>Conditions</b>	In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.
<b>Express power to subdelegate</b>	Nil. (The Food Regulations 2009 do not provide for sub-delegation).
<b>Subdelegates</b>	Coordinator Health Services Environmental Health Officer Manager Public Health and Safety Senior Environmental Health Officer
<b>Subdelegate conditions</b>	<ul style="list-style-type: none"> <li>a. Same conditions as imposed on the CEO and Delegates.</li> <li>b. Classes of persons authorised to administer this function on behalf of the CEO are listed as "<i>Subdelegates</i>".</li> </ul>
<b>Statutory framework</b>	<a href="#">Food Act 2008</a> <a href="#">Food Regulations 2009</a>
<b>Policy</b>	Resources: City of Albany Food Business Information: <a href="#">Link</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

## Freedom of Information Act 1992

Delegations under the Freedom of Information Act 1992.

## FOI Act - CEO to Employees

<b>Delegation</b>	<b>FOI_1.01 Freedom of Information Act 1992</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Freedom of Information Act 1992
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	Freedom of Information Act 1992 _s.100 Freedom of Information Act 1992 (Express Power to Appoint)
<b>Function</b>	Authority to determine decisions made under this Act [s.100(1)(b)]
<b>Delegates</b>	Executive Director Corporate & Commercial Services Manager Governance & Risk Team Leader - Records & Council Liaison
<b>Conditions</b>	Special Requirements:  a. Assessment of applications to be conducted in accordance with s.30. b. Notice under s. 13(1)(b) of decision, form etc. c. Internal Reviews per s39 of the FOI Act restricted to: 1. Director Corporate & Commercial Services 2. Principal FOI Officer 3. Manager Governance & Risk
<b>Subdelegates</b>	Development Compliance Officer Information Management Coordinator Information Officer - Development Services Manager Development Services Manager Information Technology Senior Development Information Officer Senior Planning and Development Compliance Officer Technical Support Officer - Development Services
<b>Subdelegate conditions</b>	The following classes of persons are authorised to administer the release of information pertaining to: <b>Planning, Building and Development Information Services:</b> (1) Building Plans: Release of plans to WAPOL: Development Information Services Team. Refer to <b>Delegation: B1.6 Inspection and Copies of Building Records.</b> (2) Dividing Fences Information. Refer to <b>Delegation: B1.6 Inspection and Copies of Building Records.</b> <b>Corporate &amp; Commercial Services:</b> (1) CCTV Recordings: Manager Information Technology. (2) Body Worn Camera Footage: Principle Freedom of Information Officer Only.

<b>Statutory framework</b>	Freedom of Information Act. _s3 (Objects of Act), _s4 (Agencies, duties of when applying Act)
<b>Policy</b>	<a href="#">Code of Conduct for Staff with Access to Recorded Material (Audio, CCTV, Camera Footage) Policy</a> City of Albany Freedom of Information website: <a href="#">Link</a> Access to Documents (Freedom of Information Act 1992) Form: <a href="#">Link</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178
<b>Last reviewed</b>	1 July 2025

## Graffiti Vandalism Act 2016

Delegations under the Graffiti Vandalism Act 2016.

### Graffiti Act - Council to CEO & CEO to Employees

<b>Delegation</b>	<b>G1.01 Give Notice Requiring Obliteration of Graffiti (Graffiti Act)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Graffiti Vandalism Act 2016
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Graffiti Vandalism Act 2016: _s.16 Delegation by local government
<b>Express power or duty delegated</b>	Graffiti Vandalism Act 2016: _s.18(2) Notice requiring removal of graffiti _s.19(3) & (4) Additional powers when notice is given
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Give written notice to a person who is an owner or occupier of property on which graffiti is applied, requiring the person to ensure that the graffiti is obliterated in an acceptable manner, within the time set out in the notice [s.18(2)].</li> <li>2. Where a person fails to comply with a notice, to do anything considered necessary to obliterate the graffiti in an acceptable manner [s.19(3)] and to take action to recover costs incurred as a debt due from the person who failed to comply with the notice [s.19(4)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Function to be administered following the Council-adopted policy position.
<b>Express power to subdelegate</b>	Graffiti Vandalism Act 2016: _s.17 Delegation by CEO of local government
<b>Subdelegates</b>	Executive Director Community Services Manager Community Relations
<b>Subdelegate conditions</b>	<ol style="list-style-type: none"> <li>a. Subject to the conditions imposed on the delegate.</li> <li>b. Classes of Persons authorised to administer listed functions are to be determined by subdelegates.</li> </ol>
<b>Statutory framework</b>	<i>Note: Decisions under this delegation may be referred for review by the State Administration Tribunal.</i>
<b>Policy</b>	<a href="#">Graffiti Management Policy</a> Graffiti Removal Pack Application Form (Online Form): <a href="#">Link</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025

<b>Adoption references</b>	OCM 01/07/2025 Resolution AR78.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>G1.02 Notices – Deal with Objections and Give Effect to Notices (Graffiti Act)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Graffiti Vandalism Act 2016
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Graffiti Vandalism Act 2016: _s.16 Delegation by local government
<b>Express power or duty delegated</b>	Graffiti Vandalism Act 2016: _s.22(3) Objection may be lodged _s.24(1)(b) & (3) Suspension of effect of notice
<b>Function</b>	Authority to: <ul style="list-style-type: none"> <li>1. Deal with an objection to a notice [s.22(3)].</li> <li>2. Where an objection has been lodged, to: <ul style="list-style-type: none"> <li>i. determine and take action to give effect to the notice, where it is determined that there are urgent reasons or an endangerment to public safety or likely damage to property or serious nuisance, if action is not taken [s.24(1)(b)] and</li> <li>ii. to give notice to the affected person, before taking the necessary actions [s.24(3)].</li> </ul> </li> </ul>
<b>Delegates</b>	CEO
<b>Conditions</b>	Function to be administered following the Council-adopted policy.
<b>Express power to subdelegate</b>	Graffiti Vandalism Act 2016: _s.17 Delegation by CEO of local government
<b>Subdelegates</b>	Executive Director Community Services Manager Community Relations
<b>Subdelegate conditions</b>	a. Subject to the conditions imposed on the delegate. b. Classes of Persons authorised to administer listed functions are to be determined by subdelegates.
<b>Statutory framework</b>	<i>Note: Decisions under this delegation may be referred for review by the State Administration Tribunal.</i>
<b>Policy</b>	<a href="#">Graffiti Management Policy</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>G1.03 Obliterate Graffiti on Private Property (Graffiti Act)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Graffiti Vandalism Act 2016
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Graffiti Vandalism Act 2016: _s.16 Delegation by local government
<b>Express power or duty delegated</b>	Graffiti Vandalism Act 2016: _s.25(1) Local government graffiti powers on land not local government property
<b>Function</b>	Authority to determine to obliterate graffiti applied without consent of the owner or occupier, even though the land on which it is done is not local government property and the local government does not have consent [s.25(1)].
<b>Delegates</b>	Executive Director Community Services Manager Community Relations
<b>Conditions</b>	<ul style="list-style-type: none"> <li>a. Subject to exercising Powers of Entry.</li> <li>b. Classes of Persons authorised to administer listed functions are to be determined by the delegates.</li> </ul>
<b>Express power to subdelegate</b>	<i>Graffiti Vandalism Act 2016:</i> _s.17 Delegation by CEO of local government
<b>Subdelegate conditions</b>	<i>Note: This function is administered by the City of Albany Community Development Services Team.</i>
<b>Statutory framework</b>	Graffiti Vandalism Act 2016
<b>Policy</b>	<a href="#">Graffiti Management Policy</a> State Government (WAPOL) Graffiti Vandalism Quick Reference Removal Guide: <a href="#">Link</a>
<b>Record keeping</b>	Report to file. Report Graffiti Taskforce Reporting Form (website): <a href="#">Link</a>
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>G1.04 Powers of Entry (Graffiti Act)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Graffiti Vandalism Act 2016
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Graffiti Vandalism Act 2016: _s.16 Delegation by local government
<b>Express power or duty delegated</b>	Graffiti Vandalism Act 2016: _s.28 Notice of entry _s.29 Entry under warrant
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Give notice of an intended entry to the owner or occupier of land, premises or thing, specifying the purpose for which entry is required [s.28].</li> <li>2. Obtain a warrant to enable entry onto any land, premises or thing for the purposes of this Act [s.29].</li> </ol>
<b>Delegates</b>	CEO Executive Director Community Services
<b>Conditions</b>	The authority to enact this function is limited to the delegates.
<b>Express power to subdelegate</b>	Graffiti Vandalism Act 2016: _s.17 Delegation by CEO of local government
<b>Subdelegate conditions</b>	Notes: <ul style="list-style-type: none"> <li>• <i>The power to enter property without the consent of the owner or occupier is only to be enacted with the approval of a delegate.</i></li> <li>• <i>This function is administered by the City of Albany Community Development Services Team.</i></li> </ul>
<b>Statutory framework</b>	Graffiti Vandalism Act 2016
<b>Policy</b>	<a href="#">Graffiti Management Policy</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

## Health (Misc Provisions) Act 1911

Health (Misc Provisions) Act 1911, .26 Powers of Local Government

### Health (Misc Provisions) Act 1911 - Council to CEO & CEO to Employees

<b>Delegation</b>	<b>EH1.04.2 Health (Miscellaneous Provisions) Act 1911 – Powers of Local Government, Public Buildings, Events and Gatherings</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Health (Misc Provisions) Act 1911
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	<a href="#">Health (Miscellaneous Provisions) Act 1911</a> , s.26 Powers of Local Government. Section 26 authorises local governments to carry out the provisions of the Act and to appoint deputies to exercise its powers and functions. This provides the express power to delegate from Council to CEO and from CEO to employees.
<b>Express power or duty delegated</b>	<a href="#">Health (Miscellaneous Provisions) Act 1911</a> , s176 and s177. <i>Note: s176 does not apply to or in relation to building work, as defined in the Building Act 2011 section 3, for which a building permit is required under that Act.</i>
<b>Function</b>	Appointment of such persons or classes of persons for the purpose of discharging it's power and functions under Health (Miscellaneous Provisions) Act 1911, specifically: <ol style="list-style-type: none"> <li>1. s176 (Approval of Plans).</li> <li>2. s177 Approval must be in writing).</li> </ol> <p><i>Note: Delegated Powers: _Sections 176 and 177. These sections relate to approval of plans and requirement for written approvals for public buildings and events and are referenced in the <a href="#">Health (Public Buildings) Regulations 1992</a>. _The Health (Public Buildings) Regulations 1992 form the operational framework for public building approvals, including requirements for: Risk management plans (Reg. 26A), Certificates of approval (Reg. 6) and Event safety and capacity limits. Local governments are the approval authority under these regulations.</i></p>
<b>Delegates</b>	Chief Executive Officer (CEO) Executive Director Community Services Executive Director Corporate & Commercial Services
<b>Conditions</b>	Only the CEO and the listed Delegates may issue approvals for larger events and gatherings requiring risk management plans under the <i>Health (Public Building) Regulations 1992</i> .
<b>Subdelegates</b>	Coordinator Health Services Environmental Health Officer Manager Community Relations Manager Governance & Risk Manager Public Health and Safety Senior Environmental Health Officer
<b>Subdelegate conditions</b>	<ol style="list-style-type: none"> <li>a. Same conditions imposed on the CEO.</li> <li>b. Large events must be "certified" that all necessary approvals have been completed by the City's Event Coordinator.</li> </ol>

<b>Statutory framework</b>	<a href="#">Health (Miscellaneous Provisions) Act 1911</a> , s.26 Powers of Local Government
<b>Policy</b>	City of Albany Website: Event Information: <a href="#">Link</a>
<b>Record keeping</b>	Report to file. Large gatherings in the planning stage must be reported to the Local Emergency Management Committee (LEMC).
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>EH1.04.3 Health (Miscellaneous Provisions) Act 1911 - Powers of Local Government</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Health (Misc Provisions) Act 1911
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Health (Miscellaneous Provisions) Act 1911, s.26 Powers of Local Government
<b>Express power or duty delegated</b>	<p>Appointment of such persons for the purpose of discharging it's power and functions under: Noting: These are either still in force or under review for transition to the <b>Public Health Act 2016</b>:</p> <ul style="list-style-type: none"> <li>▪ Part IV – Division 4 (Sanitary Convenience)</li> <li>▪ Part IV – Division 7 (Pollution of Water)</li> <li>▪ Part V – Division 1 (House unfit for occupation)</li> <li>▪ Part VI – Public Buildings</li> <li>▪ Part VII – Division 1 (Nuisances)</li> <li>▪ Health (Air Handling &amp; Water Systems) Regulations 1994 – Under review</li> <li>▪ Health (Aquatic Facilities) Regulations 2007 – Under review</li> <li>▪ Health (Cloth Materials) Regulations 1985 – Under review</li> <li>▪ Health (Pesticides) Regulations 2011</li> <li>▪ Health (Prescribed Insect Pests) Regulations 1991</li> <li>▪ Health (Public Buildings) Regulations 1992</li> <li>▪ Health (Skin Penetration) Procedure Regulations 1998</li> <li>▪ City of Albany Health Local Laws – Still valid if not referencing repealed regulation</li> </ul> <p><b>Repealed as of 18 October 2024:</b> The following regulations have been formally repealed and should no longer be referenced or enforced:</p> <ol style="list-style-type: none"> <li>1. Health (Construction Work) Regulations 1973</li> <li>2. Health (Temporary Sanitary Conveniences) Regulations 1997</li> <li>3. Health Act (Laundries and Bathrooms) Regulations</li> <li>4. Health (Garden Soil) Regulations 1998</li> <li>5. Health (Offensive Trade Fees) Regulations 1976</li> <li>6. Piggeries Regulations 1979</li> <li>7. Health Act (Sewerage Drainage and Underground Water Supply) Regulations 1974</li> <li>8. Health Act (Underground Water Supply) Regulation 1959</li> <li>9. Fly Eradication Regulations (likely repealed, though not explicitly listed—should be verified).</li> </ol> <p><b>Important Note:</b> <i>If any City of Albany Health Local Laws reference these repealed regulations, they are no longer enforceable and should be updated accordingly.</i></p>

<b>Function</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. Commence legal proceedings under the Health (Miscellaneous Provisions) Act 1911 and associated regulations and local laws.</li> <li>2. Serve health orders in connection with requirements and repairs to businesses, shops and dwellings in accordance with the provisions of s.354 of the Health (Miscellaneous Provisions) Act 1911.</li> <li>3. Delegations with respect to the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974.</li> <li>4. Order premises within the City of Albany to be connected to sewer mains when such mains are completed and ready for use. (s.72 Health (Miscellaneous Provisions) Act 1911).</li> <li>5. Sign and issue licences and registrations issued under the Health (Miscellaneous Provisions) Act 1911 Conditions.</li> </ol>
<b>Delegates</b>	<p>Chief Executive Officer (CEO)  Executive Director Corporate &amp; Commercial Services  Executive Director Infrastructure, Development &amp; Environment  Manager Development Services  Manager Public Health and Safety</p>
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Only the Manager Public Health &amp; Safety may commence legal proceedings.</li> <li>b. The City's Environmental Health Officers may only serve health orders in connection with requirements and repairs to businesses, shops and dwellings in accordance with the provisions of s.354 of the Health (Miscellaneous Provisions) Act 1911 &amp; Sign and issue licences and registrations issued under the Health (Miscellaneous Provisions) Act 1911.</li> <li>c. Not to expend funds for the carrying out of works in default of a notice served under this Act without separate budget approval by Council.</li> <li>d. The following designated classes of persons are limited to the functions listed under the Health (Public Buildings) Regulations 1992: <ol style="list-style-type: none"> <li>1. Manager Development Services</li> <li>2. Coordinator Building Services</li> <li>3. Building Surveyor</li> </ol> </li> </ol>
<b>Subdelegates</b>	<p>Building Surveyor  Coordinator Building Services  Coordinator Health Services  Environmental Health Officer  Senior Environmental Health Officer</p>
<b>Subdelegate conditions</b>	<p><i>Note: Classes of persons authorised this function are listed as "Subdelegates".</i></p>
<b>Statutory framework</b>	<p>Health (Miscellaneous Provisions) Act 1911, s.26 Powers of Local Government</p>
<b>Policy</b>	<p>Regulatory Compliance Policy &amp; Guideline</p>
<b>Record keeping</b>	<p>Report to file.</p>
<b>Date adopted</b>	<p>1 July 2025</p>
<b>Adoption references</b>	<p>OCM 01/07/2025 Resolution AR178</p>
<b>Last reviewed</b>	<p>1 July 2025</p>

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
7 Jul 2025	Amended delegation	Regulations formally repealed and should no longer be referenced or enforced are referenced in main document.	---

## Library Board of Western Australia Act 1951

## Library Board of Western Australia Act 1951 Delegations

## Library Board Act - CEO to Employees

<b>Delegation</b>	<b>LB1.01 Librarian Function &amp; Authority</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Library Board of Western Australia Act 1951
<b>Delegator</b>	Chief Executive Officer (CEO)
<b>Express power to delegate</b>	<i>Not applicable, legislated function of the Chief Executive Officer(CEO).</i>
<b>Express power or duty delegated</b>	Library Board (Registered Public Library) Regulations 1985: _Regulation 29 (Authority of librarian):
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Authorise the recovery of overdue library books and other loaned Items.</li> <li>2. Deny use of library services to persons whose actions are detrimental to others.</li> <li>3. Authorise classes of persons to administer any or all the above functions.</li> </ol>
<b>Delegates</b>	Library Team Leader Manager Arts & Culture
<b>Conditions</b>	<p>a. Nil.</p> <p>b. Note:</p> <ol style="list-style-type: none"> <li>1. Regulation 29 (Authority of librarian):</li> </ol> <p>(1) A librarian may cause to be excluded or removed from a library —</p> <p>(a) any disorderly person;</p> <p>(b) any person who is guilty of offensive behaviour;</p> <p>(c) any person who appears to be intoxicated;</p> <p>(d) any person who is not using the library for the purpose for which it is intended; or</p> <p>(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.</p> <p>(2) A librarian —</p> <p>(a) may suspend the use of a reader's ticket; and</p> <p>(b) may refuse books and deny the use of the library to any person who refuses or neglects to comply with these regulations.</p> <ul style="list-style-type: none"> <li>▪ 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.</li> </ul>
<b>Express power to subdelegate</b>	Note: Authorised classes of person authorised to enact all listed functions: <ul style="list-style-type: none"> <li>▪ Library Team Leader.</li> </ul>
<b>Statutory framework</b>	Library Board of Western Australia Act 1951 Library Board (Registered Public Library) Regulations 1985

<b>Policy</b>	City of Albany Website: Library Information: <a href="#">Link</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178
<b>Last reviewed</b>	1 July 2025

## Local Government Act 1995

Delegations under the Local Government Act 1995.

## LG Act 1995 - Council to CEO &amp; CEO to Employees (Authorisations)

<b>Delegation</b>	<b>LA1.01 Creation and Change of Purpose of a Crown Reserve (Incl. Naming of Streets)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power or duty delegated</b>	<p>Council designates the following classes of persons to administer and enforce the Land Administration Act 1997, subject to conditions:</p> <ul style="list-style-type: none"> <li>▪ Chief Executive Officer</li> <li>▪ Executive Director Corporate &amp; Commercial Services</li> <li>▪ Executive Director Infrastructure Development &amp; Environment</li> <li>▪ Manager Development Services</li> <li>▪ Coordinator Planning Services</li> <li>▪ Lands Officer</li> </ul>
<b>Function</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>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.</li> <li>2. Comment on requests to lease Crown land, where the State manages the lease, pursuant to Part 6 of the Land Administration Act 1997.</li> <li>3. Forward recommendations of street names to the Geographic Names Committee, Western Australia, under s26A of the Land Administration Act 1997.</li> <li>4. Authorise persons to administer any or all of the above functions.</li> </ol>
<b>Delegates</b>	Chief Executive Officer (CEO)
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Process requests related to Crown Reserves (1) Authority to process matters relating to Crown Reserves, as follows: <ol style="list-style-type: none"> <li>1. 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.);</li> <li>2. Change of purpose of a Crown reserve;</li> <li>3. Changes to reserve boundaries;</li> <li>4. Acceptance of a management order, where the City is currently managing the land or can do so within existing operational budgets; and</li> <li>5. Requests to lease Crown land, where no structure will be built (i.e. leases managed by the State, pastoral leases etc.).</li> </ol> </li> <li>b. Comment on requests to lease Crown Land (2) Compliance with the following documents is necessary: <ol style="list-style-type: none"> <li>1. Local Planning Scheme &amp; Strategies;</li> <li>2. Adopted Asset Management Plans (Roads; Reserves: Natural and Developed; Drainage); and</li> <li>3. City of Albany Bushfire Strategy.</li> </ol> </li> <li>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.</li> </ol>

<b>Express power to subdelegate</b>	(a) Nil. (b) Classes of persons designated to administer this function is the Lands Officer.
<b>Subdelegates</b>	Coordinator Development Assessment and Customer Relations Coordinator Planning Services Executive Director Corporate & Commercial Services Executive Director Infrastructure, Development & Environment Lands Officer Manager Development Services
<b>Subdelegate conditions</b>	<i>Listed subdelegates are authorised to administer this function, exempt authority to authorise other classes of persons.</i>
<b>Statutory framework</b>	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).
<b>Policy</b>	<a href="#">Naming of City Facilities, Roads, Parks, Reserves, Buildings, other Assets, and Awards Policy</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG1.01 Audit – CEO Review of Systems and Procedures (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	<a href="#">Local Government Act 1995</a> _s.5.44 CEO may delegate some powers and duties to other employees
<b>Express power or duty delegated</b>	<a href="#">Local Government (Audit) Regulations 1996:</a> _r.17 CEO to review certain systems and procedures
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority: Conduct the review of the appropriateness and effectiveness of the City's systems and procedures in relation to <ol style="list-style-type: none"> <li>i. risk management; and</li> <li>ii. internal controls; and</li> <li>iii. legislative compliance [r.17(1)].</li> </ol> </li> <li>2. Authority: Designate persons to administer listed functions.</li> </ol>
<b>Delegates</b>	Executive Director Corporate & Commercial Services Financial Services Coordinator Manager Finance Manager Governance & Risk
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Each matter is to be reviewed at least once every 3 financial years, with a report on each matter to be provided to the Audit and Risk Committee that details the findings, including any identified deficiencies, and actions required.</li> <li>b. Findings are to be presented to the Executive Management Team (EMT) for comment.</li> <li>c. Findings including executive comment are to be presented to the Audit, Risk and Improvement Committee.</li> </ol>
<b>Statutory framework</b>	<a href="#">Local Government (Audit) Regulations 1996</a> Primary & Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Policy</b>	Office of the Auditor General Website: <a href="#">Link</a>
<b>Record keeping</b>	Report to file. Findings and associated response action are to be tabled to the Audit & Risk Committee.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 201/07/2025 Resolution AR178 (CEO Delegation)(Amended)
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG1.02 Acknowledge Primary and Annual Returns, Gift Declarations and Financial Interest (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	<a href="#">Local Government Act 1995</a> : _s.5.44 CEO may delegate some powers and duties to other employees
<b>Express power or duty delegated</b>	<a href="#">Local Government Act 1995</a> : _s.5.77 Acknowledging receipt of returns]
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. On receipt of a Primary or Annual Return under s.5.75 or 5.76, give the person who submitted the Return a written acknowledgement of having received the Return.</li> <li>2. Receipt of declarations of gifts in accordance with sections 5.87A and 5.87B of the Act.</li> <li>3. Receipt of Declarations of Interest (Impartiality, Proximity &amp; Financial).</li> </ol>
<b>Delegates</b>	Executive Director Corporate & Commercial Services Manager Governance & Risk Team Leader - Records & Council Liaison
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Before issuing a written acknowledgement, the designated person is to review the content of the Return declaration and consider any probity risks that may be evident from the disclosures in the context of the disclosing employee's job role.</li> <li>b. Where any probity risk is identified the designated person is to implement appropriate actions in regard to that employee's duties to mitigate the identified risk.</li> <li>c. Compliance with Attendance at Events Policy.</li> </ol>
<b>Subdelegate conditions</b>	<i>Authorised persons are subject to the same conditions as the delegates.</i>
<b>Statutory framework</b>	Primary & Annual: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. <a href="#">Local Government Act 1995</a> _s.5.88 Register of Financial Interests _s.5.96A(1)(i), Register to be published on the City's Official website
<b>Policy</b>	<a href="#">City of Albany Employee Code of Conduct</a> Resources: Department of Local Government, Operational Guideline – Primary and Annual Returns: <a href="#">Link</a>
<b>Record keeping</b>	Primary & Annual Returns: If submitted manually in hardcopy, the original Primary or Annual Return and the acknowledgement is to be retained in the Register of Financial Interests kept under s.5.88 of the Local Government Act 1995. <i>Note:</i> _Local Government Act 1995, s.5.96A(1)(i), Register to be published on the City's Official website. _The "Attain" cloud-based application is approved to facilitate this process: <a href="https://admin.attain.net.au/">https://admin.attain.net.au/</a>
<b>Date adopted</b>	1 July 2025

<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG1.03 Authorise Persons or classes of persons to Perform Specified Functions under (LG Act 1995)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Local Government Act 1995: _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	Local Government Act 1995: _s.3.24 Authorising persons under this Subdivision _s.3.25 Notices requiring certain things to be done by owner or occupier of land _s.3.26 Additional powers when notices given _s.3.27 Particular things local governments can do on land that is not local government property _s.3.31(2) General Procedure for entering property _s.3.39(1) Power to remove and impound _s.3.40A(1) Abandoned vehicle wreck may be taken _s.9.24(1)(c) and (2)(b) Prosecutions, commencing  Local Government (Miscellaneous Provisions) Act 1960 _s.449 Pounds, establishing; pound keepers and rangers, appointing
<b>Function</b>	Authority to:  <ol style="list-style-type: none"> <li>1. Authorise persons for the purposes of Part 3, Division 3, Subdivision 2 – Certain provisions about land - to exercise the Local Government’s powers under s.3.25 to 3.27 inclusive, to issue and administer notices requiring certain things to be one by owner or occupier of land [s.3.24]</li> <li>2. Authorise persons to enter onto land, premises or thing, without consent of the owner / occupier, unless the owner / occupier objects [s.3.31(2)]</li> <li>3. Authorise an employee to remove and impound any goods that are involved in a contravention that can lead to impounding [s.3.39(1)].</li> <li>4. Authorise persons to commence prosecutions for offences under the Local Government Act 1995 and any Local Laws made under the Local Government Act 1995 [s.9.24(1)(c) and (2)(b)].</li> <li>5. Authorise an employee to remove and impound a vehicle that has been determined as an abandoned vehicle wreck [s.3.40A(1)].</li> <li>6. Appoint fit and proper persons as pound keepers or rangers [Misc.Prov.s.449].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. A register of Authorisations is to be maintained as a Local Government Record.</li> <li>b. Only persons who are appropriately qualified and trained may be authorised to perform relevant functions.</li> <li>c. Authorisations are to be provided in writing by issuing a Certificate of Authorisation.</li> <li>d. Animal Control: Council designates the following classes of persons to administer and enforce the <i>Cat Act 2011</i>, <i>Dog Act 1978</i> and the <i>Local Government (Miscellaneous Provisions) Act 1960</i>: Executive Corporate &amp; Commercial Services, Manager Public Health &amp; Safety, Coordinator Ranger Services, Senior Rangers and Rangers, Customer Service Officers responsible for administering animal control functions.</li> </ol>

<p><b>Express power to subdelegate</b></p>	<p>Local Government Act 1995: _s.5.44 CEO may delegate some powers and duties to other employees.</p> <p><b>Classes of persons are authorised to administer the prescribed functions:</b> _Schedule 3.1 – Powers under notices to owners or occupiers of land [s3.25((1))]:</p> <ul style="list-style-type: none"> <li>▪ Executive Directors</li> <li>▪ Manager Development Services</li> <li>▪ Development Engineer</li> <li>▪ Planning Coordinator</li> <li>▪ Senior Planning &amp; Development Compliance Officer</li> <li>▪ Development Compliance Officers</li> <li>▪ Coordinator Building Services</li> <li>▪ Manager City Reserves</li> <li>▪ Manager Operations</li> <li>▪ Manager Public Health &amp; Safety</li> <li>▪ Coordinator Ranger Services</li> <li>▪ Senior Ranger &amp; Rangers</li> <li>▪ Coordinator Environmental Health</li> </ul> <p><b>_Schedule 3.2 – Particular things local governments can do on land even though it is not local government property [s3.27(1)], limited to:</b></p> <ul style="list-style-type: none"> <li>▪ Executive Directors</li> <li>▪ Manager Development Services</li> <li>▪ Senior Planning &amp; Development Compliance Officer</li> <li>▪ Manager Engineering &amp; Sustainability</li> </ul>
<p><b>Subdelegates</b></p>	<p>Executive Director Community Services Executive Director Corporate &amp; Commercial Services Executive Director Infrastructure, Development &amp; Environment Manager Development Services Manager Engineering &amp; Assets Manager Finance Manager Governance &amp; Risk Manager Public Health and Safety</p>
<p><b>Subdelegate conditions</b></p>	<p>a. Subject to the conditions imposed on the CEO. b. The power to authorise classes of persons is limited to the Executive Directors and the Manager Governance &amp; Risk and must be given in writing. c. A person who is authorised to give an infringement notice under s9.16 of the Act is not eligible to be an authorised person to extend time or withdrawal. d. Authorisation involving animal control on land administered by the City must be approved in consultation with the Coordinator Ranger Services &amp; Manager Reserves. e. The power to direct (additional powers) is limited to Executive Directors and the following classes of persons: _Manager Development Services _Manager Public Health &amp; Safety _Manager Engineering &amp; Sustainability f. The power to deal with objections and grant an extension of time is limited to Executive Directors and above and the following designated positions: _Manager Governance &amp; Risk _Manager Finance g. 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 under section 3.42(1)(b) of the Act.</p>

<b>Statutory framework</b>	Primary & Annual Returns: Delegates and subdelegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Policy</b>	<p>Policy Position: Classes of persons are authorised to administer the prescribed functions:</p> <ul style="list-style-type: none"> <li>• Schedule 3.1 – Powers under notices to owners or occupiers of land[s3.25((1))]: (<i>Refer to Designated Person Register</i>)</li> <li>• Schedule 3.2 – Particular things local governments can do on land even though it is not local government property [s3.27(1)]: (<i>Refer to Designated Person Register</i>)</li> </ul>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG1.04 Appoint Authorised Persons or Classes of Persons under (LG Act 1995)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	<a href="#">Local Government Act 1995</a> _s.5.44 CEO may delegate some powers and duties to other employees
<b>Express power or duty delegated</b>	<a href="#">Local Government Act 1995:</a> _s.9.10 Appointment of authorised persons [s.9.10(2)]
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to: Appoint persons or classes of persons as authorised persons [s.9.10(2)] for the purpose of fulfilling functions of an authorised person prescribed in the following legislation inclusive of subsidiary legislation made under each Act (i.e., regulations): <ol style="list-style-type: none"> <li>a. Local Government Act 1995 and its subsidiary legislation;</li> <li>b. Local Government (Miscellaneous Provisions) Act 1960;</li> <li>c. City of Albany Local Laws made under the Local Government Act;</li> <li>d. Caravan Parks and Camping Grounds Act 1995;</li> <li>e. Cat Act 2011;</li> <li>f. Cemeteries Act 1986;</li> <li>g. Control of Vehicles (Off-road Areas) Act 1978;</li> <li>h. Dog Act 1976;</li> <li>i. Graffiti Vandalism Act 2016 – refer s.15; and</li> <li>j. any other legislation prescribed for the purposes of s.9.10 of the Local Government Act 1995.</li> </ol> </li> <li>2. Authority to: Issue licences, notices, approvals and permits relating to the City of Albany Local laws.</li> </ol>
<b>Delegates</b>	Chief Executive Officer (CEO) Executive Director Community Services Executive Director Corporate & Commercial Services Executive Director Infrastructure, Development & Environment Manager Arts & Culture Manager City Reserves Manager Development Services Manager Engineering & Assets Manager Facilities Manager Finance Manager Governance & Risk Manager Operations Manager Public Health and Safety Manager Recreation Services

<b>Conditions</b>	<ul style="list-style-type: none"> <li>a. A register of Authorisations is to be maintained as a Local Government Record.</li> <li>b. Only appropriately qualified and trained persons may be appointed as Authorised persons.</li> <li>c. A person to be appointed as an authorised officer by Regulation 70(2) of the <i>Building Regulations 2012</i> and section 6(b) of the <i>Criminal Procedure Act 2004</i> MUST first be appointed as an authorised person for section 9.16 of the <i>Local Government Act 1995</i> (LG Act).</li> <li>d. The power to authorise persons is limited to Executive Directors and the Manager Governance &amp; Risk and must be given in writing.</li> <li>e. A person authorised to give an infringement notice under s9.16 of the LG Act is not eligible to be an authorised person to extend time or withdrawal.</li> <li>f. Authorisations involving animal control on land administered by the city must be approved by the Manager of Governance &amp; Risk and/or Manager of Public Health &amp; Safety in consultation with the Coordinator of Ranger Services and the Manager of City Reserves.</li> </ul>
<b>Express power to subdelegate</b>	<p><i>The following classes of persons are authorised to administer designated functions;</i></p> <ul style="list-style-type: none"> <li>_Manager Public Health &amp; Safety (All listed functions)</li> <li>_Coordinator Ranger Services (All listed functions)</li> <li>_Senior Rangers &amp; Rangers (All listed functions)</li> <li>_Environmental Health Officers (limited to functions listed under the <i>Caravan Parks and Camping Grounds Act 1995</i>).</li> </ul>
<b>Statutory framework</b>	<p>Primary &amp; Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><i>Note: Local laws ensure that activities throughout the City are regulated, controlled and efficiently managed. Under the Local Government Act 1995, the City of Albany Council is able to make local laws considered necessary for the good government of the district. A local law is invalid to the extent that it is inconsistent with any state or federal legislation. Local laws that are being advertised for public comment can be viewed on the community engagement page.</i></p>
<b>Policy</b>	<p>An error has occurred while processing HtmlTextBox 'htmlTextBox1': The 'br' start tag on line 1 position 1356 does not match the end tag of 'span'. Line 1, position 1379.</p>
<b>Record keeping</b>	<p>Report to file.</p> <p>Instruments or Certificates of Authorisation</p> <ul style="list-style-type: none"> <li>_Copies are to be retained on the Authorised Person's personnel file.</li> <li>_A record of each Authorisation is to be retained in the Authorised Persons Register and retained as a Local Government Record.</li> </ul>
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG1.05 Caravan Parks &amp; Camping Grounds Act 1995</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Local Government Act 1995</a> _s9.10(2) (Appointment of authorised persons) <a href="#">Caravan Parks and Camping Grounds Act 1995</a> _s5 (Terms Used) <i>authorised person means a person appointed to be an authorised person under —</i> (a) section 17(1)(a); or (b) the Local Government Act 1995 section 9.10(2) for the purposes of this Act;
<b>Express power or duty delegated</b>	<a href="#">Local Government Act 1995</a> _s9.10(2) (Appointment of authorised persons)
<b>Function</b>	Pursuant to Section 17 of the Caravan Parks and Camping Grounds Act 1995, the delegate is authorised to: <ol style="list-style-type: none"> <li>1. Appoint classes of persons as authorised persons for the purposes of administering and enforcing the Caravan Parks and Camping Grounds Act 1995.</li> <li>2. Authorise those persons to perform all acts and functions that an authorised person may perform under the Act, including but not limited to: <ol style="list-style-type: none"> <li>a. Entry to facilities under Section 18.</li> <li>b. Entry to caravans or camps not in a facility under Section 18.</li> <li>c. Entry to occupied caravans or camps under Section 20, subject to notice or consent requirements.</li> </ol> </li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Authorised persons must be issued with formal identification and written authorisation.</li> <li>b. Entry to residential buildings must comply with the notice or consent provisions under Section 18(2).</li> <li>c. Delegation must be exercised in accordance with the City's compliance and enforcement policies.</li> <li>d. The power to prosecute any person is only exercised by agreement of the Executive Director or Line Manager.</li> <li>e. A withdrawal notice shall be signed by a person appointed in writing to withdraw infringement notices by the public authority.</li> <li>f. The person who issues an infringement notice, is not permitted to withdraw the notice.</li> </ol> <p><i>Note: Camping on undeveloped land: Noting camping on undeveloped Land may be permissible in the event they have the consent of the owner of the land, such incidents are to be administered under the Planning &amp; Development Act 2005. Refer to policy section.</i></p>
<b>Express power to subdelegate</b>	<a href="#">Local Government Act 1995</a> _s.5.44 CEO may delegate some powers and duties to other employees <a href="#">Caravan Parks and Camping Grounds Act 1995</a> _Part 4 - Enforcement _s22 (Legal proceedings to be taken by authorised person) _23(1) (Infringement notices). An authorised person is a reference to a person appointed to be an authorised person under the Local Government Act 1995 section 9.10(2).

<b>Subdelegates</b>	Coordinator Health Services Coordinator Ranger Services Environmental Health Officer Executive Director Corporate & Commercial Services Manager Public Health and Safety Ranger Senior Environmental Health Officer Senior Ranger
<b>Statutory framework</b>	<a href="#">Local Government Act 1995</a> <a href="#">Caravan Parks and Camping Grounds Act 1995</a> <a href="#">Caravan Parks and Camping Grounds Regulations 1997</a> <i>Noting:</i> <i>_Regulation 10, states: that a person may only camp at a site in a caravan park or camping ground, as appropriate, licensed under the Camping Act, or in accordance with Regulation 11.</i> <i>_Regulation 11 provides the circumstances under which a person can camp somewhere other than a caravan park or camping ground and provides the following exceptions:</i> <i>(a) a person may camp on land which they own or have a legal right to occupy up to 3 nights in any period of 28 days;</i> <i>(b) roadside areas;</i> <i>(c) road reserves;</i> <i>(d) land which is held by a State Instrumentality in freehold or leasehold, or land that is under the care, control or management of a State instrumentality in accordance with that instrumentality;</i> <i>or</i> <i>(e) unallocated Crown land or unmanaged reserves.</i> <i>_Legal Advice: Undeveloped Land may be permissible in the event they have the consent of the owner of the land. Persons who are camping on the Undeveloped Land without permission are doing so contrary regulation 10 of the Camping Act and are liable to a modified penalty of \$1,000.</i>
<b>Policy</b>	Regulatory Compliance Policy & Guideline <b>Policy:</b> Camping on privately-owned undeveloped land is to be administered by an appropriately authorised person under the Planning and Development Act 1995 (PD Act). <i>Noting:</i> <i>_Property Management is the responsibility of the land owner.</i> <i>_Therefore, owners are required to take action to evict any persons who are illegally camping on the land.</i>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178 (AMENDED)
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG1.06 Control of Vehicles (Off-Road Areas) Act 1978</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Local Government Act 1995</a> _s9.10(2) (Appointment of authorised persons) <a href="#">Control of Vehicles (Off-road Areas) Act 1978</a> _s38 (Authorised persons)
<b>Express power or duty delegated</b>	<a href="#">Local Government Act 1995</a> _s9.10(2) (Appointment of authorised persons) <a href="#">Control of Vehicles (Off-road Areas) Act 1978</a> _s38 (Authorised persons) <a href="#">Control of Vehicles (Off-road Areas) Act 1978</a> _s5(1) Local government's functions: Subject to the Minister, and in co-operation with the Director General, it shall be the duty of a local government to administer and enforce the provisions of this Act within its district.
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Appoint classes of persons to administer and enforce the Control of Vehicles (Off-Road Areas) Act 1978.</li> <li>2. Authorise classes of persons the doing of all acts and things and authorised person is able to do under the Control of Vehicles (Off-Road Areas) Act 1978.</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. The power to prosecute any person is only exercised by agreement of the Executive Director or Line Manager.</li> <li>b. A withdrawal notice shall be signed by a person appointed in writing to withdraw infringement notices by the public authority.</li> <li>c. The person who issues an infringement notice, is not permitted to withdraw the notice.</li> </ol>
<b>Express power to subdelegate</b>	<a href="#">Local Government Act 1995</a> : _s.9.10 Appointment of authorised persons [s.9.10(2)]
<b>Subdelegates</b>	Coordinator Ranger Services Executive Director Corporate & Commercial Services Manager Public Health and Safety Ranger Senior Ranger
<b>Subdelegate conditions</b>	<i>The same conditions imposed on the CEO.</i>
<b>Statutory framework</b>	<a href="#">Control of Vehicles (Off-Road Areas) Act 1978</a> Regulatory Compliance Policy & Guideline
<b>Policy</b>	<a href="#">Regulatory Compliance Policy &amp; Guideline</a>
<b>Record keeping</b>	Report to file.

<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG1.07 Compensation - Damage Incurred when Performing Executive Functions (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Local Government Act 1995:</a> _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	<a href="#">Local Government Act 1995:</a> _s.3.22(1) Compensation _s.3.23 Arbitration
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Assess and determine the extent of damage to private property arising directly from the performance of executive functions, and approve payment of compensation in accordance with Section 3.22(1) of the Local Government Act 1995, following the procedures outlined in that section.</li> <li>2. Where compensation cannot be agreed upon between the parties, initiate arbitration proceedings in accordance with Section 3.23 of the Local Government Act 1995.</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	This delegation is limited to settlements not exceeding a material value of \$1,000. <i>Note:</i> <i>(i) A local government must compensate a person for damage caused in the performance of executive functions if the person requests compensation, unless:</i> <ul style="list-style-type: none"> <li>• It is expressly excluded under Section 3.22(5) of the Local Government Act 1995, or</li> <li>• The damage arises from actions listed in Schedule 3.1 or Schedule 3.2 of the Act.</li> </ul> <i>(ii) Section 3.22 does not limit the operation of Section 9.57, which relates to legal proceedings and protection from liability.</i>
<b>Express power to subdelegate</b>	<a href="#">Local Government Act 1995:</a> _s.5.44 CEO may delegate some powers and duties to other employees.
<b>Subdelegates</b>	Executive Director Corporate & Commercial Services Manager Governance & Risk Risk Management & Insurance Officer Team Leader - Records & Council Liaison
<b>Subdelegate conditions</b>	<i>Subdelegates are appointed by the CEO.</i>
<b>Statutory framework</b>	Primary & Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025

<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG1.08 Destruction of Electoral Papers (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	Local Government Act 1995: _s.5.44 CEO may delegate some powers and duties to other employees
<b>Express power or duty delegated</b>	Local Government (Elections) Regulations 1996: _r.82 Keeping election papers – s4.84(a)
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. After a period of 4-years, destroy the parcels of election papers in the presence of at least 2 other employees [Elect. r.82(4)].</li> <li>2. Authorise persons to administer the destruction process.</li> </ol>
<b>Delegates</b>	Executive Director Corporate & Commercial Services Manager Governance & Risk Team Leader - Records & Council Liaison
<b>Conditions</b>	Carry out the destruction of electoral material relating to local government elections [Elect. r. 82 (4)] by way of: <ul style="list-style-type: none"> <li>▪ Supervising the destruction of parcels in the presence of at least 2 employees; or</li> <li>▪ Supervising the secure conveying of parcels to a secure paper destruction company, or placed in a locked bin provided by such a company.</li> </ul>
<b>Statutory framework</b>	Primary & Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Policy</b>	Resources: <ul style="list-style-type: none"> <li>▪ Department of Local Government, Sport and Cultural Industries: <a href="#">Returning Officer Manual</a></li> <li>▪ <a href="#">Local Government Operational Guidelines - Owners and Occupiers Roll</a></li> </ul>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG1.09 Electoral Enrolment Eligibility Claims and Electoral Roll (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	Local Government Act 1995, s.5.44 CEO may delegate some powers and duties to other employees.
<b>Express power or duty delegated</b>	Local Government Act 1995: _s.4.30 Eligibility of non-resident owners and occupiers to be enrolled _s.4.31. Rateable property: ownership and occupation _s.4.32. Eligibility to enrol under s. 4.30, how to claim _s.4.34 Accuracy of enrolment details to be maintained _s.4.35 Decision that eligibility to enrol under s.4.30 has ended _s.4.37 New roll for each election Local Government (Elections) Regulations 1995: _r.11 Nomination of co-owners or co-occupiers — s.4.31(1E) or (1F) _r.13(2) & (4) Register - s.4.32(6)
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Maintain the owners and occupiers roll on behalf of the CEO.</li> <li>2. Determine eligibility of non-resident owners and occupiers to be enrolled.</li> <li>3. Determine persons to be silent electors and omit their details from the roll.</li> </ol>
<b>Delegates</b>	Executive Director Corporate & Commercial Services Manager Governance & Risk Team Leader - Records & Council Liaison
<b>Conditions</b>	a. Decisions on enrolment eligibility are to be recorded in the Enrolment Eligibility Register in accordance with s.4.32 and s.4.35. b. Authority to authorise persons to administer the listed functions.
<b>Express power to subdelegate</b>	Nil
<b>Statutory framework</b>	Primary & Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Policy</b>	Resources: <ul style="list-style-type: none"> <li>▪ Department of Local Government, Sport and Cultural Industries: <a href="#">Returning Officer Manual</a></li> <li>▪ Local Government Operational Guidelines - Owners and Occupiers Roll: <a href="#">Link</a></li> </ul>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.

<b>Last reviewed</b>	1 July 2025
----------------------	-------------

<b>Delegation</b>	<b>LG1.10 Extend Time for Lodging an Objection (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Local Government Act 1995: _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	Local Government Act 1995, s.9.5 Objection may be lodged
<b>Function</b>	Authority to extend the time for a person to make an objection regarding a relevant prescribed decision of the Local Government [s.9.5(2)].
<b>Delegates</b>	CEO
<b>Conditions</b>	An extension will only be granted for a maximum period of 30 days.
<b>Express power to subdelegate</b>	Local Government Act 1995, s.5.44 CEO may delegate some powers and duties to other employees.
<b>Subdelegates</b>	Executive Director Corporate & Commercial Services
<b>Subdelegate conditions</b>	Subject to the same conditions as the CEO.
<b>Statutory framework</b>	Primary & Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. <i>(Note: Decisions under this delegation may be referred for review by the State Administration Tribunal.)</i>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG1.11 Financial Management Systems and Procedures (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	Local Government Act 1995, s.5.44 CEO may delegate some powers and duties to other employees.
<b>Express power or duty delegated</b>	Local Government (Financial Management) Regulations 1996, r.5 CEO's Duties as to financial management.
<b>Function</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. Establish systems and procedures [FM r.5] that give effect to internal controls and risk mitigation for the: <ol style="list-style-type: none"> <li>i. Collection of money owed to the City;</li> <li>ii. Safe custody and security of money collected or held by the City;</li> <li>iii. Maintenance and security of all financial records, including payroll, stock control and costing records;</li> <li>iv. Proper accounting of the Municipal and Trust Funds, including revenue, expenses and assets and liabilities;</li> <li>v. Proper authorisation of employees for incurring liabilities, including authority for initiating Requisition Orders, Purchase Orders and use of Credit and Transaction Cards;</li> <li>vi. Making of payments in accordance with Delegated Authority 1.2.27;</li> <li>vii. Preparation of budgets, budget reviews, accounts and reports as required by legislation or operational requirements.</li> </ol> </li> <li>2. Designate persons to be responsible for listed functions.</li> </ol>
<b>Delegates</b>	<p>Executive Director Community Services  Executive Director Corporate &amp; Commercial Services  Executive Director Infrastructure, Development &amp; Environment  Manager Finance</p>
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Procedures are to be systematically documented and retained per the Record Keeping Plan and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles.</li> <li>b. Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit and Risk Committee at least once within each 3 financial years. [Audit r.17]</li> <li>c. When exercising authority to authorise persons under FM.r.5 to incur liabilities: <ul style="list-style-type: none"> <li>• A register of Authorisations is to be maintained as a Local Government Record.</li> <li>• Only appropriately qualified and trained persons may be authorised for this purpose.</li> <li>• Authorisations are to be provided in writing by issuing a Certificate of Authorisation.</li> </ul> </li> </ol>
<b>Subdelegates</b>	Financial Services Coordinator
<b>Subdelegate conditions</b>	<i>Subject to the same conditions imposed on the Delegates.</i>

<b>Statutory framework</b>	<p>Primary &amp; Annual Returns:</p> <ul style="list-style-type: none"> <li>▪ Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</li> </ul> <p>Legislation:</p> <ul style="list-style-type: none"> <li>• <a href="#">Local Government Act 1995</a></li> <li>• <a href="#">Local Government (Financial Management) Regulations 1996</a></li> <li>• <a href="#">Local Government (Audit) Regulations 1996</a></li> <li>• <a href="#">Fire &amp; Emergency Services Act 1998</a></li> </ul>
<b>Policy</b>	<p>Policies:</p> <ul style="list-style-type: none"> <li>▪ <a href="#">Corporate Credit Card Usage Policy</a></li> <li>▪ <a href="#">Cash Investment Backing for Reserve Accounts Policy</a></li> <li>▪ <a href="#">Buy Local Policy (Regional Price Preference)</a></li> <li>▪ <a href="#">Purchasing Policy (Tenders and Quotes)</a></li> <li>▪ <a href="#">Rates Financial Hardship Policy</a></li> <li>▪ City of Albany Above Award Policy - <a href="#">Day Care Employees</a></li> <li>▪ City of Albany Above Award Policy - <a href="#">Local Government Officers</a></li> <li>▪ City of Albany Above Award Policy - <a href="#">Municipal Employees</a></li> </ul> <p>Intranet ONLY:</p> <ul style="list-style-type: none"> <li>▪ Current Contracts</li> <li>▪ Quotation Procedure</li> <li>▪ Evaluation Procedure (Tenders &amp; Quotes)</li> <li>▪ Request for eQuote (Example Only) Form</li> <li>▪ Non-Conforming File Note Form</li> </ul>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG1.12 Information to be Available to the Public (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	Local Government Act 1995, s.5.44 CEO may delegate some powers and duties to other employees.
<b>Express power or duty delegated</b>	Local Government Act 1995: _s.5.95(1)(b) & (3)(b) Limits on right to inspect local government information Local Government (Administration) Regulations 1996: _r.29B Copies of certain information not to be provided (Act s.5.96)
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Determine the manner and form by which a person may request copies of rates record information [s.5.94(m)] or owners and occupiers register and electoral rolls [s5.94(s)] and to make the information available, if satisfied, by statutory declaration or otherwise, that the information will not be used for commercial purposes [Admin r.29B].</li> <li>2. Determine not to provide a right to inspect information, where it is considered that in doing so would divert a substantial and unreasonable portion of the local government's resources away from its other functions [s5.95(1)(b)].</li> <li>3. Determine not to provide a right to inspect information contained in notice papers, agenda, minutes, or information tabled at a meeting, where it is considered that that part of the meeting could have been closed to members of the public but was not closed [s.5.94(3)(b)].</li> <li>4. Authorise classes of persons to administer this function.</li> </ol>
<b>Delegates</b>	Executive Director Community Services Executive Director Corporate & Commercial Services Executive Director Infrastructure, Development & Environment Manager Community Relations Manager Finance Manager Governance & Risk Manager Information Technology Manager Public Health and Safety Rates Coordinator Team Leader - Records & Council Liaison

<b>Conditions</b>	<p>The authority to authorise persons or classes of persons to administer this function is limited to delegates.</p> <p>Notes:</p> <ol style="list-style-type: none"> <li>1. <i>The City is responsible for ensuring any register of gifts is made available for public inspection.</i></li> <li>2. <i>Information that must be published on the City's website:</i> <ol style="list-style-type: none"> <li>1. <i>A map of the district boundaries;</i></li> <li>2. <i>Adverse findings of the State Administrative Tribunal and Standards Panel;</i></li> <li>3. <i>An up-to-date list of fees and charges;</i></li> <li>4. <i>Confirmed minutes of council or committee meetings;</i></li> <li>5. <i>Consolidated copies of any local law that is in force in the district;</i></li> <li>6. <i>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);</i></li> <li>7. <i>The annual budget;</i></li> <li>8. <i>The local government's plans for the future;</i></li> <li>9. <i>The notice of sale of a property because of the non-payment of rates or service charges; and</i></li> <li>10. <i>Business Plans for major land trading undertakings or major land transactions.</i></li> </ol> </li> </ol>
<b>Statutory framework</b>	<p>Local Government Act 1995:</p> <p>_s5.94 (Public can inspect certain local government information),</p> <p>_3.59(Commercial enterprises by local governments),</p> <p>_s5.96A (Information published on official website),</p> <p>_s9.57A (Local government protected from liability for defamation: council proceedings on website),</p> <p>_s5118 (Carrying out orders),</p> <p>_Schedule 6.3 (Provisions relating to sale or transfer of land where rates or service charges unpaid).</p> <p>Freedom of Information Act 1992 (FOI Act): The City of Albany <a href="#">Information Statement</a> made under the FOI Act prescribes that a document is required to be made which conveys information to the public about City operations, the kinds of documents it holds and the procedures for accessing them.</p>
<b>Policy</b>	<p>Admin Policy: <a href="#">2.26 Social Media Policy</a></p> <p>Admin Policy: <a href="#">2.11 Code of Conduct for Recorded Material Acquired on City of Albany Property (Audio, CCTV and Camera Footage)</a></p> <p>Admin Policy: <a href="#">2.10 Media Liaison Policy</a></p> <p>Publication: <a href="#">City's Information Statement</a></p>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG1.13 Performing Functions Outside the District (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Local Government Act 1995: _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	Local Government Act 1995, s.3.20(1) Performing functions outside district.
<b>Function</b>	Determine the circumstances where it is appropriate for the Local Government's functions to be performed outside the District and prior to implementing such a decision, obtain the consent of the landowner/s and occupier/s and any other person that has control or management of the land impacted by the performance of the function [s.3.20(1)].
<b>Delegates</b>	CEO
<b>Conditions</b>	<ul style="list-style-type: none"> <li>a. A decision to undertake a function outside the District, can only be made under this delegation where there is a relevant Budget allocation and the performance of the functions does not negatively impact service levels within the District.</li> <li>b. Where the above conditions are not met, the matter must be referred for Council decision, supported by a cost-benefit analysis.</li> </ul>
<b>Express power to subdelegate</b>	Local Government Act 1995, s.5.44 CEO may delegate some powers and duties to other employees
<b>Statutory framework</b>	Primary & Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG1.14 Corporate Documents &amp; Branding</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Local Government Act 1995: _s.5.42 Delegation of some powers or duties to the CEO _s.5.44 CEO may delegate some powers and duties to other employees
<b>Express power or duty delegated</b>	Local Government Act 1995: _s.45(2) "Acting Through"
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Approve the use of the City of Albany Crest and Corporate Logos.</li> <li>2. Update administrative policies, guidelines, procedures, and processes.</li> <li>3. Make minor amendments to Council adopted policies.</li> <li>4. Authorise persons to administer any or all of the above functions..</li> </ol> <p><i>Note: It is the role of Council to determine local government's policies.</i></p>
<b>Delegates</b>	Executive Director Community Services Executive Director Corporate & Commercial Services Executive Director Infrastructure, Development & Environment Manager Community Relations Manager Development Services Manager Governance & Risk
<b>Conditions</b>	Council Condition of Delegation: <ol style="list-style-type: none"> <li>a. Minor amendments can be made to Council adopted policies, if authorised by the Chief Executive Officer.</li> <li>b. On effecting the amendment, a copy of the updated policy is to be distributed to all elected members.</li> <li>c. The power to authorise persons is limited to Executive Directors and above.</li> </ol> <p><i>Note: <b>minor amendment</b>, means a change to a Policy or procedure, which does not alter the general meaning, scope, purpose or intent of the document.</i></p>
<b>Statutory framework</b>	Local Government Act 1995: <ul style="list-style-type: none"> <li>▪ _Part 2 (Constitution of local government), Division 2 (Local governments and councils of local governments), s2.7(2)(b) (Role of council);</li> <li>▪ _Part 3 (Functions of local governments), Division 1 (General), s3.1 (General function); and</li> <li>▪ _Part 5 (Administration), Division 4 (Local government employees), s5.41 (Functions of CEO).</li> </ul> <p>Planning &amp; Development Act 2005 Planning &amp; Development (Local Planning Schemes) Regulations 2015</p>
<b>Policy</b>	Council Policy: <a href="#">1.18 Corporate Document Policy &amp; Guideline</a>

<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG1.15 Make Official Public Statements &amp; Information</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Chief Executive Officer (CEO)
<b>Express power to delegate</b>	Local Government Act 1995, s.5.44 CEO may delegate some powers and duties to other employees.
<b>Express power or duty delegated</b>	Local Government Act 1995: _s5.41 (d)(f) (Functions of CEO). _s5.45(2) "Acting Through"
<b>Function</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. Represent the City of Albany on external committees and working groups and make operational decisions on behalf of the City.</li> <li>2. Prepare, produce, and distribute City information, media releases and publications, and make comments, with the condition that comment is limited to matters relating to functions of the CEO, defined by the Act.</li> <li>3. Authorise persons to administer any or all of the above functions.</li> </ol>
<b>Delegates</b>	<p>Community Emergency Services Manager  Executive Director Community Services  Executive Director Corporate &amp; Commercial Services  Executive Director Infrastructure, Development &amp; Environment  Manager Arts &amp; Culture  Manager City Reserves  Manager Community Relations  Manager Development Services  Manager Engineering &amp; Assets  Manager Facilities  Manager Finance  Manager Governance &amp; Risk  Manager Information Technology  Manager Major Projects  Manager Operations  Manager People &amp; Culture  Manager Public Health and Safety  Manager Recreation Services  Team Leader - Records &amp; Council Liaison</p>
<b>Conditions</b>	<p>a. The power to authorise persons is limited to the CEO, Executive Directors, and the Manager Community Relations.  b. The following classes of persons are authorised:  _ Team Leader Arts &amp; Culture  _ Communications Team Leader/Supervisor</p>
<b>Express power to subdelegate</b>	Nil
<b>Statutory framework</b>	Local Government Act 1995, s5.41 (d)(f) (Functions of CEO).

<b>Policy</b>	Council Policy: <a href="#">1.21 Elected Member Communications Policy &amp; Guidelines</a> Admin Policy: <a href="#">2.10 Media Liaison Policy</a> Admin Policy: <a href="#">2.26 Social Media Policy</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG1.17 Dealing with objections under Part 9 of Local Government Act 1995</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Local Government Act 1995: _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	Local Government Act 1995, s9.5(2), s9.6(5) and s9.9(1)(b)
<b>Function</b>	The Chief Executive Officer is delegated the power to: <ol style="list-style-type: none"> <li>1. Receive an objection and grant an extension of time for an objection to be lodged (Section 9.5(2)).</li> <li>2. Give notice in writing of how it has been decided to dispose of the objection and the reasons for disposing of it in that way.</li> <li>3. Determine that there are reasons why the effect of a decision should not be suspended in line with the provisions of the Local Government Act 1995 Section 9.9(1)(b).</li> </ol>
<b>Delegates</b>	Chief Executive Officer (CEO)
<b>Conditions</b>	Council Condition: This delegation may not be exercised to dispose of an objection to a decision originally made by the CEO.
<b>Express power to subdelegate</b>	Local Government Act 1995, s.5.44 CEO may delegate some powers and duties to other employees.
<b>Subdelegates</b>	Executive Director Community Services Executive Director Corporate & Commercial Services Executive Director Infrastructure, Development & Environment Manager Community Relations Manager Development Services Manager Finance Manager Governance & Risk Manager Public Health and Safety
<b>Subdelegate conditions</b>	Reviews must be conducted in accordance with the Admin Policy: <a href="#">2.19 Internal Review Policy</a> .
<b>Statutory framework</b>	Local Government Act 1995 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).

<b>Policy</b>	<p>Admin Policy: <a href="#">2.19 Internal Review Policy</a></p> <p>Note:</p> <ol style="list-style-type: none"> <li>1. <i>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.</i></li> <li>2. <i>Unresolved objections are facilitated through the Corporate &amp; Community Services Committee.</i></li> <li>3. <i>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:</i></li> </ol> <p><i>_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</i></p> <p><i>_renew, vary, or cancel an authorisation that a person has under any of those provisions; or</i></p> <p><i>_whenever a local government gives a person a notice under 3.25 of the Act.</i></p>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG1.18 Sign Documents on Behalf of the City of Albany (Execution of Documents)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Local Government Act 1995, s9.49A(4) states: "(4) A local government may, by resolution, authorise the CEO, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation."
<b>Express power or duty delegated</b>	Local Government Act 1995, s9.49A(4)
<b>Function</b>	<p>Authority to:</p> <ul style="list-style-type: none"> <li>• Execute documents and/or apply the Common Seal in accordance with the Common Seal Policy &amp; Guidelines.</li> <li>• Submit approved grant funding applications electronically.</li> <li>• Administer grant portals and certify submissions.</li> <li>• Administer Emergency Services Levy (ESL) returns under the FESA Act 1998.</li> </ul>
<b>Delegates</b>	<p>Chief Executive Officer (CEO)  Executive Director Community Services  Executive Director Corporate &amp; Commercial Services  Executive Director Infrastructure, Development &amp; Environment</p>
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Must comply with all relevant Council policies and resolutions.</li> <li>b. Use of the Common Seal must follow the Common Seal Policy.</li> <li>c. Executive Directors may only execute documents up to \$250,000 in value.</li> <li>d. Grant administration is limited to: <ol style="list-style-type: none"> <li>i. Manager Finance</li> <li>ii. Revenue Development Officer</li> <li>iii. Persons formally authorised in writing by an Executive Director</li> </ol> </li> </ol>
<b>Subdelegates</b>	<p>Manager Finance  Manager Governance &amp; Risk</p>
<b>Subdelegate conditions</b>	<p>Compliance with the Common Seal Policy Guidelines and approved templates.  <a href="#">DFES - ESL Manual of Operating Procedures</a></p>
<b>Statutory framework</b>	<p>Local Government Act 1995:  _s2.5 (Local governments created as bodies corporate);  _s5.42 (Delegation of some powers and duties to CEO), s5.43(ha) (Limits on delegations to CEO);  _s9.49A (2)(4)(5) (Execution of documents).</p> <p>Local Government (Functions and General) Regulations 1996:  _Reg.34 (Common seal, unauthorised use of)</p> <p>Fire and Emergency Services Act 1998 (WA)  Emergency Services Levy Act 2002 (WA)</p>

<b>Policy</b>	<p>Resources:</p> <ul style="list-style-type: none"> <li>• Common Seal Guidelines</li> <li>• Sealing Clause Document Template (Intranet)</li> <li>• Sealing Clause for Common Seal Document and Template (Intranet)</li> <li>• Authorisation Form (Intranet)</li> </ul>
<b>Record keeping</b>	<p>All uses of the Common Seal and Documents executed on behalf of the City of Albany under delegation must be:</p> <ul style="list-style-type: none"> <li>▪ Recorded and filed.</li> <li>▪ Reported monthly to Council Committee.</li> </ul>
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG1.19 Legal Proceedings - Approval</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power or duty delegated</b>	Local Government Act 1995 _s9.10(1)(2) (Appointment of authorised persons), _s9.29(2) (Representing local government in court),
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Authorise Legal Expenses for Council Members, Employees and Volunteers.</li> <li>2. Enact legal proceedings, represent and authorise persons to represent the City in a Court.</li> <li>3. Authorise classes of persons to administer any or all of the above functions.</li> </ol>
<b>Delegates</b>	Chief Executive Officer (CEO)
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Compliance with Council Policy: <a href="#">1.33 Legal Representation for Elected Members, Employees &amp; Volunteers Policy and Guidelines</a></li> <li>b. The City's Insurance Broker is to be notified before proceeding with action.</li> <li>c. Classes of persons authorised to enact legal proceedings, represent and authorise persons to represent the City in a Court: <ol style="list-style-type: none"> <li>i. Executive Directors</li> <li>ii. Manager Governance &amp; Risk</li> <li>iii. Manager Finance</li> <li>iv. Manager Public Health &amp; Safety, Coordinator Ranger Services</li> <li>v. Manager Development Services</li> </ol> </li> </ol>
<b>Subdelegates</b>	<p>Coordinator Health Services  Coordinator Ranger Services  Executive Director Community Services  Executive Director Corporate &amp; Commercial Services  Executive Director Infrastructure, Development &amp; Environment  Manager Development Services  Manager Finance  Manager Governance &amp; Risk</p>
<b>Statutory framework</b>	Local Government Act 1995 _s9.10(1)(2) (Appointment of authorised persons), _s9.29(2) (Representing local government in court),
<b>Policy</b>	Council Policy: <a href="#">1.33 Legal Representation for Elected Members, Employees &amp; Volunteers Policy</a>
<b>Record keeping</b>	Report to file. Report quarterly to the Audit & Risk Committee.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025



<b>Delegation</b>	<b>LG1.21 National Redress Scheme</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	An error has occurred while processing HtmlTextBox 'htmlTextBox1': The 'br' start tag on line 1 position 275 does not match the end tag of 'html'. Line 1, position 292.
<b>Express power or duty delegated</b>	Institutional Child Sexual Abuse Act 2018 (Cth):
<b>Function</b>	Council designates the Chief Executive Officer as being authorised to execute a service agreement with the State, if a redress application is received.
<b>Delegates</b>	Chief Executive Officer (CEO)
<b>Conditions</b>	A confidential report to be provided to Council for noting, if a redress application is received by the City of Albany.
<b>Subdelegates</b>	Manager Governance & Risk Team Leader - Records & Council Liaison
<b>Subdelegate conditions</b>	Classes of persons employed in the Governance & Risk Team are authorised to administer this function.
<b>Statutory framework</b>	Institutional Child Sexual Abuse Act 2018 (Cth). Local Government Act 1995 (the Act): _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.
<b>Policy</b>	Council Policy Position: <ul style="list-style-type: none"> <li>▪ 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.</li> <li>▪ Application Processing / Staffing and Confidentiality: Administratively the Chief Executive Officer will determine: <ul style="list-style-type: none"> <li>◦ Which position(s) will be responsible for receiving applications and responding to Requests for Information;</li> <li>◦ Support mechanisms for staff members processing Requests for Information.</li> <li>◦ 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.</li> <li>◦ 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.</li> <li>◦ The State Government and the City of Albany do not have any influence on the decision made and there is no right of appeal.</li> </ul> </li> </ul>

<b>Record keeping</b>	Report to file. 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.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG1.22 Short-Term Rental Accommodation Act 2024</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Chief Executive Officer (CEO)
<b>Express power to delegate</b>	Local Government Act 1995, s.5.44 CEO may delegate some powers and duties to other employees Short-Term Rental Accommodation Act 2024. The Chief Executive Officer (CEO) is authorised to designate certain officers as 'designated officers' in accordance with regulation 9(3) of the STRA Regulations 2024.
<b>Express power or duty delegated</b>	Local Government Act 1995, s.9.10 Appointment of authorised persons [s.9.10(2)]. Short-Term Rental Accommodation Act 2024, s.4a Designation of Officers.
<b>Function</b>	Authority to Issue Section 29 Certificates: Designated officers are authorised to issue Section 29 certificates for the following purposes: <ol style="list-style-type: none"> <li>1. Determining whether approval for Short-Term Rental Accommodation (STRA) is required under the Scheme.</li> <li>2. Confirming whether approval for STRA has been granted under the Scheme.</li> <li>3. Verifying compliance of the premises (or their use) with a specified development approval.</li> <li>4. Confirming compliance of the premises (or their use) with specified laws, including regulations related to building, health, food safety, and bushfire management, as applicable to the City.</li> <li>5. Determining whether the premises do not meet specified building standards under the Building Act.</li> </ol>
<b>Delegates</b>	Coordinator Planning Services Development Compliance Officer Manager Development Services Senior Planning and Development Compliance Officer
<b>Conditions</b>	Designated officers must provide a written notice to the owner or their agent before issuing a certificate for matters (3), (4), or (5). The written notice must: <ol style="list-style-type: none"> <li>(a) Inform the owner or agent of the proposed decision to issue the certificate.</li> <li>(b) Invite the owner or agent to submit reasons why the certificate should not be issued.</li> </ol>
<b>Express power to subdelegate</b>	Nil.
<b>Statutory framework</b>	Short-Term Rental Accommodation Act 2024 Short-Term Rental Accommodation Regulations 2024, r9 (3). The designation of an officer by a local government under section 29(4) of the Act must be made on behalf of the local government by its chief executive officer.
<b>Policy</b>	Authorised Officers authorised to issue an infringement notice must show either a certificate or identity card.
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025

<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178. Noting: CEO Delegation: The CEO is authorised to designate officer to administer this function under the STRA Regulation 2024.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG2.01 Confiscated or Uncollected Goods or Impounded Goods</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Local Government Act 1995: _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	Local Government Act 1995: _s.3.46 Goods May be withheld until costs paid _s.3.47 Confiscated or uncollected goods, disposal of _s.3.48 Impounding expenses, recovery of
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Refuse to allow goods impounded under s.3.39 or 3.40A to be collected until the costs of removing, impounding and keeping them have been paid to the local government. [s.3.46]</li> <li>2. Sell or otherwise dispose of confiscated or uncollected goods or vehicles that have been ordered to be confiscated under s.3.43 [s.3.47].</li> <li>3. Recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Disposal of confiscated or uncollected goods, including abandoned vehicles, with a market value less than \$20,000 may, in accordance with Functions and General Regulation 30, be disposed of by any means considered to provide best value, provided the process is transparent and accountable.</li> <li>b. The CEO may authorise, 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.</li> <li>c. 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 them.</li> </ol> <p><i>Note: A declared abandoned vehicle wreck may only be removed and impounded by a person duly authorised under s.3.40A(1). Authority to appoint authorised person for this purpose may be delegated. Refer to Delegated Authority 1.2.1 Authorise Persons to Perform Specified Functions.</i></p>
<b>Express power to subdelegate</b>	Local Government Act 1995: _s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Executive Director Community Services Executive Director Corporate & Commercial Services Executive Director Infrastructure, Development & Environment Manager Arts & Culture Manager Facilities Manager Public Health and Safety Manager Recreation Services

<b>Subdelegate conditions</b>	<p>a. Subject to the conditions imposed on the CEO.</p> <p>b. An authorised person who administers the confiscation of property cannot administer the disposal.</p>
<b>Statutory framework</b>	<p>Local Government Act 1995  Part 3, Division 3, Subdivision 3  _s.3.58 Disposing of Property – applies to the sale of goods under s.3.47 as if they were property referred to in that section.</p> <p>Primary &amp; Annual Returns:</p> <ul style="list-style-type: none"> <li>▪ Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</li> </ul>
<b>Policy</b>	<p>Policy Position:</p> <p>(a) Any goods slated for disposal or donation with an estimated market value exceeding <b>\$5,000</b> require a two-week written notice to Elected Members before any action.</p> <p>(b) Any goods with an estimated market value above <b>\$1,000</b> must be:</p> <ul style="list-style-type: none"> <li>• Sold via public auction; or</li> <li>• Offered for sale through public tender.</li> </ul> <p>(c) Any goods valued at <b>\$1,000</b> or less may be disposed of using the methods outlined in (b) as well as:</p> <ul style="list-style-type: none"> <li>• Offering items to the City of Albany tip shop for sale;</li> <li>• Advertising items for sale in a local newspaper; or</li> <li>• Advertising items for sale on the City's website.</li> </ul> <p>(d) The CEO may, at their discretion, choose to donate goods to a suitable not-for-profit entity (e.g., community group, sporting organisation, school), considering the impact on the City's income and fairness to other non-profit entities within the City.</p> <p>(e) In the absence of any sale or donation, the CEO has full discretion to dispose of goods as they see fit.</p>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG2.02 Declare Vehicle is Abandoned Vehicle Wreck (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Local Government Act 1995</a> : _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	<a href="#">Local Government Act 1995</a> , s.3.40A(4) Abandoned vehicle wreck may be taken.
<b>Function</b>	Authority to:  1. Declare that a vehicle is an abandoned vehicle wreck [s.3.40A(4)]. 2. Declare that an impounded vehicle is an abandoned vehicle wreck [s.3.40A(4)].
<b>Delegates</b>	CEO
<b>Conditions</b>	a. Disposal of a declared abandoned vehicle wreck to be undertaken per <i>Delegated Authority 1.2.6 Disposing of Confiscated or Uncollected Goods</i> or may be referred for Council decision. b. An authorised person who administers impounding of property is not to administer the disposal. <i>Note:</i> _A declared abandoned vehicle wreck may only be removed and impounded by a person duly authorised under s.3.40A(1). _Authority to appoint an authorised person for this purpose may be delegated. Refer to <i>Delegated Authority 1.2.1 Authorise Persons to Perform Specified Functions</i> .
<b>Express power to subdelegate</b>	<a href="#">Local Government Act 1995</a> : _s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Administration Officer - Ranger & Emergency Services Coordinator Ranger Services Executive Director Corporate & Commercial Services Manager Public Health and Safety Ranger Senior Ranger
<b>Subdelegate conditions</b>	a. Subject to the conditions on delegation to the CEO. b. The following classes of persons (Authorised Officers) are authorised to administer this function: _Senior Ranger _Ranger _Administration Office - Ranger & Emergency Services (Authority 2 only).
<b>Statutory framework</b>	<a href="#">Local Government Act 1995</a> Primary & Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Policy</b>	Resources: Western Australian Police: Who do I report an abandoned vehicle to? Website: <a href="#">Link</a>
<b>Record keeping</b>	Report to file.

<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG2.03 Determine if an Emergency for Emergency Powers of Entry (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	Local Government Act 1995, s.5.44 CEO may delegate some powers and duties to other employees.
<b>Express power or duty delegated</b>	Local Government Act 1995, s.3.34(2) Entry in emergency.
<b>Function</b>	Authority to determine on behalf of the CEO that an emergency exists for the purposes of performing local government functions [s.3.34(2)].
<b>Delegates</b>	Executive Director Community Services Executive Director Corporate & Commercial Services Executive Director Infrastructure, Development & Environment Manager Public Health and Safety
<b>Conditions</b>	<i>Note: In case of an emergency, a local government has the legal authority to enter any land or premises without prior notice to address the emergency. An emergency is defined as a situation where obtaining entry through regular procedures is impractical or unreasonable due to the risk of injury, illness, natural disaster, or other prescribed occurrences. The local government can use reasonable force for entry and can do so during the emergency and as long as reasonably necessary afterwards. While notice is generally not required for entry, the local government should provide notice to the owner or occupier if practical.</i>
<b>Express power to subdelegate</b>	Nil
<b>Statutory framework</b>	Primary & Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178, Noting: CEO Delegation.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG2.04 Disposal of Sick or Injured Animals</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Local Government Act 1995: _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	Local Government Act 1995: _s.3.47A Sick or injured animals, disposal of _s.3.48 Impounding expenses, recovery of
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Determine when an impounded animal is ill or injured, that treating it is not practicable, and to humanely destroy the animal and dispose of the carcass [s.3.47A(1)].</li> <li>2. Recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Delegation only to be used where the Delegate's reasonable efforts to identify and contact an owner have failed.
<b>Express power to subdelegate</b>	Local Government Act 1995: _s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Coordinator Ranger Services Executive Director Corporate & Commercial Services Manager Public Health and Safety
<b>Subdelegate conditions</b>	Subject to the conditions imposed on the CEO.
<b>Statutory framework</b>	Primary & Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Policy</b>	Policy Position: <ul style="list-style-type: none"> <li>▪ Authorised Persons will be guided by the Department of Primary Industries and Regional Development (DPIRD) "Sustainability and Biosecurity Invasive Species" Policy Statement and Standard Operating Procedure "Humane Killing of Animals Under Field Conditions" - <a href="#">Link</a>.</li> <li>▪ Veterinarian euthanasia is the preferred method of destruction. The administration of lethal injection must be undertaken by an authorised veterinarian.</li> <li>▪ Alternative humane methods are only to be used when appropriate and authorised by a Senior Ranger.</li> </ul>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025

<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178, noting Executive Policy position.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG2.05 Infringement Notices (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	Local Government Act 1995, s.5.44 CEO may delegate some powers and duties to other employees.
<b>Express power or duty delegated</b>	Local Government Act 1995: _s.9.13(6)(b) Onus of proof in vehicle offences may be shifted _s.9.19 Extension of Time _s.9.20 Withdrawal of Notice Building Regulations 2012: _Regulation 70(1A), (1), (2) Approved officers and authorised officers
<b>Function</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. Consider an owner of a vehicle's submission that the vehicle that is subject of an infringement notice, had been stolen or unlawfully taken at the time of the alleged offence [s.9.13(6)(b)].</li> <li>2. Extend the 28-day period within which payment of a modified penalty may be paid, whether or not the period of 28-days has elapsed [s.9.19].</li> <li>3. Withdraw an infringement notice within one year after the notice was given, whether or not the modified penalty has been paid by sending a withdrawal notice (in the prescribed form) to the alleged offender and if the modified penalty has been paid, providing a refund [s.9.20].</li> <li>4. <u>Line managers and coordinators</u> that administer the review of compliance actions to cancel, withdraw and/or discontinue infringements, if: <ol style="list-style-type: none"> <li>1. Found to contain critical errors in law; and</li> <li>2. Deemed not in the public interest to pursue as an infringement or prosecution; and</li> <li>3. This includes the authority to waive associated fees and charges.</li> </ol> </li> </ol>
<b>Delegates</b>	<p>Executive Director Community Services  Executive Director Corporate &amp; Commercial Services  Executive Director Infrastructure, Development &amp; Environment  Manager Development Services  Manager Public Health and Safety</p>

<b>Conditions</b>	<p>a. A delegate who participated in a decision to issue an infringement notice, must NOT determine any matter related to that infringement notice under this Delegation.</p> <p>b. Delegation for Dog Act, Cat Act, Parking Local Law, and associated compliance action (i.e. , Infringement Notices) is limited to the following listed positions ONLY:</p> <ul style="list-style-type: none"> <li>i. Manager Public Health &amp; Safety</li> <li>ii. Coordinator Ranger Services</li> <li>iii. Senior Rangers</li> <li>iv. Rangers</li> </ul> <p>c. The following listed positions are delegated the functions under s.9.19 and s.9.20 only as a precondition for appointment as an "Approved Officer" in accordance with Building Regulation 70(1) for the purposes of the Criminal Procedure Act 2004 section 6(a) and Building Act 2011 Infringement Notices::</p> <ul style="list-style-type: none"> <li>i. Coordinator Building Services</li> <li>ii. Building Surveyors</li> <li>iii. Senior Planning &amp; Development Compliance Officer</li> </ul> <p><i>(Note: Delegates must also be appointed as an "Approved Officer" – appointment to be determined by Council resolution or by a person with delegated authority.)</i></p>
<b>Express power to subdelegate</b>	Nil
<b>Subdelegates</b>	Building Surveyor Coordinator Building Services
<b>Subdelegate conditions</b>	<i>Subdelegates appointed by the CEO. Listed subdelegates are authorised officers.</i>
<b>Statutory framework</b>	Primary & Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Policy</b>	Council Policy: <a href="#">1.47 Regulatory Compliance Policy &amp; Guidelines</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG2.06 Obstruction of Footpaths and Thoroughfares</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Local Government Act 1995: _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	Local Government (Uniform Local Provisions) Regulations 1996: _r.5(2) Interfering with, or taking from, local government land _r.6 Obstruction of public thoroughfare by things placed and left - Sch. 9.1 cl. 3(1)(a) _r.7A Obstruction of public thoroughfare by fallen things – Sch.9.1 cl.3(1)(b) _r.7 Encroaching on public thoroughfare – Sch.9.1. cl.3(2)
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Determine, by written notice served on a person who is carrying out plastering, painting or decorating operations (the work) over or near a footpath on land that is local government property, to require the person to cover the footpath during the period specified in the notice so as to: <ol style="list-style-type: none"> <li>a. prevent damage to the footpath; or</li> <li>b. prevent inconvenience to the public or danger from falling materials [ULP r.5(2)].</li> </ol> </li> <li>2. Provide permission including imposing appropriate conditions or to refuse to provide permission, for a person to place on a specified part of a public thoroughfare one or more specified things that may obstruct the public thoroughfare. [ULP r.6(2) and (4)].</li> <li>3. Renew permission to obstruct a thoroughfare and to vary any condition imposed on the permission effective at the time written notice is given to the person to whom permission is granted [ULP r.6(6)].</li> <li>4. Require an owner or occupier of land to remove any thing that has fallen from the land or from anything on the land, which is obstructing a public thoroughfare [ULP r.7A].</li> <li>5. Require an owner occupier of land to remove any part of a structure, tree or plant that is encroaching, without lawful authority on a public thoroughfare [ULP r.7].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Actions under this Delegation must comply with procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996.</li> <li>b. Permission may only be granted where the proponent has: <ol style="list-style-type: none"> <li>i. Where appropriate, obtained written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction.</li> <li>ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good public assets damaged by the obstruction at the completion of works.</li> <li>iii. Provided evidence of sufficient Public Liability Insurance.</li> <li>iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</li> </ol> </li> </ol>
<b>Express power to subdelegate</b>	Local Government Act 1995, s.5.44 CEO may delegate some powers and duties to other employees.

<b>Subdelegates</b>	<p>Coordinator Building Services          Developed Reserves Supervisor          Development Compliance Officer          Development Engineer          Executive Director Infrastructure, Development &amp; Environment          Leading Hand Natural Reserves          Manager City Reserves          Manager Development Services          Manager Engineering &amp; Assets          Manager Operations          Manager Public Health and Safety          Natural Reserves and Mowing Supervisor          Reserves Officer          Senior Planning and Development Compliance Officer</p>
<b>Subdelegate conditions</b>	<p><i>Note:</i>          (i) The Development Information Services Team reports to the Manager Planning Services.          (ii) The Development Information Services Team are authorised to administer: Applications to deposit building material on, erect scaffolding or excavate near a street.          (iii) Authorised Persons: The following classes of persons are assigned as Authorised Officers to administer functions on behalf of the Manager City Reserves: Developed Reserves Supervisor, Natural Reserves and Moving Supervisor, Leading Hand Natural Reserves and Reserves Officer(s).</p>
<b>Statutory framework</b>	<p>Primary &amp; Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.          Legislation: Local Government (Uniform Local Provisions) Regulations 1996: Noting:</p> <ul style="list-style-type: none"> <li>▪ Penalties under the Uniform Local Provisions Regulations are administered under Part 9, Division 2 of the Local Government Act 1995.</li> <li>▪ Modified penalties apply under the local law.</li> </ul>
<b>Policy</b>	<p>Associated Delegation: Determination of Bond Value and Conditions. Refer to CEO Delegation LG2.6 – Public Thoroughfare Obstruction – Determine Conditions.          Resources: City of Albany Guidelines: <a href="#">Link</a></p>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
3 Jun 2025	Amended delegation	Authorised Persons: The following classes of persons are assigned as Authorised Officers to administer functions on behalf of the Manager City Reserves: Developed Reserves Supervisor, Natural Reserves and Mowing Supervisor, Leading Hand Natural Reserves and Reserves Officer(s).	CEO Authorisation: 03/06/2025.

<b>Delegation</b>	<b>LG2.07 Powers of Entry (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Local Government Act 1995: _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	Local Government Act 1995: _s.3.32 Notice of entry _s.3.33 Entry under warrant _s.3.34 Entry in an emergency _s.3.36 Opening fences
<b>Function</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. Exercise powers of entry to enter onto land to perform any of the local Government functions under this Act, other than entry under a Local Law [s.3.28].</li> <li>2. Give notice of entry [s.3.32].</li> <li>3. Seek and execute an entry under warrant [s.3.33].</li> <li>4. Execute entry in an emergency, using such force as is reasonable [s.3.34(1) and (3)].</li> <li>5. Give notice and effect entry by opening a fence [s.3.36].</li> </ol> <p><i>Note: These powers of entry may be used to perform any function under the Local Government Act where entry is required in order to perform the function or in any other case which entry is authorised by the Act, other than by a local law (refer s3.28).</i></p>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Delegated authority under s.3.34(1) and (3) may only be used, where there is imminent or substantial risk to public safety or property.</li> <li>b. When exercising authority to authorise persons under s.3.31(2): <ol style="list-style-type: none"> <li>1. A register of Authorisations is to be maintained as a Local Government Record.</li> <li>2. Only persons who are appropriately qualified and trained may be appointed as Authorised persons.</li> <li>3. Authorisations are to be provided in writing by issuing a Certificate of Authorisation.</li> </ol> </li> <li>c. The power to enter property without the consent of the owner or occupier is only to be enacted if approved by a delegate.</li> </ol>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> _s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Coordinator Building Services Coordinator Development Assessment and Customer Relations Coordinator Health Services Coordinator Planning Services Coordinator Ranger Services Executive Director Community Services Executive Director Corporate & Commercial Services Executive Director Infrastructure, Development & Environment Manager Public Health and Safety

<b>Subdelegate conditions</b>	<p>a. Subject to the conditions imposed on the CEO.</p> <p>b. The following classes of persons may authorise a person to lawfully enter land or premises <b>without consent</b>:</p> <ol style="list-style-type: none"> <li>1. Manager Development Services</li> <li>2. Manager Public Health &amp; Safety</li> <li>3. Manager Governance &amp; Risk</li> </ol> <p>c. The following classes of persons are authorised to enact this function if given verbal authorisation from their direct line manager:</p> <ul style="list-style-type: none"> <li>• Rangers</li> <li>• Compliance Officers</li> <li>• Environmental Health Officers</li> <li>• Building Surveyors</li> </ul>
<b>Statutory framework</b>	<p>Local Government Act 1995,          Authorise person – refer s.3.31(2)]          _Part 3, Division 3, Subdivision 3 – prescribes statutory processes for Powers of Entry          _s.3.34(2) Entry in an emergency – Refer to CEO Delegation</p> <p>Primary &amp; Annual Returns: Delegates are designated employees under s.5.74 and must provide Primary and Annual Returns.</p>
<b>Policy</b>	<p>Council Policy: <a href="#">1.47 Regulatory Compliance Policy &amp; Guidelines</a></p>
<b>Record keeping</b>	<p>Report to file.</p>
<b>Date adopted</b>	<p>1 July 2025</p>
<b>Adoption references</b>	<p>OCM 01/07/2025 Resolution AR178.</p>
<b>Last reviewed</b>	<p>1 July 2025</p>

<b>Delegation</b>	<b>LG3.01.1 Activities on Thoroughfares and Public Places and Trading Local Law 2011 - Infrastructure Control – (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Local Government Act 1995:</a> _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	<p><a href="#">Activities on Thoroughfares and Public Places and Trading Local Law:</a> <b>PART 2—ACTIVITIES ON THOROUGHFARES AND PUBLIC PLACES</b></p> <ul style="list-style-type: none"> <li>• Division 2 - Vehicle Crossings: cl.2.5(2) Removal of redundant crossing</li> <li>• Division 3 - Verge Treatments: cl.2.6 Interpretation – “acceptable material”, cl.2.11 Notice to owner or occupier</li> <li>• Division 4 - Property numbers: cl.2.15 Assignment of numbers</li> <li>• Division 6 - Signs erected by the local government: cl.2.17(1) Signs</li> </ul> <p><b>PART 5—ROADSIDE CONSERVATION</b></p> <ul style="list-style-type: none"> <li>• Division 2 - Flora roads: cl.5.3 Declaration of flora road, cl.5.5 Signposting of flora roads</li> <li>• Division 3 - Special environmental areas: cl.5.7 Designation of special environmental areas</li> </ul> <p><b>PART 6—TRADING ON THOROUGHFARES AND PUBLIC PLACES</b></p> <ul style="list-style-type: none"> <li>• Division 3 - Outdoor eating facilities on public places: cl.6.18 Obligations of permit holder (Outdoor Eating Facility)</li> </ul> <p><b>PART 7—PERMITS:</b></p> <ul style="list-style-type: none"> <li>• Division 1—Applying for a permit: cl.7.1 Application for Permit, cl.7.2 Decision on application for permit, cl.7.3 Conditions which may be imposed on a permit, cl.7.5 Compliance with and variation of conditions, cl.7.7 Renewal of permit, cl.7.8 Transfer of permit, cl.7.10 Cancellation of permit</li> </ul> <p><b>PART 9—MISCELLANEOUS NOTICES</b> cl.9.1 Notice to redirect or repair sprinkler, cl.9.2 Hazardous plants, cl.9.3 Notice to repair damage to thoroughfare, cl.9.4 Notice to remove thing unlawfully placed on thoroughfare</p> <p><b>PART 10—ENFORCEMENT:</b></p> <ul style="list-style-type: none"> <li>• Division 1—Notices given under this local law: cl.10.2 Local government may undertake requirements of notice</li> </ul>
<b>Function</b>	<p><b>1. General Activity Control(Permits)</b> _1A. Authority, limit to permits subject of this delegation, to:</p> <ol style="list-style-type: none"> <li>a. determine the form of a permit application [cl.7.1(1)(a)];</li> <li>b. require an applicant to provide additional information reasonably required to determine the application [cl.7.1(3)];</li> <li>c. require a permit applicant to give local public notice of the application for a permit [cl.7.1(4)];</li> <li>d. refuse to consider a permit application which is not in accordance with the application form or fee requirements [cl.7.1(4)];</li> </ol>

e. determine the form of the permit [cl.7.2(2)].

\_1B. Authority to approve [cl.7.2], renew [c;.7.7], transfer [cl.7.8] refuse [cl.7.2] or cancel [cl.7.10] permits, subject to conditions either prescribed in the Local Law [cl. 7.3] or a Policy adopted under cl.7.4 or determined as appropriate [cl.7.2(4)], limited to:

- a. Temporary vehicle crossing [cl.2.4(1)]
- b. Any activity described as requiring a permit under cl.2.2(1);
  - i. dig or otherwise create a trench through or under a kerb or footpath;
  - ii. throw, place or deposit anything on a verge;
  - iii. cause any obstruction to a vehicle or person using a thoroughfare;
  - iv. cause any obstruction to a water channel;
  - v. throw, place or drain offensive, noxious or dangerous fluid onto a thoroughfare;
  - vi. damage a thoroughfare;
  - vii. light any fire or burn anything on a thoroughfare other than under a permit issued under cl.5.13;
  - viii. fell any tree onto a thoroughfare;
  - ix. lay pipes under or provide taps on any verge or place or install anything on any part of a thoroughfare
  - x. provide, erect, install or use in or on any building, structure or land abutting on a thoroughfare any hoist or other thing for use over the thoroughfare;
  - xi. use or do anything so as to create a nuisance;
  - xii. place or cause to be placed in on a thoroughfare a bulk rubbish container;
  - xiii. interfere with the soil of or anything in a thoroughfare or take anything from a thoroughfare;
- c. Drive or take a vehicle on a closed thoroughfare [cl.2.19];
- d. Erect or place an advertising or directional sign [cl.3.2]
- e. Use of portable signs [cl.3.4];
- f. Erection or placement of an Election Sign on a thoroughfare [cl.3.5];
- g. Leave an animal or vehicle in a public place or local government property [cl.4.1(1)];
- h. Clear and maintain in a cleared state, the surface of a thoroughfare within 1m of the person's land [cl.5.11].
- i. Burn, subject to the Bush Fires Act 1954, slash or apply herbicides to part of a thoroughfare to reduce fire hazard, with the method approved to be beneficial to the preservation and conservation of native flora and fauna [cl.5.15]
- j. Construct firebreaks on a thoroughfare [cl.5.17]

\_1C. Authority to determine conditions [cl.7.2(4)] to be complied with by a permit holder, and to vary conditions [cl.7.5]

\_1D. Authority to exempt a person from requiring a permit under cl.2.2(1) [cl.2.2(2)].

## **2. Use of Public Places**

\_2A. Authority to determine conditions of use of a public place and to erect a sign to give effect to that decision [cl.2.17(1)].

## **3. Crossings**

\_3A. Authority to give written notice, requiring an owner or occupier to remove any part or all of a crossing which does not give access to the land and reinstate the kerb, drain, footpath, verge and other thoroughfare infrastructure [cl.2.5(2)].

## **4. Thoroughfares and Verges**

\_4A. Authority to determine and maintain the list of "acceptable materials" which may be used as a verge treatment to create a hard stand and stable surface [cl.2.6].

\_4B. Authority to give notice to an owner or occupier to make good the verge abutting their property, which is in breach of a provision of Verge Treatment requirements [cl.2.11].

\_4C. Authority to assign a number to a lot and to assign another number to the lot instead of that previously assigned [cl.2.15].

\_4D. Authority to give notice to the owner or occupier of land abutting a thoroughfare to:

- a. Alter the direction of a sprinkler or other watering equipment [cl.9.1];

	<p>b. Remove, cut, move or otherwise deal with a plant that is causing a hazard for any person using a thoroughfare [cl.9.2];</p> <p>_4E. Authority to give notice to the owner or occupier of land abutting a thoroughfare, or any such person who may be responsible, to: Repair or replace that portion of a thoroughfare, which a person has caused damage to [cl.9.3]; Remove any thing placed in a thoroughfare in contravention of this Local Law [cl.9.4].</p> <p>_4F. Authority to do the thing specified in a notice, where a person fails to comply with the notice, and recover from the person as a debt, the costs incurred in doing so [cl.10.2].</p> <p><b>5. Flora and Fauna within Thoroughfares</b></p> <p>_5A. Authority to declare a flora road and to signpost it, where roadside vegetation is determined as high quality [cl.5.3 and cl.5.5].</p> <p>_5B. Authority to designate a thoroughfare, or any part of a thoroughfare, as a special environmental area which has protected or rare flora or fauna or has environmental, aesthetic or cultural significance [cl.5.7].</p> <p>_5C. Authority to approve [cl.7.2], renew [c.7.7], transfer [cl.7.8] refuse [cl.7.2] or cancel [cl.7.10] Permits, subject to conditions either prescribed in the Local Law [cl. 7.3] or a policy adopted under cl.7.4 or determined as appropriate [cl.7.2(4)], limited to:</p> <p>a. Collecting native flora and / or native flora seeds [cl.5.20]; b. Planting or sowing any plant seeds in a thoroughfare [cl.5.9].</p> <p>_5D. Authority to determine conditions [cl.7.2(4) and cl.7.8] to be complied with by a permit holder, and to vary conditions [cl.7.5]</p>
<b>Delegates</b>	Chief Executive Officer (CEO)
<b>Conditions</b>	Nil.
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> _s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Coordinator Ranger Services Developed Reserves Supervisor Development Compliance Officer Executive Director Community Services Executive Director Corporate & Commercial Services Executive Director Infrastructure, Development & Environment Leading Hand Natural Reserves Manager Arts & Culture Manager City Reserves Manager Development Services Manager Engineering & Assets Manager Operations Manager Public Health and Safety Natural Reserves and Mowing Supervisor Ranger Reserves Officer Senior Planning and Development Compliance Officer Senior Ranger
<b>Subdelegate conditions</b>	<i>The authority to issue a permit is to be limited to assigned functions relative to role.</i>
<b>Statutory framework</b>	Primary & Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.

<b>Policy</b>	<p>Policy Position: Associated Delegations &amp; Conditions:</p> <p>_Security deposits for Dangerous Excavations and Private Works in Public Places, are a permit condition determined in accordance with Regs 11 and 17 of the Local Government (Uniform Local Provisions) Regulations 1996 – refer CEO Delegations LG8.3 and LG8.6.</p> <p>_A register of all special environmental areas must be maintained under cl.5.8 of the Activities in Thoroughfares and Public Places and Trading Local Law.</p> <p>_Crossing permits are approved under Regulations 12 and 13 of the Local Government (Uniform Local Provisions) Regulations 1996 – refer to Delegation LG8.3 Crossings – Construction, Repair and Removal.</p> <p>Guidelines: <a href="#">Painted Kerbside House Numbering Guideline</a></p>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178, noting Executive Policy position and guideline.
<b>Last reviewed</b>	1 July 2025

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
3 Jun 2025	Amended delegation	<p>Authorised Officers: The following classes of persons are assigned as Authorised Officers to administer functions on behalf of the Manager City Reserves: Developed Reserves Supervisor, Natural Reserves and Mowing Supervisor, Leading Hand Natural Reserves and Reserves Officer(s).</p>	CEO Authorisation: 03/06/2025.

<b>Delegation</b>	<b>LG3.01.2 Activities on Thoroughfares and Public Places and Trading Local Law 2011 - Trading, Stallholders, Performing and Outdoor Dining (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Local Government Act 1995:</a> _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	<a href="#">Activities on Thoroughfares and Public Places and Trading Local Law:</a> <b>PART 6 TRADING ON THOROUGHFARES AND PUBLIC PLACES: Division 1 - Stallholders and traders</b> _cl.6.6 Conditions of Permit (Stallholders and Traders) _cl.6.18 Obligations of permit holder (Outdoor Eating Facility) <b>PART 7 - PERMITS: Division 1 - Applying for a permit</b> _cl.7.1 Application for Permit _cl.7.2 Decision on application for permit <b>Division 2 - Conditions</b> _cl.7.3 Conditions which may be imposed on a permit _cl.7.5 Compliance with and variation of conditions _cl.7.7 Renewal of permit _cl.7.8 Transfer of permit _cl.7.10 Cancellation of permit

<b>Function</b>	<p><b>1. Permits General [Subdivision 2—Permits]</b></p> <p>_1A. Authority, limited to the permit types listed below, to:</p> <ul style="list-style-type: none"> <li>a. determine the form of a permit application [cl.7.1(1)(a)];</li> <li>b. require an applicant to provide additional information reasonably required to determine the application [cl.7.1(3)];</li> <li>c. require a permit applicant to give local public notice of the application for a permit [cl.7.1(4)];</li> <li>d. refuse to consider a permit application which is not in accordance with the application form or fee requirements [cl.7.1(4)];</li> <li>e. determine the form of the permit [cl.7.2(2)].</li> </ul> <p><b>[Subdivision 3 - Conduct of stallholders and traders]</b></p> <p><b>2. Stallholder, Trading and Performing [Division 2 - Street entertainers]</b></p> <p>_2A. Authority to approve [cl.7.2], renew [c:7.7], transfer [cl.7.8] refuse [cl.7.2] or cancel [cl.7.10] Permits, subject to conditions either prescribed in the Local Law [cl.6.6 and cl.7.3] or a policy adopted under cl.7.4 or determined as appropriate, limited to:</p> <ul style="list-style-type: none"> <li>a. Stallholder [cl.6.2];</li> <li>b. Trader [cl.6.3];</li> <li>c. Perform in a public place [cl.6.10].</li> </ul> <p>_2B. Authority to determine conditions [cl.7.2(4)] to be complied with by a permit holder, and to vary conditions [cl.7.5]</p> <p>_2C. Authority to authorise another person, as the permit holder's nominee for a specified period [cl.6.6(2)].</p> <p><b>3. Outdoor Eating Facilities [Division 3 - Outdoor eating facilities on public places]</b></p> <p>_3B. Authority to approve [cl.7.2], renew [c:7.7], transfer [cl.7.8] refuse [cl.7.2] or cancel [cl.7.10] Permits, subject to conditions either prescribed in the Local Law [cl.6.18] or determined as appropriate, for the purposes of an outdoor eating facility [cl.6.16].</p> <p>_3C. Authority to determine conditions [cl.7.2(4)] to be complied with by a permit holder, and to vary conditions [cl.7.5]</p> <p>_3D Authority to give notice to an outdoor eating facility permit holder requiring them to carry out work [cl.6.18(2)].</p>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ul style="list-style-type: none"> <li>a. Stallholders representing community groups are exempt from permit fees.</li> <li>b. City managed facilities and reserves, approvals (permits) are subject to the following conditions: <ul style="list-style-type: none"> <li>i. Such use to be at an appropriate fee as set by the Council.</li> <li>ii. Having regard to existing and previous usage.</li> <li>iii. Approval is based on the following criteria: <ul style="list-style-type: none"> <li>o the event being conducted at no cost to the City;</li> <li>o the organiser being required to meet the cost of all outgoings;</li> <li>o adjoining residential areas being notified of the event in advance;</li> <li>o the event not causing any inconvenience to adjacent business/commercial operations;</li> <li>o the City being indemnified against any claims for damages;</li> <li>o approval is time-limited; and</li> <li>o the City's Service and Tourist Signage Policy.</li> </ul> </li> </ul> </li> </ul>
<b>Express power to subdelegate</b>	<p><u><a href="#">Local Government Act 1995:</a></u></p> <p>_s.5.44 CEO may delegate some powers and duties to other employees</p>

<b>Subdelegates</b>	<p>Coordinator Development Assessment and Customer Relations  Coordinator Planning Services  Developed Reserves Supervisor  Executive Director Community Services  Executive Director Corporate &amp; Commercial Services  Executive Director Infrastructure, Development &amp; Environment  Leading Hand Natural Reserves  Manager Arts &amp; Culture  Manager City Reserves  Manager Community Relations  Manager Development Services  Manager Facilities  Manager Public Health and Safety  Manager Recreation Services  Natural Reserves and Mowing Supervisor  Reserves Officer  Senior Planning and Development Compliance Officer  Senior Planning Officer - Policy &amp; Place  Senior Team Leader Property, Leasing &amp; Customer Service</p>
<b>Subdelegate conditions</b>	<p>a. Authority to issue a permit is to be limited by assigned functions.  b. Classes of Persons authorised to administer and enforce this function can be approved by the listed "Subdelegates", in addition to:</p> <p><b>Corporate &amp; Commercial Services Directorate:</b></p> <ul style="list-style-type: none"> <li>• Customer Service Team Officers</li> <li>• Leasing Team employees</li> </ul> <p><b>Community Services Directorate:</b></p> <ul style="list-style-type: none"> <li>• Team Leader Arts &amp; Culture</li> <li>• Library Team Leader</li> <li>• Albany Leisure &amp; Aquatic Centre (ALAC) Duty Managers &amp; Coordinators</li> <li>• Events Coordinators &amp; Events Approval &amp; Project Officers</li> </ul> <p><b>Development, Infrastructure &amp; Services Directorate:</b></p> <ul style="list-style-type: none"> <li>• Reserves Team employees</li> <li>• Planning Team employees</li> </ul>
<b>Statutory framework</b>	<p>Primary &amp; Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p>
<b>Policy</b>	<p><b>Local Law, c7.4 Imposing conditions under a policy:</b> (1) In this clause - "policy" means a policy of the local government adopted by the Council containing conditions subject to which an application for a permit may be approved under clause 7.2(1)(a).  Council Policy: <a href="#">1.58 Trading in Public Places Policy</a>  _Applications for permits under the local law are to be submitted using the <a href="#">Application for Permit Form</a>  _Stallholders representing community groups are exempt from permit fees.</p>
<b>Record keeping</b>	<p>Report to file.</p>
<b>Date adopted</b>	<p>1 July 2025</p>
<b>Adoption references</b>	<p>OCM 01/07/2025 Resolution AR178.</p>

<b>Last reviewed</b>	1 July 2025
----------------------	-------------

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
3 Jun 2025	Amended delegation	Authorised Persons: The following classes of persons are assigned as Authorised Officers to administer functions on behalf of the Manager City Reserves: Developed Reserves Supervisor, Natural Reserves and Mowing Supervisor, Leading Hand Natural Reserves and Reserves Officer(s).	CEO Authorisation: 03/06/2025.

<b>Delegation</b>	<b>LG3.02 Animals Local Law 2020</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Animals Local Law 2020</a>
<b>Express power or duty delegated</b>	Under the powers conferred by the Cat Act 2011, the Local Government Act 1995, and under all other powers enabling it, the Council of the City of Albany resolved on 28 July 2020 to make the local law.
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Appoint classes of persons to administer and enforce the local law.</li> <li>2. Authorise classes of persons the doing of all acts and things and authorised person is able to do under the local law.</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	a. Authority to issue a permit is to be limited by assigned functions. b. Classes of Persons authorised to administer and enforce this function can be approved by the listed Executive Directors.
<b>Subdelegates</b>	Administration Officer - Ranger & Emergency Services Coordinator Health Services Coordinator Ranger Services Environmental Health Officer Executive Director Community Services Executive Director Corporate & Commercial Services Executive Director Infrastructure, Development & Environment Information Officer - Environmental Health Services Manager Governance & Risk Manager Public Health and Safety Ranger Senior Environmental Health Officer Senior Ranger
<b>Subdelegate conditions</b>	<i>Note: Animal Control Contractors can be appointed by the appropriate Executive Director in consultation with the Coordinator of Ranger Services.</i>
<b>Statutory framework</b>	<a href="#">Local Government Ac 1995</a> <a href="#">Animals Local Law 2020</a>
<b>Policy</b>	Council Policy: <a href="#">Regulatory Compliance Policy &amp; Guideline (1.47)</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.

<b>Last reviewed</b>	1 July 2025
----------------------	-------------

<b>Delegation</b>	<b>LG3.03 Bush Fire Brigades Local Law 2020</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Under the powers conferred by the Local Government Act 1995, the Bush Fires Act 1954 and under all other powers enabling it, the Council of the City of Albany resolved on 28 July 2020 to make the local law.
<b>Express power or duty delegated</b>	<a href="#">Bush Fire Brigades Local Law 2020</a>
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Appoint classes of persons to administer and enforce the local law.</li> <li>2. Authorise classes of persons, the doing of all acts and things an authorised person can do under the local law.</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Classes of Persons authorised to administer and enforce this function can be approved by the listed Executive Directors.
<b>Subdelegates</b>	Chief Bushfire Control Officer Community Emergency Services Manager Executive Director Corporate & Commercial Services Manager Public Health and Safety
<b>Statutory framework</b>	Local Government Act 1995 Bush Fire Brigades Local Law 2020
<b>Policy</b>	Bush Fire Brigade Operating Procedures
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG3.04 Dog Local Law 2017</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Local Government Act 1995</a>
<b>Express power or duty delegated</b>	Under the powers conferred on it by the Dog Act 1976 and the Local Government Act 1995 and under all other enabling powers, the Council of the City of Albany resolved on 31 October 2017 to make the local law.
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Appoint classes of persons to administer and enforce the local law.</li> <li>2. Authorise classes of persons, the doing of all acts and things an authorised person can do under the local law.</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Authority to issue a permit is to be limited by assigned functions.</li> <li>b. Classes of Persons authorised to administer and enforce this function can be approved by the listed Executive Directors.</li> </ol>
<b>Subdelegates</b>	Administration Officer - Ranger & Emergency Services Coordinator Ranger Services Executive Director Corporate & Commercial Services Manager Public Health and Safety Ranger Senior Ranger
<b>Statutory framework</b>	<a href="#">Dog Local Law 2017</a>
<b>Policy</b>	Council Policy: <a href="#">Regulatory Compliance Policy &amp; Guideline (1.47)</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG3.05 Extractive Industries Local Law 2009</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Local Government Act 1995</a>
<b>Express power or duty delegated</b>	Under the powers conferred by the Local Government Act 1995 and under all other powers enabling it, the Council of the City of Albany resolved on 15 September 2009 to make the Local Law.
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Appoint classes of persons to administer and enforce the local law.</li> <li>2. Authorise classes of persons, the doing of all acts and things an authorised person can do under the local law.</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Authority to issue a permit and enforcement of the local law is limited by assigned functions.</li> <li>b. The listed Executive Directors can approve classes of Persons authorised to administer and enforce this function. .</li> </ol>
<b>Subdelegates</b>	Coordinator Development Assessment and Customer Relations Coordinator Planning Services Development Compliance Officer Executive Director Corporate & Commercial Services Executive Director Infrastructure, Development & Environment Manager Development Services Senior Planning and Development Compliance Officer Senior Planning Officer Senior Planning Officer - Policy & Place
<b>Statutory framework</b>	Report to file.
<b>Policy</b>	Council Policy: <a href="#">Regulatory Compliance Policy &amp; Guideline (1.47)</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG3.06 Fencing Local Law 2010</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Local Government Act 1995</a>
<b>Express power or duty delegated</b>	Under the powers conferred by the Local Government Act 1995 and under all other powers enabling it, the Council of the City of Albany resolved on 15 June 2010 to make the local law.
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Appoint classes of persons to administer and enforce the local law.</li> <li>2. Authorise classes of persons, the doing of all acts and things an authorised person can do under the local law.</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	a. Authority to issue a permit or enforce this local law is to be limited by assigned functions. b. The listed Executive Directors can approve classes of Persons authorised to administer and enforce this function.
<b>Subdelegates</b>	Building Surveyor Coordinator Building Services Coordinator Development Assessment and Customer Relations Coordinator Planning Services Coordinator Waste Operations Development Compliance Officer Development Engineer Executive Director Corporate & Commercial Services Executive Director Infrastructure, Development & Environment Manager Development Services Manager Engineering & Assets Manager Operations Planning Officer Senior Planning and Development Compliance Officer Senior Planning Officer Senior Planning Officer - Policy & Place Technical Support Officer - Development Services
<b>Statutory framework</b>	Fencing Local Law 2010
<b>Policy</b>	Council Policy: <a href="#">Regulatory Compliance Policy &amp; Guideline (1.47)</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.

<b>Last reviewed</b>	1 July 2025
----------------------	-------------

<b>Delegation</b>	<b>LG3.07 Health Local Laws 2001</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Head of Power: Local Government Act 1995, sections 5.42 and 5.44. Health Local Laws 2001, made under section 3.5 of the Local Government Act 1995.
<b>Express power or duty delegated</b>	Authority to appoint classes of persons to administer and enforce the Health Local Laws 2001.
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Appoint classes of persons to administer and enforce the Health Local Laws 2001.</li> <li>2. Authorise classes of persons to perform functions and exercise powers as authorised persons under the Health Local Laws 2001.</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Authority to issue a permit and/or enforce the local law is to be limited by assigned functions under the Health Local Laws 2001.</li> <li>b. The listed Executive Directors can approve classes of persons authorised to administer and enforce this function.</li> </ol>
<b>Express power to subdelegate</b>	Subdelegates (via CEO under s5.44)
<b>Subdelegates</b>	Coordinator Health Services Environmental Health Officer Executive Director Corporate & Commercial Services Information Officer - Environmental Health Services Manager Public Health and Safety Senior Environmental Health Officer
<b>Subdelegate conditions</b>	<ol style="list-style-type: none"> <li>a. Authority to issue permits and/or enforce the local law is limited to assigned functions under the Health Local Laws 2001.</li> <li>b. The listed Executive Directors may approve classes of persons authorised to administer and enforce this function.</li> </ol>
<b>Statutory framework</b>	Local Government Act 1995 Health Local Laws 2001
<b>Policy</b>	Council Policy: <a href="#">1.47 Regulatory Compliance Policy &amp; Guidelines</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025



<b>Delegation</b>	<b>LG3.08 Jetties, Bridges, Boat Pens &amp; Swimming Structures Local Law 2020</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Head of Power: Local Government Act 1995, sections 5.42 (Delegation of some powers and duties to CEO) and 5.44 (CEO may delegate powers and duties to other employees) City of Albany Jetties, Bridges, Boat Pens & Swimming Structures Local Law 2020, made under section 3.5 of the Local Government Act 1995.
<b>Express power or duty delegated</b>	Authority to appoint classes of persons to administer and enforce the Jetties, Bridges, Boat Pens & Swimming Structures Local Law 2020.
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Appoint classes of persons to administer and enforce the Jetties, Bridges, Boat Pens &amp; Swimming Structures Local Law 2020.</li> <li>2. Authorise classes of persons to perform all acts and things that an authorised person may do under the local law.</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Authority to issue permits or enforce the local law is limited to assigned functions under the Jetties, Bridges, Boat Pens &amp; Swimming Structures Local Law 2020.</li> <li>b. The listed Executive Directors may approve classes of persons authorised to administer and enforce this function.</li> </ol>
<b>Express power to subdelegate</b>	Subdelegates (via CEO under s.5.44).
<b>Subdelegates</b>	Administration Officer - Ranger & Emergency Services Coordinator Ranger Services Executive Director Corporate & Commercial Services Executive Director Infrastructure, Development & Environment Manager Engineering & Assets Manager Operations Manager Public Health and Safety Ranger Senior Ranger
<b>Statutory framework</b>	Local Government Act 1995. City of Albany Jetties, Bridges, Boat Pens & Swimming Structures Local Law 2020.
<b>Policy</b>	Council Policy: <a href="#">1.47 Regulatory Compliance Policy &amp; Guideline</a> .
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025



<b>Delegation</b>	<b>LG3.09 Local Law Relating to the Former Perth 2001</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Head of Power: <ul style="list-style-type: none"> <li>Local Government Act 1995, sections 5.42 (Delegation of some powers and duties to CEO) and 5.44 (CEO may delegate powers and duties to other employees)</li> <li>Local Law Relating to the Former Perth 2001, made under section 3.5 of the Local Government Act 1995</li> </ul>
<b>Express power or duty delegated</b>	Authority to appoint classes of persons to administer and enforce the Local Law Relating to the Former Perth 2001.
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>Appoint classes of persons to administer and enforce the Local Law Relating to the Former Perth 2001.</li> <li>Authorise classes of persons to perform all acts and things that an authorised person may do under the local law.</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>Authority to issue permits or enforce the local law is limited to assigned functions under the Local Law Relating to the Former Perth 2001.</li> <li>The listed Executive Directors may approve classes of persons authorised to administer and enforce this function.</li> </ol>
<b>Express power to subdelegate</b>	Subdelegates (via CEO under s.5.44).
<b>Subdelegates</b>	Executive Director Community Services Executive Director Corporate & Commercial Services Executive Director Infrastructure, Development & Environment
<b>Statutory framework</b>	Local Government Act 1995. <a href="#">Local Law Relating to the Former Perth 2001.</a>
<b>Policy</b>	Council Policy: <a href="#">1.47 Regulatory Compliance Policy &amp; Guideline.</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG3.10 Local Government Property Local Law 2011</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<p>Head of Power:</p> <ul style="list-style-type: none"> <li>▪ Local Government Act 1995, sections 5.42 (Delegation of some powers and duties to CEO) and 5.44 (CEO may delegate powers and duties to other employees).</li> <li>▪ Local Government Property Local Law 2011, made under section 3.5 of the Local Government Act 1995.</li> <li>▪ Land Administration Act 1997.</li> <li>▪ Parks and Reserves Act 1895.</li> </ul>
<b>Express power or duty delegated</b>	Authority to appoint classes of persons to administer and enforce the Local Government Property Local Law 2011.
<b>Function</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. Appoint classes of persons to administer and enforce the Local Government Property Local Law 2011.</li> <li>2. Authorise classes of persons to perform all acts and things that an authorised person may do under the local law.</li> <li>3. Manage public reserve land, including: <ol style="list-style-type: none"> <li>a. Planting, pruning, and removal of street trees to enhance streetscapes and meet community landscape requirements.</li> <li>b. Approving or refusing applications to pick flora from City of Albany vested reserves and road reserves for educational and scientific purposes, in accordance with conditions imposed by relevant legislation.</li> </ol> </li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Executive Directors may approve classes of persons authorised to administer and enforce this function.</li> <li>b. Public Reserve Land Management is limited to authorised persons employed within the Infrastructure, Development and Environment Directorate, specifically the City Reserves Team.</li> <li>c. Local law administration and compliance is limited to the roles and functions assigned to authorised persons.</li> </ol>
<b>Express power to subdelegate</b>	Under s.5.44 of the Local Government Act 1995, the CEO may subdelegate powers and duties to other employees.

<b>Subdelegates</b>	Administration Officer - Ranger & Emergency Services Airport Coordinator Building Surveyor Coordinator Building Services Coordinator Development Assessment and Customer Relations Coordinator Health Services Coordinator Planning Services Coordinator Ranger Services Coordinator Waste Operations Developed Reserves Supervisor Development Compliance Officer Development Engineer Executive Director Community Services Executive Director Corporate & Commercial Services Executive Director Infrastructure, Development & Environment Information Officer - Development Services Leading Hand Natural Reserves Manager Arts & Culture Manager City Reserves Manager Community Relations Manager Development Services Manager Engineering & Assets Manager Facilities Manager Governance & Risk Manager Operations Manager Public Health and Safety Manager Recreation Services Natural Reserves and Mowing Supervisor Ranger Ranger-Fire Mitigation Reserves Officer Senior Planning and Development Compliance Officer Senior Ranger Technical Support Officer - Development Services
<b>Subdelegate conditions</b>	Subdelegates (via CEO under s.5.44) *Listed subdelegates are authorised officers.
<b>Statutory framework</b>	<a href="#">Local Government Act 1995</a> <a href="#">Land Administration Act 1997</a> <a href="#">Parks &amp; Reserves Act 1895</a> <a href="#">City of Albany Local Government Property Local Law 2011</a> Note: _s.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.

<b>Policy</b>	<p>Council Policy: <a href="#">Regulatory Compliance Policy &amp; Guideline (1.47)</a>  Council Policy: <a href="#">Street Trees Management Policy (1.56)</a>  Resources:</p> <ul style="list-style-type: none"> <li>• <a href="#">City of Albany Urban Tree Strategy</a></li> <li>• City of Albany Website: <a href="#">Verge &amp; Street Trees</a></li> <li>• City of Albany Website: <a href="#">Parks &amp; Reserves</a></li> </ul>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
3 Jun 2025	Amended delegation	Authorised Persons: The following classes of persons are assigned as Authorised Officers to administer functions on behalf of the Manager City Reserves: Developed Reserves Supervisor, Natural Reserves and Mowing Supervisor, Leading Hand Natural Reserves and Reserves Officer(s).	CEO Authorisation: 03/06/2025.

<b>Delegation</b>	<b>LG3.11 Signs Local Law 2006</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Head of Power: <ul style="list-style-type: none"> <li>▪ Local Government Act 1995, sections 5.42 (Delegation of some powers and duties to CEO) and 5.44 (CEO may delegate powers and duties to other employees).</li> <li>▪ Signs Local Law 2006, made under section 3.5 of the Local Government Act 1995.</li> </ul>
<b>Express power or duty delegated</b>	Authority to appoint classes of persons to administer and enforce the Signs Local Law 2006.
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Appoint classes of persons to administer and enforce the Signs Local Law 2006.</li> <li>2. Authorise classes of persons to perform all acts and things that an authorised person may do under the local law.</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Authority to issue permits or enforce the local law is limited to assigned functions under the Signs Local Law 2006.</li> <li>b. The listed Executive Directors may approve classes of persons authorised to administer and enforce this function.</li> </ol>
<b>Express power to subdelegate</b>	Under s.5.44 of the Local Government Act 1995, the CEO may subdelegate powers and duties to other employees.
<b>Subdelegates</b>	Administration Officer - Ranger & Emergency Services Building Surveyor Coordinator Building Services Coordinator Development Assessment and Customer Relations Coordinator Planning Services Coordinator Ranger Services Development Compliance Officer Executive Director Community Services Executive Director Corporate & Commercial Services Executive Director Infrastructure, Development & Environment Manager Development Services Manager Engineering & Assets Manager Public Health and Safety Ranger Senior Planning and Development Compliance Officer Senior Ranger
<b>Statutory framework</b>	Local Government Act 1995 <a href="#">Signs Local Law 2006</a>
<b>Policy</b>	Council Policy: <a href="#">1.47 Regulatory Compliance Policy &amp; Guideline</a>
<b>Record keeping</b>	Report to file.

<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG3.12 Waste Local Law 2017</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Head of Power: <ul style="list-style-type: none"> <li>▪ Local Government Act 1995, sections 5.42 (Delegation of some powers and duties to CEO) and 5.44 (CEO may delegate powers and duties to other employees).</li> <li>▪ Waste Local Law 2017, made under section 3.5 of the Local Government Act 1995.</li> <li>▪ Waste Avoidance and Resource Recovery Act 2007.</li> </ul>
<b>Express power or duty delegated</b>	Authority to appoint classes of persons to administer and enforce the Waste Local Law 2017.
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Appoint classes of persons to administer and enforce the Waste Local Law 2017.</li> <li>2. Authorise classes of persons to perform all acts and things that an authorised person may do under the local law.</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Authority to issue permits or enforce the local law is limited to assigned functions under the Waste Local Law 2017.</li> <li>b. The listed Executive Directors may approve classes of persons authorised to administer and enforce this function.</li> <li>c. Contracted service providers and their employees may be appointed as authorised persons under section 9.10 of the Local Government Act 1995.</li> </ol>
<b>Express power to subdelegate</b>	Under s.5.44 of the Local Government Act 1995, the CEO may subdelegate powers and duties to other employees.
<b>Subdelegates</b>	Coordinator Waste Operations Executive Director Community Services Executive Director Corporate & Commercial Services Executive Director Infrastructure, Development & Environment Manager Operations Specialist Waste Operator Waste Facility Leading Hand Waste Facility Worker
<b>Statutory framework</b>	Local Government Act 1995 <a href="#">Waste Avoidance and Resource Recovery Act 2007</a> <a href="#">Waste Local Law 2017</a>
<b>Policy</b>	Council Policy; <a href="#">1.47 Regulatory Compliance Policy &amp; Guideline</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025

<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
15 Jan 2025	Amended delegation	Appended with additional information: Express power to delegate: Local Government Act 1995: _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO Manager Engineering removed as as sub-delegate.	

<b>Delegation</b>	<b>LG3.13 Parking and Parking Facilities Local Law 2009 - Treatment, schemes, bus shelters &amp; seating</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Head of Power: <ul style="list-style-type: none"> <li>▪ Local Government Act 1995, sections 5.42 (Delegation of some powers and duties to CEO) and 5.44 (CEO may delegate powers and duties to other employees).</li> <li>▪ City of Albany Parking and Parking Facilities Local Law 2009, made under section 3.5 of the Local Government Act 1995.</li> </ul>
<b>Express power or duty delegated</b>	Authority to appoint classes of persons to administer and enforce the Parking and Parking Facilities Local Law 2009.
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Authorise classes of persons to administer and/or enforce the Parking and Parking Facilities Local Law 2009.</li> <li>2. Approve and implement minor amendments to parking schemes and ACROD bays, and designate visitor and authorised vehicle parking.</li> <li>3. Investigate and develop traffic management treatment proposals and Local Area Traffic Management Scheme proposals to address traffic-related issues.</li> <li>4. Locate bus shelters and seats.</li> <li>5. Authorise persons to administer specific functions only, as determined by the Delegate.</li> </ol>
<b>Delegates</b>	Chief Executive Officer (CEO)
<b>Express power to subdelegate</b>	Under s.5.44 of the Local Government Act 1995, the CEO may subdelegate powers and duties to other employees.
<b>Subdelegates</b>	Executive Director Corporate & Commercial Services Executive Director Infrastructure, Development & Environment Manager Engineering & Assets

<b>Subdelegate conditions</b>	<p>Authorised classes of persons are limited to administer the following functions:</p> <p><b>Part 2 – Parking Stations:</b></p> <ul style="list-style-type: none"> <li>▪ Permit/Administration: DIS Directorate Authorised Persons</li> <li>▪ Compliance: CCS Directorate Authorised Persons (Rangers)</li> </ul> <p><b>Part 3 – Parking on Thoroughfares:</b></p> <ul style="list-style-type: none"> <li>• Permit/Administration: DIS Directorate Authorised Persons</li> <li>• Compliance: CCS Directorate Authorised Persons (Rangers)</li> </ul> <p><b>Part 4 – Stopping and Parking Generally:</b></p> <ul style="list-style-type: none"> <li>• Permit/Administration: DIS Directorate Authorised Persons</li> <li>• Compliance: CCS Directorate Authorised Persons (Rangers)</li> </ul> <p><b>Part 5 – Residential Parking Permits:</b></p> <ul style="list-style-type: none"> <li>• Permit/Administration: DIS Directorate Authorised Persons</li> <li>• Compliance: CCS Directorate Authorised Persons (Rangers)</li> </ul> <p><b>Part 6 – Metered Zones:</b></p> <ul style="list-style-type: none"> <li>• Permit/Administration: DIS Directorate Authorised Persons</li> <li>• Permit/Administration: CCS Directorate Authorised Persons (Airport Only)</li> <li>• Compliance: CCS Directorate Authorised Persons (Rangers)</li> </ul> <p><b>Part 7 – Miscellaneous:</b></p> <ul style="list-style-type: none"> <li>• Permit/Administration: DIS Directorate Authorised Persons, with certification from CCS Directorate</li> <li>• Permit/Administration: CCS Directorate Authorised Persons (Airport Only)</li> <li>• Compliance: CCS Directorate Authorised Persons (Rangers)</li> </ul>
<b>Statutory framework</b>	<p><a href="#">Local Government Act 1995</a>  <a href="#">City of Albany Parking and Parking Facilities Local Law 2009</a>  Primary &amp; Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p>
<b>Policy</b>	<p>Council Policy: <a href="#">1.47 Regulatory Compliance Policy &amp; Guidelines</a>  Resources:</p> <ul style="list-style-type: none"> <li>▪ City of Albany Website: <a href="#">Parking</a></li> </ul>
<b>Record keeping</b>	<p>Report to file.</p>
<b>Date adopted</b>	<p>1 July 2025</p>
<b>Adoption references</b>	<p>OCM 01/07/2025 Resolution AR178.</p>
<b>Last reviewed</b>	<p>1 July 2025</p>

<b>Delegation</b>	<b>LG4.01 Agreement as to Payment of Rates and Service Charges (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Local Government Act 1995: _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	Local Government Act 1995, s.6.49 Agreement as to payment of rates and service charges
<b>Function</b>	Authority to make an agreement with a person for the payment of rates or service charges [s.6.49].
<b>Delegates</b>	CEO
<b>Conditions</b>	<ul style="list-style-type: none"> <li>a. Decisions under this delegation must comply with Council Policy: Rates Financial Hardship Policy (1.45).</li> <li>b. Agreements must be in writing and, subject to the Council Policy.</li> </ul>
<b>Express power to subdelegate</b>	Local Government Act 1995: _s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Executive Director Corporate & Commercial Services Manager Finance
<b>Subdelegate conditions</b>	Subject to the conditions imposed on the CEO.
<b>Statutory framework</b>	Primary & Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Policy</b>	Council Policy: <a href="#">Rates Financial Hardship Policy (1.45)</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG4.03 Defer, Grant Discounts, Waive or Write Off Debts (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Local Government Act 1995: _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	Local Government Act 1995: _s.6.12 Power to defer, grant discounts, waive or write off debts
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Waive a debt which is owed to the City of Albany [s.6.12(1)(b)].</li> <li>2. Grant a concession in relation to money which is owed to the City of Albany [s.6.12(1)(b)].</li> <li>3. Write off an amount of money which is owed to the City of Albany [s.6.12(1)(c)].</li> <li>4. Determine eligibility of charitable or benevolent community-based organisations within the City of Albany to qualify for a Waste Services Subsidy.</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. This Delegation does not apply to debts, which are prescribed as debts that are taken to be a rate or service charge.</li> <li>b. A debt may only be written off where all necessary measures have been taken to locate/contact the debtor and where costs associated with continued action to recover the debt will outweigh the net value of the debt if recovered by the City.</li> <li>c. Limited to individual debts valued below <b>\$10,000</b>.</li> <li>d. Write-off of debts greater than these values must be referred for Council decision.</li> </ol>
<b>Express power to subdelegate</b>	Local Government Act 1995, s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Coordinator Building Services Coordinator Development Assessment and Customer Relations Coordinator Health Services Coordinator Planning Services Coordinator Ranger Services Coordinator Waste Operations Executive Director Community Services Executive Director Corporate & Commercial Services Executive Director Infrastructure, Development & Environment Manager Arts & Culture Manager Development Services Manager Engineering & Assets Manager Facilities Manager Finance Manager Governance & Risk Manager Operations Manager Public Health and Safety Manager Recreation Services

<b>Subdelegate conditions</b>	<p>a. Subject to the conditions on delegation to the CEO.</p> <p>b. This delegation:</p> <ul style="list-style-type: none"> <li>i. Does not extend to statutory charges, the municipal rate or service charges incorporated within the rates notice.</li> <li>ii. Subject to funding being allocated in the City's Annual Budget.</li> </ul>
<b>Statutory framework</b>	<p>Primary &amp; Annual Returns. Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><i>Note: Collection of Rates Debts – refer to Delegations:</i></p> <ul style="list-style-type: none"> <li>• <i>Delegation LG 4.01- Agreement as to Payment of Rates and Service Charges</i></li> <li>• <i>Delegation LG 6.04 - Recovery of Rates Debts – Actions to Take Possession of the Land</i></li> <li>• <i>Delegation LG 6.05 - Recovery of Rates Debts – Require Lessee to Pay Rent</i></li> <li>• <i>Delegation LG 6.06 - Recovery of Rates or Service Charges</i></li> </ul>
<b>Policy</b>	<p>Council Policy: <a href="#">Rates Subsidy Policy (1.46)</a></p> <p>Council Policy: <a href="#">Community Funding Policy (1.15)</a></p> <p>Admin Policy: <a href="#">Supply of Mobile Garbage Bins Policy (2.27)</a></p>
<b>Record keeping</b>	<p>Report to file.</p> <p>Report to Council Committee Monthly.</p>
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG4.04 Payments from the Municipal or Trust Funds (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<p>Head of Power:</p> <ul style="list-style-type: none"> <li>▪ Local Government Act 1995, sections 5.42 (Delegation of some powers and duties to CEO) and 5.44 (CEO may delegate powers and duties to other employees).</li> <li>▪ Local Government (Financial Management) Regulations 1996, regulation 12(1)(a) – Payments from municipal fund or trust fund, restrictions on making.</li> </ul>
<b>Express power or duty delegated</b>	Authority to make payments from the municipal or trust funds in accordance with FM r.12(1)(a).
<b>Function</b>	Authority to make payments from the municipal or trust funds [FM. r.12(1)(a)].
<b>Delegates</b>	CEO
<b>Conditions</b>	<p>a. Authority to make payments is subject to annual budget limitations.</p> <p>b. Requests for "Miscellaneous Expenses" by Elected Members to be jointly signed by the Chief Executive Officer and an Executive Director or Manager.</p>
<b>Express power to subdelegate</b>	Under s.5.44 of the Local Government Act 1995, the CEO may subdelegate powers and duties to other employees.
<b>Subdelegates</b>	<p>Business Analyst / Management Accountant</p> <p>Executive Director Community Services</p> <p>Executive Director Corporate &amp; Commercial Services</p> <p>Executive Director Infrastructure, Development &amp; Environment</p> <p>Financial Services Coordinator</p> <p>Manager Arts &amp; Culture</p> <p>Manager City Reserves</p> <p>Manager Community Relations</p> <p>Manager Development Services</p> <p>Manager Engineering &amp; Assets</p> <p>Manager Facilities</p> <p>Manager Finance</p> <p>Manager Governance &amp; Risk</p> <p>Manager Information Technology</p> <p>Manager Major Projects</p> <p>Manager Operations</p> <p>Manager People &amp; Culture</p> <p>Manager Public Health and Safety</p> <p>Manager Recreation Services</p>

<b>Subdelegate conditions</b>	<ul style="list-style-type: none"> <li>▪ <b>Delegation Compliance:</b> Delegates and authorised persons must adhere to procedures approved by the CEO, as outlined in FM Regulation 5.</li> <li>▪ <b>Payment Approval:</b> Payments via cheque and EFT transactions require joint approval from two Delegates. <ul style="list-style-type: none"> <li>◦ Applies to: CEO, Executive Directors, Manager Finance, Manager Governance &amp; Risk, Financial Services Coordinator, Business Analyst / Management Accountant.</li> </ul> </li> <li>▪ <b>Liability Verification:</b> <ul style="list-style-type: none"> <li>◦ Delegates approving payments must not verify the liability.</li> <li>◦ Verification of liability (e.g. purchase orders, invoices, goods/services received) must be conducted independently of payment approval.</li> </ul> </li> <li>▪ <b>Authority to Authorise Persons:</b> <ul style="list-style-type: none"> <li>◦ Limited to Executive Directors and Manager Finance.</li> </ul> </li> <li>▪ <b>Spending Limits for Authorised Persons:</b> <ul style="list-style-type: none"> <li>◦ <b>Category A:</b> Limited by approved budget (CEO / Acting CEO)</li> <li>◦ <b>Category B:</b> Up to \$250,000 (Executive Directors)</li> <li>◦ <b>Category C:</b> Up to \$100,000 (Manager Engineering &amp; Sustainability, Manager Operations)</li> <li>◦ <b>Category D:</b> Up to \$50,000 (Managers)</li> <li>◦ <b>Category E:</b> Up to \$20,000 (Coordinators City Asset Team, Senior Civil Engineering Officers)</li> <li>◦ <b>Category F:</b> Up to \$10,000 (Team Leaders, Coordinators, PA to Mayor and Councillors)</li> <li>◦ <b>Category G:</b> Up to \$5,000 (Officers)</li> </ul> </li> </ul>
<b>Statutory framework</b>	<p><a href="#">Local Government Act 1995</a>  <a href="#">Local Government (Financial Management) Regulations 1996</a> - refer specifically: _r.13 Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.  <a href="#">Local Government (Audit) Regulations 1996</a>  Primary &amp; Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p>
<b>Policy</b>	<p>Resources:</p> <ul style="list-style-type: none"> <li>▪ <a href="#">Guidelines: Department of Local Government, Sport and Cultural Industries</a></li> </ul> <p>Notes:</p> <ol style="list-style-type: none"> <li>a. Regulation 12 of the Local Government (Financial Management) Regulations 1996 contains provisions related to the making of payments by the local government. These payments are actual transfer of funds from the municipal fund and are distinct from agreeing to purchase.</li> <li>b. The procedures associated with this activity must be reviewed in accordance with Regulation 17 of the Local Government (Audit) Regulations 1996.</li> </ol>
<b>Record keeping</b>	<p>Report to file.  Report to Council Committee monthly.  <i>Note: 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.</i></p>
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
9 May 2025	Amended delegation	Addition of Financial Services Coordinator and Business Analyst / Management Accountant to list of delegates	---

<b>Delegation</b>	<b>LG4.06 Provision of Donations &amp; Sponsorship and the Authority to Apply for Grant Funding and Apply for Subsidies (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Local Government Act 1995 <ul style="list-style-type: none"> <li>▪ s.5.42 – Delegation of some powers or duties to the CEO</li> <li>▪ s.5.43 – Limitations on delegations to the CEO</li> </ul>
<b>Express power or duty delegated</b>	Local Government Act 1995 s.6.7 – Municipal Fund, (2) Money held in the municipal fund may be applied towards the performance of the functions and the exercise of the powers conferred on the local government by this Act or any other written law. 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.
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Authorise donations, grants, and sponsorship.</li> <li>2. Apply for subsidy applications on behalf of the City.</li> <li>3. Apply for grants on behalf of the City.</li> <li>4. Authorise persons or classes of persons to administer any or all of the listed functions.</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. This delegation does not extend to statutory charges, the municipal rate or service charges incorporated within the rate notice.</li> <li>b. Subject to: <ol style="list-style-type: none"> <li>i. Conditions contained in Council Policies.</li> <li>ii. Funding being allocated in the City’s Annual Budget.</li> <li>iii. Donations / Sponsorship above <b>\$10,000</b> (ex. GST) must have a dedicated budget line item.</li> </ol> </li> <li>c. Authority to authorise persons or classes of persons to administer list functions in whole or in part.</li> </ol>
<b>Express power to subdelegate</b>	Local Government Act 1995, s5.44 CEO may delegate powers and duties to other employees.
<b>Subdelegates</b>	Executive Director Community Services Executive Director Corporate & Commercial Services Executive Director Infrastructure, Development & Environment
<b>Subdelegate conditions</b>	<ol style="list-style-type: none"> <li>a. Subject to the conditions imposed on the CEO.</li> <li>b. Authorisation of persons or classes of persons to administer the listed functions, limited to subdelegates.</li> </ol>

<b>Statutory framework</b>	Local Government Act 1995 Local Government (Financial Management) Regulations 1996 Primary & Annual Returns: Delegates are designated employees under s5.74 and are required to provide Primary and Annual Returns.
<b>Policy</b>	Council Policy: <a href="#">1.15 Community Funding Policy</a> Council Policy: <a href="#">1.16 Community Sports &amp; Recreation Facilities (CSRFF) Small Grant Funding</a> Council Policy: <a href="#">1.55 Sponsorship Policy &amp; Guideline</a> City of Albany Annual Budget Guidelines: <a href="#">Link</a>  • <a href="#">Sponsorship Process - Revenue Development Officer</a> (Intranet Only)
<b>Record keeping</b>	Report to file. Report to Council Committee Meeting monthly.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG5.01 Expressions of Interest for Goods and Services (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Local Government Act 1995:</a> _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	<a href="#">Local Government Act 1995:</a> _s.3.57 Tenders for providing goods or services <a href="#">Local Government (Functions and General) Regulations 1996:</a> _r.21 Limiting who can tender, procedure for _r.23 Rejecting and accepting expressions of interest to be acceptable tenderer
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Determine when to seek Expressions of Interest and to invite Expressions of Interest for the supply of goods or services [F&amp;G r.21].</li> <li>2. Consider Expressions of Interest which have not been rejected and determine those which are capable of satisfactorily providing the goods or services, for listing as acceptable tenderers [F&amp;G r.23].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Expressions of Interest may only be called where there is an adopted budget for the proposed goods or services.
<b>Express power to subdelegate</b>	<a href="#">Local Government Act 1995:</a> _s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Executive Director Community Services Executive Director Corporate & Commercial Services Executive Director Infrastructure, Development & Environment
<b>Subdelegate conditions</b>	Subject to the conditions imposed on the CEO.
<b>Statutory framework</b>	<a href="#">Local Government Act 1995:</a> Primary & Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Notes: _The Local Government (Functions and General) Regulations 1996 prescribes applicable statutory procedures. _WALGA Subscription Service.
<b>Policy</b>	Council Policy: <a href="#">1.68 Purchasing Policy (Tenders &amp; Quotes)</a> Council Policy: <a href="#">1.8 Buy Local (Regional Price Preference) Policy</a> _Admin Policy: <a href="#">2.15 Employee Code of Conduct</a>
<b>Record keeping</b>	Report to file. Report to Council Committee monthly.

<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG5.02 Panels of Pre-Qualified Suppliers for Goods and Services (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Local Government Act 1995:</a> _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	Local Government (Functions and General) Regulation 1996: _r.24AB Local government may establish panels of pre-qualified suppliers _r.24AC(1)(b) Requirements before establishing panels of pre-qualified suppliers _r.24AD(3) & (6) Requirements when inviting persons to apply to join panel of pre-qualified suppliers _r.24AH(2), (3), (4) and (5) Rejecting and accepting applications to join panel of pre-qualified suppliers
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Determine that there is a continuing need for the goods or services proposed to be provided by a panel of pre-qualified suppliers [F&amp;G r.24AC(1)(b)].</li> <li>2. Before inviting submissions, determine the written criteria for deciding which application should be for inclusion in a panel of pre-qualified suppliers should be accepted [F&amp;G r.24AD(3)].</li> <li>3. Vary panel of pre-qualified supplier information after public notice inviting submissions has been given, taking reasonable steps to each person who has enquired or submitted an application is provided notice of the variation [F&amp;G r.24AD(6)].</li> <li>4. Reject an application without considering its merits, where it was submitted at a place and within the time specified, but fails to comply with any other requirement specified in the invitation [F&amp;G r.24AH(2)].</li> <li>5. Assess applications, by written evaluation of the extent to which the submission satisfies the criteria for deciding which applicants to accept, and decide which applications to accept as most advantageous [F&amp;G r.24AH(3)].</li> <li>6. Request clarification of information provided in a submission by an applicant [F&amp;G r.24AH(4)].</li> <li>7. Decline to accept any application [F&amp;G r.24AH(5)].</li> <li>8. Enter into contract, or contracts, for the supply of goods or services with a pre-qualified supplier, as part of a panel of pre-qualified suppliers for those particular goods or services [F&amp;G r.24AJ(1)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	In accordance with s.5.43, panels of pre-qualified suppliers may only be established, where the total consideration under the resulting contract is included in the adopted Annual Budget.
<b>Express power to subdelegate</b>	Local Government Act 1995: _s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Executive Director Community Services Executive Director Corporate & Commercial Services Executive Director Infrastructure, Development & Environment

<b>Subdelegate conditions</b>	<p>a. Subject to the conditions on delegation to the CEO.</p> <p>b. Each sub-delegate may only use the sub-delegation in regards to contracts that are within the scope of the incumbent's position role and responsibilities.</p>
<b>Statutory framework</b>	<p>Primary &amp; Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Notes:</p> <p><a href="#">_Local Government (Functions and General) Regulations 1996</a> – prescribe applicable statutory procedures</p> <p><a href="#">_WALGA Subscription Service – Procurement Toolkit</a>.</p>
<b>Policy</b>	<p>Council Policy: <a href="#">1.68 Purchasing Policy (Tenders &amp; Quotes)</a></p> <p>Council Policy: <a href="#">1.8 Buy Local (Regional Price Preference) Policy</a></p> <p>Admin Policy: <a href="#">2.15 Employee Code of Conduct</a> (<i>Attachment 2: Conflict of Interest Management</i>)</p>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG5.03 Procurement of Goods or Services required to address a State of Emergency (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Local Government Act 1995: _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	Local Government Act 1995: _s.3.57 Tenders for providing goods or services  Local Government (Functions and General) Regulations 1996: _Regulation 11 'When tenders have to be publicly invited' _Tender exemption under subregulation 11(2)(aa) _Associated definition under subregulation 11(3)
<b>Function</b>	Authority, only to be exercised when a State of Emergency declaration is in force and applies to all or part of the District, to:  1. Determine that particular goods or services with a purchasing value > <b>\$250,000</b> are required for the purposes of addressing the impact, consequences or need arising from the hazard to which the State of Emergency declaration relates [F&G r11(3)(b)]; and 2. Undertake tender exempt purchasing activity to obtain the supply of those goods or services identified in accordance with point 1 above [F&G r.11(2)(aa)].
<b>Delegates</b>	CEO
<b>Conditions</b>	a. This authority may only be exercised where the goods or services are urgently required, and it is not possible for Council to meet within an appropriate timeframe. b. Compliance with the Purchasing Policy is required, but only to the extent that such compliance will not incur an unreasonable delay in providing the required urgent response to the State of Emergency hazard. The rationale for non-compliance with Purchasing Policy must be evidenced in accordance with the Record Keeping Plan. c. Where a relevant budget allocation is not available and a purchase is necessary in response to a State of Emergency, the expenditure from an alternative available budget allocation must be authorised in advance by the Mayor or President (i.e. before the expense is incurred) in accordance with LGA s.6.8. d. The CEO is to inform Council Members after the exercise of this delegation, including details of the contract specification, scope and purchasing value and the rationale for determining that the goods or services were urgently required in response to the State of Emergency declaration. e. The CEO cannot sub-delegate this authority.
<b>Express power to subdelegate</b>	This authority cannot be sub-delegated.
<b>Statutory framework</b>	<a href="#">Local Government (Functions and General) Regulations 1996</a>
<b>Policy</b>	Council Policy: <a href="#">1.68 Purchasing Policy</a> (Tenders & Quotes) Council Policy: <a href="#">1.8 Buy Local (Regional Price Preference) Policy</a> Admin Policy: <a href="#">Employee Code of Conduct</a> ( <i>Attachment 2: Conflict of Interest Management</i> )

<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG5.04 Renewal or Extension of Contracts during a State of Emergency (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Local Government Act 1995: _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	Local Government Act 1995: _s.3.57 Tenders for providing goods or services  Local Government (Functions and General) Regulations 1996: _Regulation 11 (When tenders have to be publicly invited) _Tender exemption under subregulation 11(2)(ja)
<b>Function</b>	Authority, only to be exercised when a State of Emergency declaration is in force and applies to all or part of the District, to execute a renewal or extension to the term of a contract that will expire within 3 months, for a term of not more than 12 months from the original expiry date, without calling for tenders [F&G r.11(2)(ja)]. This authority relates to: <ul style="list-style-type: none"> <li>• contracts not formed through a public tender, where the total value of the original term and the proposed extension or renewal exceeds <b>\$250 000</b>, and</li> <li>• contracts formed through a public tender.</li> </ul>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. The authority to apply the renewal or extension option may be exercised where one or more of the following principles applies: <ol style="list-style-type: none"> <li>i. It is exercised at the sole discretion of the Local Government;</li> <li>ii. It is in the best interests of the Local Government;</li> <li>iii. It is deemed necessary to facilitate the role of Local Government in relation to the State of Emergency declaration;</li> <li>iv. It has potential to promote local and/or regional economic benefits.</li> </ol> </li> <li>b. This authority may only be exercised where the total consideration for the renewal or extension is <b>\$1 million</b> or less.</li> <li>c. Contracts may only be renewed or extended where there is an adopted and available budget for the proposed goods and services, OR where the expenditure from an alternative available budget allocation has been authorised in advance by the Mayor (i.e. before the expense is incurred) in accordance with LGA s.6.8(1)(c).</li> <li>d. The decision to extend or renew a contract must be made in accordance with the objectives of the Purchasing Policy.</li> <li>e. This authority may only be exercised where the total consideration under the resulting contract is <b>\$1 million</b> or less.</li> <li>f. The CEO cannot sub-delegate this authority.</li> <li>g. Proposed decisions made under this delegation are to be communicated to the Council before enactment.</li> </ol>
<b>Express power to subdelegate</b>	Not applicable
<b>Statutory framework</b>	<a href="#">Local Government (Functions and General) Regulations 1996</a>

<b>Policy</b>	Council Policy: 1.68 Purchasing Policy (Tenders & Quotes) Council Policy: 1.8 Buy Local (Regional Price Preference) Policy Admin Policy: 2.15 Employee Code of Conduct
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG5.05 Tenders for Goods and Services – Accepting and Rejecting Tenders; Varying Contracts; Exercising Contract Extension Options (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Local Government Act 1995: _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	Local Government Act 1995: _s.3.57 Tenders for providing goods or services Local Government (Functions and General) Regulations 1996: _r.11(2)(j) Exercising contract extension options _r.18(2), (4), (4a), (5), (6) and (7) Rejecting and accepting tenders _r.20(1), (2), (3) Variation of requirements before entry into contract _r.21A Varying a contract for the supply of goods or services
<b>Function</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. Determine whether or not to reject tenders that do not comply with requirements as specified in the invitation to tender [F&amp;G.r.18(2)].</li> <li>2. Seek clarification from tenderers in relation to information contained in their tender submission [F&amp;G r.18(4a)].</li> <li>3. Assess, by written evaluation, tenders that have not been rejected, to determine: <ol style="list-style-type: none"> <li>i. The extent to which each tender satisfies the criteria for deciding which tender to accept; and</li> <li>ii. Which tender to accept that is most advantageous to accept [F&amp;G r.18(4)].</li> </ol> </li> <li>4. Decline to accept any tender [F&amp;G r.18(5)].</li> <li>5. Accept the next most advantageous tender if, within 6 months of accepting a tender, a contract has not been entered into OR the local government and the successful tenderer agree to terminate the contract [F&amp;G r.18(6) &amp; (7)].</li> <li>6. Determine whether variations in goods and services required are minor variations, and to negotiate with the successful tenderer to make minor variations before entering into a contract [F&amp;G r.20(1) and (3)].</li> <li>7. Vary a contract on the basis the variation is necessary in order for the goods or services to be supplied and does not change the scope of the contract [F&amp;G r21(A)(a)].</li> <li>8. Choose the next most advantageous tender to accept, if the chosen tenderer is unable or unwilling to form a contract to supply the varied requirement OR the minor variation cannot be agreed with the successful tenderer, so that the tenderer ceases to be the chosen tenderer [F&amp;G r.20(2)].</li> <li>9. Exercise a contract extension option that was included in the original tender specification and contract in accordance with r.11(2)(j).</li> </ol> <p><i>Note: * All figures stated in this delegation are exclusive of GST.</i></p>
<b>Delegates</b>	CEO

<b>Conditions</b>	<p>a. A tender may only be accepted under delegation where the total consideration under the resulting contract is:</p> <ul style="list-style-type: none"> <li>• For the purposes of s 5.43(b), <b>\$1,000,000</b> or less; and</li> <li>• Included in the adopted Annual Budget.</li> </ul> <p>b. A decision to vary a tendered contract before entry into the contract must include evidence that the variation is minor in comparison to the total goods or services that tenderers were invited to supply.</p> <p>c. A decision to renew or extend the contract must only occur where the original contract contained the option to renew or extend its term as per r.11(2)(j) and that the contractor's performance has been reviewed and the review evidences the rationale for entering into the extended term.</p>
<b>Express power to subdelegate</b>	Local Government Act 1995: _s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	<p>Executive Director Community Services  Executive Director Corporate &amp; Commercial Services  Executive Director Infrastructure, Development &amp; Environment  Manager City Reserves  Manager Development Services  Manager Engineering &amp; Assets  Manager Finance  Manager Major Projects  Manager Operations</p>
<b>Subdelegate conditions</b>	<p>a. Subject to the conditions on delegation to the CEO.</p> <p>b. Each sub-delegate may only use the sub-delegation concerning contracts that are within the scope of the incumbent's position role and responsibilities.</p> <p>c. Sub-delegates <b>may award and vary a contract</b> based on the following limitations:</p> <ol style="list-style-type: none"> <li>i. Executive Directors (Award up to <b>\$250,000</b>, Vary up to <b>\$100,000</b>);</li> <li>ii. Manager Finance: (Award up to <b>\$250,000</b>);</li> <li>iii. Manager Engineering and Manager Operations (Vary up to <b>\$50,000</b>);</li> <li>iv. Manager Reserves, Manager Major Projects, and Manager Development Services (Vary up to <b>\$20,000</b>).</li> </ol> <p>Note*:Only contracts that are of a value greater than <b>\$50,000</b> are administered by this delegation.</p>
<b>Statutory framework</b>	Primary & Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Policy</b>	<p>Council Policy: <a href="#">1.68 Purchasing Policy</a> (Tenders &amp; Quotes)  Council Policy: <a href="#">Buy Local Policy</a> (Regional Price Preference)  Admin Policy: <a href="#">2.15 Employee Code of Conduct</a> (Attachment 2: Conflict of Interest Management)  Resources:  _The Local Government (Functions and General) Regulations 1996 prescribe applicable statutory procedures.  _WALGA Subscription Service.</p>
<b>Record keeping</b>	<p>Report to file.  Report to Council Committee Monthly.</p>
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.

<b>Last reviewed</b>	1 July 2025
----------------------	-------------

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
22 Oct 2024	Amended delegation	Note*: Only contracts of value greater than \$30,000 are administered by this delegation." Change to \$50,000	OCM 22/10/2024 Resolution CCS668.
17 Feb 2025	Amended delegation	Sub-delegate conditions amended. _From: \$30,000 to \$50,000, being: Note*: Only contracts that are of a value greater than \$30,000 are administered by this delegation, inline with the new Major Quotation threshold, and administered by the Procurement team. _Appended with notation: All figures stated in this delegation are exclusive of GST.	EMT Item 4.2 - June 2025.

<b>Delegation</b>	<b>LG5.06 Appoint Persons (other than employees) to Open Tenders (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	<a href="#">Local Government Act 1995</a> , s.5.44 CEO may delegate some powers and duties to other employees
<b>Express power or duty delegated</b>	<a href="#">Local Government (Functions and Genera) Regulations 1996</a> , r.16(3) Receiving and opening tenders, procedure for
<b>Function</b>	Authority to appoint one person (other than employees) to be present with an employee of the Local Government to open tenders, when two employees are unable to attend the tender opening [F&G r.16(3)]. <i>(Note: persons other than employees, for example: a designated independent observer. This observer ensures transparency, fairness, and adherence to the established procedures. They are not directly employed by the local government but play a crucial role in verifying the integrity of the tender process. Their presence helps maintain public trust and confidence in the tender evaluation process. (i.e. Committee member).</i>
<b>Delegates</b>	Executive Director Corporate & Commercial Services Manager Finance
<b>Conditions</b>	When exercising authority to authorise persons under F&G.r.16(3):  a. A register of Authorisations is to be maintained as a Local Government Record. b. Only persons who are appropriately qualified and trained may be authorised for this purpose. c. Authorisations are to be provided in writing by issuing a Certificate of Authorisation.
<b>Express power to subdelegate</b>	Nil
<b>Statutory framework</b>	Primary & Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Policy</b>	Council Policy: <a href="#">1.68 Purchasing Policy</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG5.07 Tenders for Goods and Services – Call Tenders (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Local Government Act 1995: _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	Local Government Act 1995: _s.3.57 Tenders for providing goods or services Local Government (Functions and General) Regulations 1996: _r.11(1), (2) When tenders have to be publicly invited _r.13 Requirements when local government invites tenders though not required to do so _r.14 Publicly inviting tenders, requirements for
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Call tenders [F&amp;G r.11(1)].</li> <li>2. Invite tenders although not required to do so [F&amp;G r.13].</li> <li>3. Determine in writing, before tenders are called, the criteria for acceptance of tenders [F&amp;G r.14(2a)].</li> <li>4. Determine the information that is to be disclosed to those interested in submitting a tender [F&amp;G r.14(4)(a)].</li> <li>5. Vary tender information after public notice of invitation to tender and before the close of tenders, taking reasonable steps to ensure each person who has sought copies of the tender information is provided notice of the variation [F&amp;G r.14(5)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Tenders may only be called where there is an adopted budget for the proposed goods or services, with the exception being in the period immediately prior to the adoption of a new Annual Budget where : <ol style="list-style-type: none"> <li>a. the proposed goods or services are required to fulfil a routine contract related to the day-to-day operations of the Local Government; or</li> <li>b. a current supply contract expiry is imminent; and</li> <li>c. the value of the proposed new contract has been included in the draft Annual Budget proposed for adoption, and</li> <li>d. the tender specification includes a provision that the tender will only be awarded subject to the budget adoption by the Council.</li> </ol>
<b>Express power to subdelegate</b>	Local Government Act 1995: _s.5.44 CEO may delegate some powers and duties to other employees.
<b>Subdelegates</b>	Executive Director Corporate & Commercial Services Manager Finance
<b>Subdelegate conditions</b>	<ol style="list-style-type: none"> <li>a. Subject to the conditions imposed on the CEO.</li> <li>b. Each sub-delegate may only use the sub-delegation with contracts that are within the scope of the incumbent's position role and responsibilities.</li> </ol>

<b>Statutory framework</b>	<p>Primary &amp; Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Notes:</p> <p>_The <a href="#">Local Government (Functions and General) Regulations 1996</a> prescribes applicable statutory procedures.</p> <p>_WALGA Subscription Service.</p>
<b>Policy</b>	<p>Council Policy: <a href="#">1.68 Purchasing Policy</a></p> <p>_Council Policy: <a href="#">1.8 Buy Local Policy (Regional Price Preference)</a></p> <p>Admin Policy: <a href="#">2.15 Employee Code of Conduct</a> (Refer to attachment 2: Conflict of Interest Management)</p>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG5.08 Tenders for Goods and Services - Exempt Procurement (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Local Government Act 1995: _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	Local Government Act 1995: _s.3.57 Tenders for providing goods or services Local Government (Functions and General) Regulations 1996: _r.11(2) When tenders have to be publicly invited (exemptions)
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Undertake tender exempt procurement, in accordance with the Purchasing Policy requirements, where the total consideration under the resulting contract is expected to be included in the adopted Annual Budget [F&amp;G.r.11(2)].</li> <li>2. Determine to contract directly with a suitable supplier [F&amp;G r.11(2)(f)], because of the unique nature of the goods or services or for any other reason it is unlikely that there is more than one supplier.</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Tender-exempt procurement under F&G r.11(2)(f) may only be approved where a record is retained (Non-Conforming File Note) that evidences. <ol style="list-style-type: none"> <li>a. A detailed specification;</li> <li>b. The outcomes of market testing of the specification;</li> </ol>
<b>Express power to subdelegate</b>	Local Government Act 1995: _s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Executive Director Corporate & Commercial Services Manager Finance
<b>Subdelegate conditions</b>	<ol style="list-style-type: none"> <li>a. Each sub-delegate may only use the sub-delegation in regard to contracts that are within the scope of the incumbent's position role and responsibilities.</li> <li>b. Conditions / limitations that apply when using subdelegated powers or duties, determined by CEO: Nil.</li> </ol>
<b>Statutory framework</b>	Primary & Annual Returns: <ul style="list-style-type: none"> <li>▪ Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</li> </ul> <p><i>Note: <a href="#">Local Government (Functions and General) Regulations 1996</a> – prescribe applicable statutory procedures</i></p>

<b>Policy</b>	Council Policy: <a href="#">1.68 Purchasing Policy</a> Council Policy: <a href="#">1.8 Buy Local Policy</a> (Regional Price Preference) Admin Policy: <a href="#">2.15 Employee Code of Conduct</a> (Refer to attachment 2: Conflict of Interest Management) Resources: WALGA Subscription Service – Procurement Toolkit
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG6.01 Determine Due Date for Rates or Service Charges (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Local Government Act 1995: _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	Local Government Act 1995: _s.6.50(2) Rates or service charges due and payable
<b>Function</b>	Authority to determine the date on which rates or service charges become due and payable to the City of Albany [s.6.50].
<b>Delegates</b>	CEO
<b>Conditions</b>	This delegation may only be used to correct a financial administrative error.
<b>Express power to subdelegate</b>	Local Government Act 1995: _s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Executive Director Corporate & Commercial Services Manager Finance
<b>Subdelegate conditions</b>	Subject to the conditions imposed on the CEO.
<b>Statutory framework</b>	Primary & Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Policy</b>	Council Policy: <a href="#">1.45 Rates Financial Hardship Policy</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG6.02 Rate Record - Amendment (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Local Government Act 1995: _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	Local Government Act 1995: _s.6.39(2)(b) Rate record
<b>Function</b>	Authority to determine any requirement to amend the rate record for the 5-years preceding the current financial year [s.6.39(2)(b)].
<b>Delegates</b>	CEO
<b>Conditions</b>	a. Delegates must comply with the requirements of s.6.40 of the Act. b. Only to be used to correct a financial administrative error.
<b>Express power to subdelegate</b>	Local Government Act 1995: _s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Executive Director Corporate & Commercial Services Manager Finance
<b>Subdelegate conditions</b>	Subject to the conditions imposed on the CEO.
<b>Statutory framework</b>	Primary & Annual Return: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. <a href="#">Local Government Act 1995</a> – s.6.40 prescribes consequential actions that may be required following a decision to amend the rate record. <i>(Note: Decisions under this delegation may be referred for review by the State Administration Tribunal).</i>
<b>Record keeping</b>	Report to file. The full details of the determination are to be recorded in the appropriate rate record.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG6.03 Rate Record – Objections (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Local Government Act 1995: _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	Local Government Act 1995: _s.6.76 Grounds of objection
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Extend the time for a person to make an objection to a rate record [s.6.76(4)].</li> <li>2. Consider an objection to a rate record and either allow it or disallow it, wholly or in part, providing the decision and reasons for the decision in a notice promptly served upon the person whom made the objection [s.6.76(5)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. A delegate who has participated in any matter contributing to a decision related to the rate record, which is the subject of a Rates Record Objection, must NOT be party to any determination under this Delegation.</li> <li>b. An extension of time [s.6.76(4)] will only be granted for a maximum period of 30 days.</li> </ol>
<b>Express power to subdelegate</b>	Local Government Act 1995: _s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Executive Director Corporate & Commercial Services Manager Finance
<b>Subdelegate conditions</b>	Subject to the conditions imposed on the CEO.
<b>Statutory framework</b>	Primary & Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. <i>(Note: Decisions under this delegation may be referred for review by the State Administration Tribunal.)</i>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG6.04 Recovery of Rates Debts - Actions to Take Possession of the Land (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Local Government Act 1995: _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	Local Government Act 1995: _s.6.64(1) Actions to be taken _s.6.69(2) Right to pay rates, service charges and costs, and stay proceedings _s.6.71 Power to transfer land to Crown or local government _s.6.74 Power to have land revested in Crown if rates in arrears 3 years
<b>Function</b>	Authority:  1. Take possession of land and hold the land against a person having an estate or interest in the land where rates or service charges have remained unpaid for at least three years [s.6.64(1)], including: i. lease the land, or ii. sell the land; or where land is offered for sale and a contract of sale has not been entered into after 12 months: I. cause the land to be transferred to the Crown [s.6.71 and s.6.74]; or II. cause the land to be transferred to the City of Albany [s.6.71]. 2. Agree terms and conditions with a person having estate or interest in land and to accept payment of outstanding rates, service charges and costs within 7 days of and prior to the proposed sale [s.6.69(2)].
<b>Delegates</b>	CEO
<b>Conditions</b>	a. Decisions under this delegation must comply with Council Policy: Rates Financial Hardship Policy: <a href="#">Link</a> . b. In accordance with s.6.68(3A), this delegation cannot be used where a decision relates to exercising a power of sale <u>without having</u> , within the previous 3-years attempted to recover the outstanding rates / changes through a court under s.6.56, as s.6.68(3A) requires that the reasons why court action has not been pursued must be recorded in Council Minutes. c. Exercise of this delegation must comply with the procedures set out in Schedule 6.3 of the <i>Local Government Act 1995</i> .
<b>Express power to subdelegate</b>	Local Government Act 1995: _s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Executive Director Corporate & Commercial Services
<b>Subdelegate conditions</b>	Subject to the conditions imposed on the CEO.

<b>Statutory framework</b>	<p><a href="#">Local Government Act 1995</a>: Part 6, Division 6 Subdivision 6 and Schedule 6.3 prescribe procedures relevant to exercise of authority under this delegation.</p> <p><a href="#">Local Government (Financial Management) Regulations 1996</a>: Regulations 72 – 78 prescribe forms and procedures relevant to exercise of authority under this delegation.</p> <p>Annual &amp; Primary Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p>
<b>Policy</b>	Council Policy: <a href="#">1.45 Rates Financial Hardship Policy</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG6.05 Recovery of Rates Debts – Require Lessee to Pay Rent (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Local Government Act 1995: _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	Local Government Act 1995: _s.6.60 Local Government may require lessee to pay rent
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Give notice to a lessee of land in respect of which there is an unpaid rate or service charge, requiring the lessee to pay its rent to the City of Albany [s.6.60(2)].</li> <li>2. Recover the amount of the rate or service charge as a debt from the lessee if rent is not paid in accordance with a notice [s.6.60(4)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Decisions under this delegation must comply with Council Policy.</li> <li>b. Rates to be unpaid for at least 3 years.</li> </ol>
<b>Express power to subdelegate</b>	Local Government Act 1995: _s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Executive Director Corporate & Commercial Services Manager Finance
<b>Subdelegate conditions</b>	Subject to the conditions imposed on the CEO.
<b>Statutory framework</b>	Primary & Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. <a href="#">Local Government Act 1995</a> : _Refer sections 6.61 and 6.62 and Schedule 6.2 prescribe procedures relevant to the exercise of authority under s.6.60.
<b>Policy</b>	Council Policy: <a href="#">1.45 Rates Financial Hardship Policy</a>
<b>Record keeping</b>	Report to file. The full details of the determination to be recorded in the appropriate rate record.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG6.06 Recovery of Rates or Service Charges (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Local Government Act 1995: _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	Local Government Act 1995: _s.6.56 Rates or service charges recoverable in court _s.6.64(3) Actions to be taken
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Recover rates or service charges, as well as costs of proceedings for the recovery, in a court of competent jurisdiction [s.6.56(1)].</li> <li>2. Lodge (and withdraw) a caveat to preclude dealings in respect of land where payment of rates or service charges imposed on that land is in arrears [s.6.64(3)].</li> <li>3. 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.</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Decisions under this delegation must comply with Council Policy.
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> _s.5.44 CEO may delegate some powers and duties to other employees.  <i>Subdelegates are authorised to 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.</i>
<b>Subdelegates</b>	Executive Director Corporate & Commercial Services Manager Finance Rates Coordinator
<b>Subdelegate conditions</b>	a. Subject to the conditions imposed on the CEO. b. Authority to: Lodge a caveat on a property to preclude dealings regarding the land and may withdraw caveats so lodged. c. Authority to: Withdraw a caveat 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. d. Authority to: Authorise classes of persons to administer any or all of the above functions. *Note: The Rates Coordinator is authorised to write-off small balances of under \$10.00 dollars.
<b>Statutory framework</b>	Primary & Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Policy</b>	Council Policy: <a href="#">1.45 Rates Financial Hardship Policy</a>

<b>Record keeping</b>	Report to file. The full details of the determination to be recorded in the appropriate rate record.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG7.01 Disposing of Property (selling, leasing, transferring property) (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Local Government Act 1995:</a> _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	<a href="#">Local Government Act 1995:</a> _s.3.58(2) & (3) Disposing of Property <a href="#">Local Government (Functions and General) Regulations 1996:</a> _r.30 Dispositions of property excluded from Act s.3.58 <a href="#">Land Administrations Act 1997:</a> _Part 6 (Sales, leases, license, etc. of Crown Land)
<b>Function</b>	Authority to: <ul style="list-style-type: none"> <li>1. Dispose of property to: <ul style="list-style-type: none"> <li>a. the highest bidder at public auction [s.3.58(2)(a)].</li> <li>b. the person who at a public tender called by the local government makes what is considered by the delegate to be the most acceptable tender, whether or not it is the highest tender [s.3.58(2)(b)]</li> </ul> </li> <li>2. Dispose of property by private treaty only in accordance with section 3.58(3) and prior to the disposal, to consider any submissions received following the giving of public notice [s.3.58(3)].</li> <li>3. Dispose of property that is prescribed as exempt from the provisions of s.3.58.</li> </ul>
<b>Delegates</b>	CEO

<p><b>Conditions</b></p>	<p><b>a. Limitation on Disposal:</b></p> <ul style="list-style-type: none"> <li>• Any lease, except Lotteries House leases, a Council resolution is required.</li> <li>• According to section 5.43, the disposal of property—whether for a single project or as part of a single transaction—must not exceed a value of \$250,000 per year.</li> </ul> <p><b>b. Methods of Disposal:</b></p> <ul style="list-style-type: none"> <li>• <b>Public Auction:</b> The reserve price for auctioned properties is determined by an independent valuation. If the reserve price is not met at auction, negotiation may be pursued to achieve a sale at up to a 10% variation from the set reserve price.</li> <li>• <b>Public Tender:</b> If a reasonable price is not obtained through tender, the CEO evaluates whether an alternative disposal method could yield better value. If so, the tender is rejected, and an alternative method is used.</li> <li>• <b>Private Treaty (as per section 3.58(3)):</b> The authority to negotiate the sale of the property lies with a variance of up to 20% from the valuation. Public submissions are considered, and the decision to proceed with disposal is documented.</li> </ul> <p><b>c. Best Value Outcome and Equity:</b></p> <ul style="list-style-type: none"> <li>• For disposals under Functions and General Regulations 30(2)(a), (f), (2A), or (3)(a), the chosen method must achieve the best value outcome for the Local Government.</li> <li>• Disposals under Functions and General Regulations 30(2)(d) must be assessed equitably in the context of other employee disposals.</li> <li>• Environmental Considerations: Disposal methodologies should prioritise environmentally responsible outcomes wherever feasible.</li> </ul> <p><b>d. Authority for Property Management:</b> Authorisation to designate classes of persons to administer “Property Management”.</p>
<p><b>Express power to subdelegate</b></p>	<p><a href="#">Local Government Act 1995:</a> _s.5.44 CEO may delegate some powers and duties to other employees</p>
<p><b>Subdelegates</b></p>	<p>Executive Director Corporate &amp; Commercial Services</p>

<b>Subdelegate conditions</b>	<p><b>Delegation Guidelines for Property Management</b></p> <ol style="list-style-type: none"> <li>1. <b>Authorisation:</b> <ol style="list-style-type: none"> <li>a. Persons authorised to administer “Property Management” are subject to the conditions set by the CEO.</li> <li>b. Their responsibilities include:               <ol style="list-style-type: none"> <li>i. Processing requests related to leases and licenses.</li> <li>ii. Negotiating terms, conditions, and rent for leases and licenses.</li> </ol> </li> </ol> </li> <li>2. <b>Approvals:</b> <ol style="list-style-type: none"> <li>a. These authorized individuals have the authority to:               <ul style="list-style-type: none"> <li>• Renew existing leases and licenses with community groups (charitable, benevolent, religious, cultural, educational, recreational, sporting, or similar nature groups), airport hangar sites, government agencies, or telecommunication entities.</li> <li>• Approve new leases for Lotteries House based on recommendations from the Lotteries House Tenant Management Committee.</li> <li>• Consider requests to extend the term of current leases or licenses (with no variation to principal terms) and when all accounts are paid in full.</li> <li>• Approve variations to existing leases or licenses.</li> <li>• Renegotiate rental agreements with current lessees or sub-lessees.</li> <li>• Approve assignments of existing leases or subleases (with no variation to principal terms).</li> <li>• Approve subleases or sub-licenses where a current lease or license is in place.</li> <li>• Process the surrender of a lease or license for any property, provided the outstanding balance does not exceed <b>\$30,000</b> and all accounts are settled.</li> </ul> </li> </ol> </li> <li>3. <b>Equitable Assessment:</b> Disposals under Functions and General Regulations 30(2)(d) must be assessed equitably in the context of other employee disposals.</li> <li>4. <b>Environmental Considerations:</b> Disposal methodologies should prioritize environmentally responsible outcomes whenever feasible.</li> </ol>
<b>Statutory framework</b>	<p>Primary &amp; Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><a href="#">Local Government Act 1995</a> _s.3.58 Disposal of Property</p> <p><a href="#">Local Government (Functions and General) Regulations 1995</a> _r.30 Dispositions of property excluded from Act s. 3.58</p>
<b>Policy</b>	<p>Council Policy: <a href="#">Property Management (Leases and Licences) Policy</a></p> <p>Council Policy: <a href="#">Risk &amp; Opportunity Management Policy</a></p> <p><i>Note: (The City of Albany has not established a policy position that outlines the requirements for setting the conditions relating to the sale of Real Property).</i></p>
<b>Record keeping</b>	<p>Report to file.</p>
<b>Date adopted</b>	<p>1 July 2025</p>
<b>Adoption references</b>	<p>OCM 01/07/2025 Resolution AR178.</p>
<b>Last reviewed</b>	<p>1 July 2025</p>

<b>Delegation</b>	<b>LG8.01 Close Thoroughfares to Vehicles (Temporary Road Closures)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Local Government Act 1995: _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	Local Government Act 1995: _s.3.50 Closing certain thoroughfares to vehicles _s.3.50A Partial closure of thoroughfare for repairs or maintenance _s.3.51 Affected owners to be notified of certain proposals
<b>Function</b>	<p>Authority:</p> <ol style="list-style-type: none"> <li>1. Close a thoroughfare (wholly or partially) to vehicles or specific vehicle classes for up to 4 weeks [s.3.50(1)].</li> <li>2. Decide on closing a thoroughfare for more than 4 weeks, including: <ul style="list-style-type: none"> <li>_Providing public notice,</li> <li>_Sending written notice to the Commissioner of Main Roads and relevant persons or landowners,</li> <li>_Reviewing relevant submissions regarding proposed road closures [s.3.50(1a), (2), and (4)].</li> </ul> </li> <li>3. Revoke a thoroughfare closure order [s.3.50(6)].</li> <li>4. Partially and temporarily close a thoroughfare without public notice for repair or maintenance, if it won't significantly affect thoroughfare users [s.3.50A].</li> <li>5. Define and impose conditions for road use.</li> <li>6. Authorise road usage requests.</li> <li>7. Authorise classes of persons to administer the listed functions.</li> <li>8. Before any action covered by section 3.51: <ul style="list-style-type: none"> <li>_Notify affected owners,</li> <li>_Provide public notice allowing reasonable time for submissions,</li> <li>_Consider any submissions before deciding to adjust the level or alignment of a thoroughfare or drain water from it to private land [s.3.51].</li> </ul> </li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. If, under s.3.50(1), a thoroughfare is closed without giving local public notice, local public notice is to be given as soon as practicable after the thoroughfare is closed [s.3.50(8)].</li> <li>b. Maintain access to adjoining land [s.3.52(3)] (relevant to a metropolitan area or a Townsite only).</li> </ol> <p><i>Note: This authority also applies to the closing of roads due to weather conditions.</i></p>
<b>Express power to subdelegate</b>	Local Government Act 1995: _s.5.44 CEO may delegate some powers and duties to other employees

<b>Subdelegates</b>	Executive Director Corporate & Commercial Services Executive Director Infrastructure, Development & Environment Manager Development Services Manager Engineering & Assets Manager Operations Senior Planning and Development Compliance Officer
<b>Subdelegate conditions</b>	<p>a. Subject to the conditions imposed on the CEO.</p> <p>b. The following classes of persons are authorised to determine road closures in an emergency, where it is determined that there is a reasonable and imminent risk to public safety or property and subject to the road closure being given effect through sufficient and compliant traffic management:</p> <ul style="list-style-type: none"> <li>_Rangers</li> <li>_Emergency Management Officers</li> <li>_Coordinators &amp; Supervisors of Works, Construction and Road Maintenance</li> <li>_Engineering &amp; Sustainability Senior Administrators</li> <li>_Asset Technical Officers</li> <li>_Development Compliance Officers</li> </ul>
<b>Statutory framework</b>	Primary & Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Local Laws: Activities on Thoroughfares and Public Places and Trading Local Law 2011.
<b>Policy</b>	Council Policy: <a href="#">1.64 Wet Weather Road Closure Policy</a> <i>Note: This delegation does not cover permanent road closures which are governed by the Land Administration Act 1997.</i>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG8.02 Control Reserves and Certain Unvested Facilities</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Local Government Act 1995: _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	Local Government Act 1995: _s.3.53(3) Control of certain unvested facilities _s.3.54(1) Reserves under control of local government
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Agree the method for control and management of an unvested facility which is partially within 2 or more local government districts. [s.3.53(3)].</li> <li>2. Do anything for the purpose of controlling and managing land under the control and management of the City of Albany that the City could do under s.5 of the <a href="#">Parks and Reserves Act 1895</a>. [s.3.54(1)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Restricted to matters where the financial impact falls within the confines of an allocated budget and does not generate future financial obligations.
<b>Express power to subdelegate</b>	Local Government Act 1995: _s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Developed Reserves Supervisor Executive Director Infrastructure, Development & Environment Leading Hand Natural Reserves Manager City Reserves Manager Engineering & Assets Natural Reserves and Mowing Supervisor Reserves Officer
<b>Subdelegate conditions</b>	Subject to the conditions imposed on the CEO. <i>Note:</i> <i>_If a local government is given control of land reserved under the Land Administration Act 1997, it has the authority to manage and control that land as if it were a Board appointed under the Parks and Reserves Act 1895.</i> <i>_The local government can take actions specified in section 5 of the Parks and Reserves Act 1895, with references to "by-law" understood as "local law." This authority is limited if there are specific provisions in an order under the Land Administration Act 1997 related to the land.</i>
<b>Statutory framework</b>	Primary & Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Policy</b>	Council Policy: <a href="#">1.39 Naming of City Facilities, Roads, Parks, Reserves, Buildings, other Assets, and Awards</a>
<b>Record keeping</b>	Report to file.

<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
3 Jun 2025	Amended delegation	Authorised Persons: The following classes of persons are assigned as Authorised Officers to administer functions on behalf of the Manager City Reserves: Developed Reserves Supervisor, Natural Reserves and Mowing Supervisor, Leading Hand Natural Reserves and Reserves Officer(s).	CEO Authorisation: 03/06/2025.

<b>Delegation</b>	<b>LG8.03 Crossing – Construction, Repair and Removal (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Local Government Act 1995: _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	Local Government (Uniform Local Provisions) Regulations 1996: _r.12(1) Crossing from public thoroughfare to private land or private thoroughfare – Sch.9.1 cl.7 (2) _r.13(1) Requirement to construct or repair crossing – Sch.9.1 cl.7(3)
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Approve or refuse to approve, applications for the construction of a crossing giving access from a public thoroughfare to land or private thoroughfare serving land [ULP r.12(1)].</li> <li>2. Determine the specifications for construction of crossings to the satisfaction of the Local Government [ULP r.12(1)(a)].</li> <li>3. Give notice to an owner or occupier of land requiring the person to construct or repair a crossing [ULP r.13(1)].</li> <li>4. Initiate works to construct a crossing where the person fails to comply with a notice requiring them to construct or repair the crossing and recover 50% of the cost of doing so as a debt due from the person [ULP r.13(2)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Actions under this Delegation must comply with procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996.
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> _s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Coordinator Building Services Development Engineer Executive Director Infrastructure, Development & Environment Manager Engineering & Assets Senior Planning and Development Compliance Officer
<b>Subdelegate conditions</b>	Subject to the conditions imposed on the CEO.

<b>Statutory framework</b>	<p>Primary &amp; Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><i>Notes;</i></p> <p>_The <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a> – prescribe applicable statutory procedures.</p> <p>_Penalties under the Uniform Local Provisions Regulations are administered under Part 9, Division 2 of the <a href="#">Local Government Act 1995</a></p> <p>_Refer also to <b><i>Delegation LG3.1 - Activities in Thoroughfares and Public Places and Trading Local Law.</i></b></p>
<b>Policy</b>	Council Policy: <a href="#">1.70 Subdivision and Development Guidelines Policy</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG8.04 Determine and Manage Conditions on Approvals to Obstruct a Public Thoroughfare (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	Local Government Act 1995: _s.5.44 CEO may delegate some powers and duties to other employees
<b>Express power or duty delegated</b>	Local Government (Uniform Local Provisions) Regulations 1996: _r.6(4)(d) Obstruction of public thoroughfare by things placed and left - Sch. 9.1 cl. 3(1)(a)
<b>Function</b>	<p>1. When determining to grant permission to obstruct a public footpath or thoroughfare under <b>Delegated Authority LG2.06</b>:</p> <ol style="list-style-type: none"> <li>1. Authority to determine the sum sufficient to cover the cost of repairing damage to the public thoroughfare resulting from the placement of a thing or a protective structure, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant [ULP r.6(4)(d)].</li> <li>2. Authority to determine the requirements for protective structures, during such time as it is considered necessary for public safety and convenience [ULP r.6(5)(b)].</li> <li>3. Authority to determine and require in writing, that the person granted permission to obstruct a public thoroughfare repair damage caused by things placed on the thoroughfare and authority to determine if such repairs are to the satisfaction of the local government [ULP r.6(5)(d)].</li> </ol> <p>2. Authority to authorise persons to administer these functions.</p> <p>3. Activities allowed with a permit are to be administered using the local law.</p>
<b>Delegates</b>	Executive Director Infrastructure, Development & Environment Manager Engineering & Assets Manager Operations
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Decisions under this Delegation must be exercised in alignment with Council's <b>Delegated Authority LG2.06 Obstruction of Footpaths and Thoroughfares</b>.</li> <li>b. Actions under this Delegation must comply with the procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>.</li> </ol>
<b>Express power to subdelegate</b>	Nil
<b>Statutory framework</b>	<p>Primary &amp; Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Legislation:</p> <ul style="list-style-type: none"> <li>• <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a></li> <li>• Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <a href="#">Local Government Act 1995</a>.</li> </ul>
<b>Policy</b>	Local Law: Activities on Thoroughfares and Public Places and Trading Local Law 2011
<b>Record keeping</b>	Report to file.

<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG8.05 Determine and Manage Conditions on Permission for Dangerous Excavations on or on land adjoining Public Thoroughfares (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	Local Government Act 1995: _s.5.44 CEO may delegate some powers and duties to other employees
<b>Express power or duty delegated</b>	Local Government (Uniform Local Provisions) Regulations 1996: _r.11(6)(c) and (7)(c) Dangerous excavation in or near public thoroughfare – Sch. 9.1 cl.6
<b>Function</b>	When determining to grant permission for a dangerous excavation under Delegated Authority: Authority to: <ol style="list-style-type: none"> <li>1. Determine, as a condition of granting permission, the sum sufficient to deposit to cover the cost of repairing damage to the public thoroughfare or adjoining land resulting from the excavation or a protective structure, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant [r.11(6)(c)].</li> <li>2. Determine, as a condition of granting permission, requirements for protective structures and for the protective structures to be maintained and kept in satisfactory condition necessary for public safety and convenience [r.11(7)(c)].</li> <li>3. Determine if repairs to damage resulting from excavation or protective structures have been satisfactorily repaired.</li> <li>4. Authorise persons to administer the listed functions.</li> </ol>
<b>Delegates</b>	Executive Director Infrastructure, Development & Environment Manager Engineering & Assets Manager Operations
<b>Conditions</b>	a. Actions under this Delegation must comply with the procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> .
<b>Express power to subdelegate</b>	Authority is subject to consultation with the City's Engineering and Sustainability Team.
<b>Statutory framework</b>	Associated Delegated Authority: <ul style="list-style-type: none"> <li>▪ This delegated authority is effective only in alignment with <b>Delegated Authority 8.10</b>.</li> </ul> Legislation: <ul style="list-style-type: none"> <li>• <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a></li> <li>• Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <a href="#">Local Government Act 1995</a></li> </ul>
<b>Policy</b>	Local Laws: <ul style="list-style-type: none"> <li>▪ City of Albany Activities on Thoroughfares and Public Places and Trading Local Law 2011</li> <li>▪ City of Albany Local Government Property Local Law 2011</li> </ul>
<b>Record keeping</b>	Report to file.

<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>LG8.06 Determine and Manage Conditions on Permission for Private Works on, over, or under Public Places (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	Local Government Act 1995: _s.5.44 CEO may delegate some powers and duties to other employees
<b>Express power or duty delegated</b>	Local Government (Uniform Local Provisions) Regulations 1996: _r.17(5)(b) and r.17(6)(c) Private works on, over, or under public places — Sch. 9.1 cl. 8
<b>Function</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. Determine, as a condition of granting permission for Private Works in Public Places, the sum sufficient to deposit with the Local Government to cover the cost of repairing damage to the public thoroughfare or public place resulting from the crossing construction, on the basis that the Local Government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant [r.17(5)(b)].</li> <li>2. Determine if repairs to damage resulting from excavation or protective structures have been repaired satisfactorily. [r.17(6)(c)].</li> </ol> <p><b>CEO assigned functions delegated to classes of persons:</b> Authority to:</p> <ul style="list-style-type: none"> <li>• <b>Authority C1.</b> 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.</li> <li>• <b>Authority C2.</b> Serve notices on persons/ proprietors of premises who have conducted works in a street without Council's permission.</li> <li>• <b>Authority C3.</b> Upgrade Existing Street Lights and Underground Power: <ol style="list-style-type: none"> <li>a. Assess street lighting requests and designs, in relation to the functional road hierarchy, throughout the municipality;</li> <li>b. Approve the installation of additional or higher rated lamps for streetlight upgrading if considered appropriate;</li> <li>c. Approve the issuing of works orders to Western Power for the undergrounding or other modifications to power supplies;</li> <li>d. Approve the upgrading of street lighting; and</li> <li>e. Approve the consequential increased tariff, associated with approved Council projects.</li> </ol> </li> <li>• <b>Authority C4.</b> Authorise persons to administer any or all of the above functions.</li> </ul>
<b>Delegates</b>	Executive Director Infrastructure, Development & Environment Manager Engineering & Assets Manager Operations

<b>Conditions</b>	<p>Same conditions as imposed on CEO.</p> <p><b>Conditions of delegations assigned by CEO:</b></p> <p><b>(a)Authority C1:</b> 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.</p> <p><b>(b)Authority C2:</b> Serve notices: Chief Executive Officer to sign any Notices.</p> <p><b>(c)Authority C3:</b> 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.</p> <p><b>Specific conditions:</b></p> <p>(i) Authorise classes of persons limited to CEO and Executive Director.          (ii) Conditions:          _Chief Executive Officer (Authority – All)          _Executive Director Infrastructure, Development &amp; Environment (Authority – All)          _Manager Engineering &amp; Assets (Limited to enact Authority C1, C2 &amp; C4 only)          _Manager Operations (Limited to enact Authority C1 &amp; C2 only)</p>
<b>Subdelegates</b>	<p>Developed Reserves Supervisor          Development Compliance Officer          Development Engineer          Leading Hand Natural Reserves          Manager City Reserves          Manager Development Services          Natural Reserves and Mowing Supervisor          Reserves Officer          Senior Planning and Development Compliance Officer</p>
<b>Subdelegate conditions</b>	<p>The following positions (<i>Subdelegates</i>) are limited to enact Authority 1 only:</p> <p>_Manager City Reserves          _Manager Development Services          _Development Engineer          _Senior Planning &amp; Development Compliance Officer          _Development Compliance Officer</p>
<b>Statutory framework</b>	<p>Primary &amp; Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><i>Note:</i>          _This delegated authority is effective only in alignment with <b>Delegated Authority LG8.09 Private Works on, over or under Public Places.</b></p>
<b>Policy</b>	Nil.
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
3 Jun 2025	Amended delegation	Authorised Persons: The following classes of persons are assigned as Authorised Officers to administer functions on behalf of the Manager City Reserves: Developed Reserves Supervisor, Natural Reserves and Mowing Supervisor, Leading Hand Natural Reserves and Reserves Officer(s).	CEO Authorisation: 03/06/2025.

<b>Delegation</b>	<b>LG8.07 Gates Across Public Thoroughfares (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Local Government Act 1995: _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	Local Government (Uniform Local Provisions) Regulations 1996: _r.9 Permission to have gate across public thoroughfare – Sch.9.1 cl.5(1)
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Provide, or refuse to provide, permission to have a gate or other device across a local government thoroughfare that permits the passage of vehicle traffic and prevents livestock straying [ULP r.9(1)].</li> <li>2. Require an applicant to publish a notice of the application in a manner thought fit for the purpose of informing persons who may be affected by the proposed gate or device [r.9(2)].</li> <li>3. Impose conditions on granting permission [ULP r.9(4)].</li> <li>4. Renew permission, or at any other time vary any condition, effective upon written notice to the person to whom permission was granted [ULP r.9(5)].</li> <li>5. Cancel permission by written notice, and request the person to whom permission was granted to remove the gate or device within a specified time [ULP r.9(6)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>.</li> <li>b. Each approval provided must be recorded in the City's statutory Register of Gates in accordance with <i>Uniform Local Provisions Regulation 8</i>.</li> </ol>
<b>Express power to subdelegate</b>	Local Government Act 1995: _s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Developed Reserves Supervisor Executive Director Infrastructure, Development & Environment Leading Hand Natural Reserves Manager City Reserves Manager Engineering & Assets Manager Operations Natural Reserves and Mowing Supervisor Reserves Officer
<b>Subdelegate conditions</b>	Subject to the conditions imposed on the CEO. <i>Note:</i> _A person who is the owner or occupier of the land commits an offence if any fence or gate that separates the land from a public thoroughfare is not kept in good repair. _A person may apply to the local government for permission to have across a public thoroughfare under the control or management of the local government a gate or other device that enables motor traffic to pass across the public thoroughfare and prevents livestock from straying.

<b>Statutory framework</b>	Primary & Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. <i>Notes:</i> _The <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a> – prescribe applicable statutory procedures. _Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the Local Government Act 1995.
<b>Policy</b>	Nil.
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
3 Jun 2025	Amended delegation	Authorised Persons: The following classes of persons are assigned as Authorised Officers to administer functions on behalf of the Manager City Reserves: Developed Reserves Supervisor, Natural Reserves and Mowing Supervisor, Leading Hand Natural Reserves and Reserves Officer(s).	CEO Authorisation: 03/06/2025.

<b>Delegation</b>	<b>LG8.08 Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Local Government Act 1995:</a> _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	<a href="#">Local Government (Uniform Local Provisions) 1996:</a> _r.21(1) Wind erosion and sand drifts – Sch.9.1 cl.12 <a href="#">Sand Drift Prevention and Abatement Local Law 2009</a> _cl. 2.2 Local government notice _cl. 2.3 Notice specifying conditions _cl. 3.1 Cancellation of notice
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Give notice to a landowner/occupier if it is considered that clearing the owner/occupier's land may cause local government land with a common boundary to be adversely affected by wind erosion or sand drift [ULP r.21(1)].</li> <li>2. Give notice and specify conditions under the local law to prevent sand drift from affecting the amenity and/or health of occupants of neighbouring properties.</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Authority to issue a permit or enforce the local law is to be limited by assigned functions.</li> <li>b. Classes of Persons authorised to administer and enforce this function can be approved by the listed Executive Directors.</li> </ol>
<b>Express power to subdelegate</b>	<a href="#">Local Government Act 1995:</a> _s.5.44 CEO may delegate some powers and duties to other employees.
<b>Subdelegates</b>	Coordinator Building Services Coordinator Health Services Development Compliance Officer Development Engineer Executive Director Corporate & Commercial Services Executive Director Infrastructure, Development & Environment Manager Engineering & Assets Manager Operations Manager Public Health and Safety Senior Environmental Health Officer Senior Planning and Development Compliance Officer

<b>Statutory framework</b>	<p>Primary &amp; Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Authorised classes of persons appointed to administer the local law are not required to provide a return.</p> <p><i>Notes:</i></p> <p>_The <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a> prescribes applicable statutory procedures.</p> <p>_Penalties under the Uniform Local Provisions Regulations are administered under Part 9, Division 2 of the <a href="#">Local Government Act 1995</a>.</p>
<b>Policy</b>	Local Laws: Sand Drift Prevention and Abatement Local Law 2009
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
14 Jan 2025	Amended delegation	<p>Authorisation amended by CEO to clarify the application of local law relating to private property, being:</p> <p>(2) Authority to give notice and specify conditions under the local law to prevent sand drift from affecting the amenity and/or health of occupants of neighbouring properties.</p>	EMT 14/01/2025

<b>Delegation</b>	<b>LG8.09 Private Works on, over or under Public Places (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Local Government Act 1995: _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	Local Government Act 1995: _r.17 Private works on, over, or under public places – Sch.9.1 cl.
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Grant permission or refuse permission to construct a specified thing on, over, or under a specified public thoroughfare or public place that is local government property [ULP r.17(3)].</li> <li>2. Impose conditions on permission including those prescribed in r.17(5) and (6) [ULP r.17(5)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>.</li> <li>b. Permission may only be granted where, the proponent has: <ol style="list-style-type: none"> <li>i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed private works.</li> <li>ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public place at the completion of works.</li> <li>iii. Provided evidence of sufficient Public Liability Insurance.</li> <li>iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</li> </ol> </li> </ol>
<b>Express power to subdelegate</b>	Local Government Act 1995: _s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Coordinator Building Services Developed Reserves Supervisor Development Compliance Officer Development Engineer Executive Director Infrastructure, Development & Environment Leading Hand Natural Reserves Manager City Reserves Manager Development Services Manager Engineering & Assets Manager Public Health and Safety Natural Reserves and Mowing Supervisor Reserves Officer Senior Planning and Development Compliance Officer

<b>Subdelegate conditions</b>	Subject to the conditions imposed on the CEO.
<b>Statutory framework</b>	<p>Primary &amp; Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><i>Notes:</i>  <u>The <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a> – prescribe applicable statutory procedures.</u>  <u>Determination of Bond Value and Conditions. Refer to the <b>CEO Delegation LG8.06 Determine and Manage Conditions on Permission for Private Works on, over, or under Public Places.</b></u>  <u>Penalties under the Uniform Local Provisions Regulations are administered under Part 9, Division 2 of the <a href="#">Local Government Act 1995</a>.</u></p>
<b>Policy</b>	Nil.
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
3 Jun 2025	Amended delegation	<p>Authorised Persons: The following classes of persons are assigned as Authorised Officers to administer functions on behalf of the Manager City Reserves: Developed Reserves Supervisor, Natural Reserves and Mowing Supervisor, Leading Hand Natural Reserves and Reserves Officer(s).</p>	CEO Authorisation: 03/06/2025.

<b>Delegation</b>	<b>LG8.10 Public Thoroughfare – Dangerous Excavations (LG Act)</b>
<b>Category</b>	PART 1 - DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Local Government Act 1995: _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	Local Government (Uniform Local Provisions) Regulations 1996: _r.11(1), (4), (6) & (8) Dangerous excavation in or near public thoroughfare – Sch.9.1 cl.6
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Determine if an excavation in or on land adjoining a public thoroughfare is dangerous and take action to fill it in or fence it or request the owner / occupier in writing to fill in or securely fence the excavation [ULP r.11(1)].</li> <li>2. Determine to give permission or refuse to give permission to make or make and leave an excavation in a public thoroughfare or land adjoining a public thoroughfare [ULP r.11(4)].</li> <li>3. Impose conditions on granting permission [ULP r.11(6)].</li> <li>4. Renew a permission granted or vary at any time, any condition imposed on a permission granted [ULP r.11(8)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>.</li> <li>b. Permission may only be granted where, the proponent has: <ol style="list-style-type: none"> <li>i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed works.</li> <li>ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public assets at the completion of works.</li> <li>iii. Provided evidence of sufficient Public Liability Insurance.</li> <li>iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</li> </ol> </li> </ol>
<b>Express power to subdelegate</b>	Local Government Act 1995: _s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Executive Director Infrastructure, Development & Environment Manager Development Services Manager Engineering & Assets Senior Planning and Development Compliance Officer
<b>Subdelegate conditions</b>	<ol style="list-style-type: none"> <li>a. Subject to the conditions on delegation to the CEO.</li> <li>b. Authority subject to consultation with the Engineering and Sustainability Team.</li> </ol>

<b>Statutory framework</b>	<p>Primary &amp; Annual Returns: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Local Law:</p> <ul style="list-style-type: none"> <li>• City of Albany Local Government Property Local Law</li> <li>• Clause 3.13 Activities needing a permit. (1) A person shall not, without a permit - (n) make any excavation on or erect or remove any fence on local government property.</li> </ul> <p><i>Note:</i></p> <p><i>_Determination of Bond Value and Conditions. Refer to CEO Delegation LG8.5 – Determine and Manage Conditions on Permission for Dangerous Excavations on or on land adjoining Public Thoroughfares.</i></p> <p><i>_The Local Government (Uniform Local Provisions) Regulations 1996 – prescribe applicable statutory procedures.</i></p> <p><i>_Penalties under the Uniform Local Provisions Regulations are administered under Part 9, Division 2 of the Local Government Act 1995.</i></p>
<b>Policy</b>	<p>Nil.</p>
<b>Record keeping</b>	<p>Report to file.</p>
<b>Date adopted</b>	<p>1 July 2025</p>
<b>Adoption references</b>	<p>OCM 01/07/2025 Resolution AR178.</p>
<b>Last reviewed</b>	<p>1 July 2025</p>

## LG Act 1995 - Council to Committees of Council

<b>Delegation</b>	<b>LG9.01 Audit, Risk and Improvement Committee (LG Act)</b>
<b>Category</b>	PART 4 - DELEGATIONS TO COMMITTEES
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Local Government Act 1995: _s.7.1B Delegation of some powers and duties to audit committees
<b>Express power or duty delegated</b>	Local Government Act 1995: _s.7.12A(2), (3) & (4) Duties of Local Government with respect to audits
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Meet with the City's Auditor at least once every year on behalf of the Council [s.7.12A(2)].</li> <li>2. Examine the report of the Auditor and determine matters that require action to be taken by the City; and</li> <li>3. Ensure that appropriate action is taken in respect of those matters [s.7.12A(3)]</li> <li>4. Review and endorse the City's report on any actions taken in response to an Auditor's report, prior to it being forwarded to the Minister [s.7.12A(4)].</li> </ol>
<b>Delegates</b>	Audit and Risk Committee
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. This delegation is not to be used where a Management Letter or Audit Report raises significant issues. In that instance the Local Government's meeting with the Auditor must be directed to the Council.</li> <li>b. Council decides the conditions / limitations that apply when using delegated powers or duties</li> </ol>
<b>Express power to subdelegate</b>	Nil. Note: Sub-delegation is prohibited by s.7.1B of the Act.
<b>Statutory framework</b>	Local Government Act 1995 _Part 6 of the Act (Financial Management) _Part 7 of the Act and the Local Government (Audit) Regulations 1996 (Audit Requirements for Local Governments)
<b>Policy</b>	Resources: <ul style="list-style-type: none"> <li>▪ Local Government Operational Guidelines: <a href="#">Department of Local Government, Sport and Cultural Industries Operational Guideline No. 09 - The appointment, function and responsibilities of Audit Committees</a></li> <li>▪ Audit, Risk and Improvement Committee Terms of Reference: <a href="#">Link</a></li> </ul>
<b>Record keeping</b>	Report to file. Committee Minutes shall record and identify each decision made under this delegation in accordance with the requirements of <i>Administration Regulation 19</i> .
<b>Date adopted</b>	1 July 2025

<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
17 Sep 2025	Amended delegation	Delegation title amended to reflect new committee title: From: Audit & Risk Committee To: Audit, Risk & Improvement Committee.	Not applicable.

## Litter Act 1979 - CEO to Employees

<b>Delegation</b>	<b>EH1.04.1 Appointment of Authorised Officers (Litter Act 1979)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	<a href="#">Litter Act 1979</a> , s.26(1)(c) (Authorised officers, appointment and jurisdiction of etc.
<b>Express power or duty delegated</b>	<a href="#">Litter Act 1979</a> , s.26(1)(c) (Authorised officers, appointment and jurisdiction of etc.
<b>Function</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. Appoint Authorised Officers to exercise the powers and duties set out in the Litter Act 1979.</li> <li>2. Enforce the Litter Act 1979 and withdraw infringements issued under s30(4) of the Litter Act 1979, being: <ol style="list-style-type: none"> <li>a. s23 Littering — cigarette butt;</li> <li>b. s23 Littering — any other litter;</li> <li>c. s24 Breaking glass, metal or earthenware;</li> <li>d. s24A(1) Bill posting;</li> <li>e. s24A(2) Bill posting on a vehicle;</li> </ol> </li> <li>3. Enforce the Litter Regulations 1981 <ol style="list-style-type: none"> <li>a. r.6 Deposit of domestic or commercial waste in a public litter receptacle,</li> <li>b. r.8 Transporting load inadequately secured.</li> </ol> </li> </ol>
<b>Delegates</b>	<p>Chief Executive Officer (CEO)  Coordinator Waste Operations  Executive Director Corporate &amp; Commercial Services  Executive Director Infrastructure, Development &amp; Environment</p>
<b>Conditions</b>	<p>Withdrawal of infringement notices limited to the following classes of persons:  _Executive Directors;  _Manager Public Health &amp; Safety;  _Manager Operations;  _Coordinator Waste Operations.</p>
<b>Subdelegates</b>	<p>Coordinator Health Services  Coordinator Ranger Services  Environmental Health Officer  Manager Public Health and Safety  Ranger  Senior Environmental Health Officer  Senior Ranger</p>
<b>Subdelegate conditions</b>	<i>Note: Classes of persons authorised to administer and enforce this function are listed as "Subdelegates".</i>
<b>Statutory framework</b>	<a href="#">Litter Act 1979</a>
<b>Policy</b>	Council Policy: <a href="#">1.47 Regulatory Compliance Policy &amp; Guidelines</a>

<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

## Permit Authority (Dangerous Goods Regulations - CEO to Employees

<b>Delegation</b>	<b>LG1.20 Authority to Approve Blasting and Fire Works (Dangerous Goods Act 2004)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	Local Government Act 1995, s.5.42 "Acting Through" Dangerous Goods Safety Act 2004: 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.
<b>Express power or duty delegated</b>	Council designates the following classes of persons 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
<b>Function</b>	Authority to:  <ol style="list-style-type: none"> <li>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.</li> <li>2. Approve a Fire Works Application.</li> <li>3. Authorise persons to administer any or all of the above functions.</li> </ol>
<b>Delegates</b>	Executive Director Corporate & Commercial Services Executive Director Infrastructure, Development & Environment
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Consultation must be conducted with DFES (FRS district) and the Chief Bush Fire Control Officer (All other areas in the municipality), prior to any approval being given.</li> <li>b. The fireworks notice must be in an approved form and contain the following information: <ol style="list-style-type: none"> <li>1. the details of the fireworks operator licence that the person holds;</li> <li>2. the required details of the fireworks that will be used;</li> <li>3. the date and time when the firework will be used;</li> <li>4. where the fireworks will be used;</li> <li>5. the purpose of using the firework; and</li> <li>6. must be a licensed operator.</li> </ol> </li> <li>c. In accordance with r.131 (6), on receipt of an application for blasting operations within a town site, the local authority may: <ol style="list-style-type: none"> <li>1. Issue a notice that prohibits the explosion;</li> <li>2. Issue a permit for the explosion; or</li> <li>3. 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.</li> </ol> </li> <li>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 <b>\$5,000,000</b> or such higher amount as the local government decides is reasonable.</li> <li>e. Albany Airport must be notified of all approvals for fireworks.</li> </ol>
<b>Express power to subdelegate</b>	Delegates are authorised to designate classes of persons to administer this function.

<b>Statutory framework</b>	Dangerous Goods Safety Act 2004
<b>Policy</b>	Nil.
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

## Permit Authority (Liquor Control Act) - CEO to Employees

<b>Delegation</b>	<b>EH1.08 Liquor Licensing &amp; Control (Liquor Control Act 1988)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<p><a href="#">Liquor Control Act 1988</a>, Sections 39 and 40 of the Liquor Control Act 1988 are pivotal for local governments in Western Australia:</p> <ul style="list-style-type: none"> <li>▪ Section 39 requires that an applicant for a liquor licence must obtain a certificate from the local government confirming that the premises comply with relevant planning and building requirements.</li> <li>▪ Section 40 requires a certificate from the local government confirming that the proposed use of the premises is consistent with the zoning and planning scheme.</li> </ul>
<b>Express power or duty delegated</b>	<p>Under the <a href="#">Liquor Licensing Act 1988</a>, the following powers or duties are delegated:</p> <ul style="list-style-type: none"> <li>▪ Issue a Section 39 Certificate: Certificate from the local government confirming that the premises comply with relevant laws (e.g. building, health, and planning requirements).</li> <li>▪ Issue a Section 40 Certificate: Certificate from the planning authority confirming that the proposed use of the premises complies with applicable planning laws.</li> </ul>
<b>Function</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. Enforce all local government responsibilities under the Liquor Licensing Act 1988 and Liquor Control Act 1988, specifically pursuant to sections 39 and 40 of the Liquor Control Act 1988.</li> <li>2. Issue a Section 39 Certificate: <i>Confirms that the premises comply with applicable laws, including building, health, and planning requirements.</i></li> <li>3. Issue a Section 40 Certificate: <i>Confirms that the proposed use of the premises complies with the local planning scheme.</i></li> </ol>
<b>Delegates</b>	<p>Chief Executive Officer (CEO)  Coordinator Development Assessment and Customer Relations  Coordinator Health Services  Coordinator Planning Services  Executive Director Corporate &amp; Commercial Services  Executive Director Infrastructure, Development &amp; Environment  Manager Development Services  Manager Public Health and Safety</p>
<b>Conditions</b>	The exercise of enforcement powers is subject to compliance with the Local Planning Scheme.
<b>Express power to subdelegate</b>	<i>None. The Liquor Control Act 1988 does not contain a head of power that permits the delegation of the appointment of authorised persons to the Chief Executive Officer.</i>
<b>Statutory framework</b>	<p><a href="#">Liquor Control Act 1988</a></p> <ul style="list-style-type: none"> <li>• The Liquor Control Act 1988 is the principal statute governing liquor licensing and regulation in Western Australia.</li> <li>• It is also referred to as the <b>Liquor Licensing Act 1988</b>, as noted in its alternate citation</li> </ul>

<b>Policy</b>	Nil.
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

## Planning and Development Act 2005

Delegations under the Planning and Development Act 2005.

### Planning & Development Act - CEO to Employees

<b>Delegation</b>	<b>PD1.01 Appointment of Authorised Persons to administer the Planning &amp; Development Act 2005 (PD Act)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Planning and Development Act 2005
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Planning &amp; Development Act 2005</a> _s234 (Designated persons, appointment of) <a href="#">Local Government Act 1995</a> _s5.42 (Delegation of some powers and duties to CEO), _s9.10 (1) (Appointment of authorised persons) <a href="#">Local Government (Development Assessment Panels) Regulations 2025</a> _s6. Authorisation of employees
<b>Express power or duty delegated</b>	<a href="#">Heritage Act 2018:</a> _Part 8 (Local heritage surveys) <a href="#">Planning and Development Act 2005:</a> _s234 (Designated persons, appointment of) _s257C ( <i>Noting from 1 July 2024, the determination of development applications for single houses or any development associated with a single house, excluding development of or associated with a heritage protected place, must be made by the CEO of the local government or employees authorised by the CEO. This cannot be determined by Council.</i> ) <a href="#">Planning and Development (Local Planning Schemes) Regulations 2015</a> _Part 3 (Heritage protection) <a href="#">Local Government (Development Assessment Panels) Regulations 2025</a> _s6. Authorisation of employees

<b>Function</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. <u>Authorised Persons</u>: Appoint persons to administer the Planning &amp; Development Act 2005, including: The authorisation of persons to enter premises.</li> <li>2. <u>Local Development Plans (LDPs)</u>: Approve or Refuse LDPs after appropriate consultation and where it is unlikely to have an adverse impact on the local area;</li> <li>3. <u>Heritage</u>: <ol style="list-style-type: none"> <li>a. Make minor administrative amendments to the entry of a place in the heritage list after appropriate consultation.</li> <li>b. Make minor administrative amendments to the entry of a place in the local heritage survey after appropriate consultation.</li> </ol> </li> <li>4. <u>Issue &amp; Vary Infringement Notices</u>: Pursuant to s234 of the Planning and Development Act 2005, appoint designated persons to enforce the following sections: <ol style="list-style-type: none"> <li>a. 228 (Giving of infringement notice)</li> <li>b. 230 (Extension of time)</li> <li>c. 231 (Withdrawal of infringement notice)</li> </ol> </li> <li>5. <u>Determine Development Applications</u>: <ol style="list-style-type: none"> <li>a. Level 1: Applications which include a variance from a Local Planning Scheme (LPS) Policy, Guidelines &amp; Design Codes.</li> <li>b. Level 2/3: Applications with minor variations to LPS Policies, Guidelines &amp; Design Codes.</li> <li>c. Level 4: Applications under the LPS with no variations.</li> </ol> </li> <li>6. <u>State Administrative Appeals Tribunal (SAT)</u>: Exercise discretion and to respond to appeals lodged with the SAT for: <ol style="list-style-type: none"> <li>a. The determination of planning application appeals under Part 14 of the Planning and Development Act 2005, and the LPS;</li> <li>b. The determination of 'without prejudice' conditions; and</li> <li>c. Mediate matters before the State Administrative Tribunal (SAT).</li> </ol> </li> <li>7. <u>Development Assessment Panels: (CEO Delegation)</u>: <ol style="list-style-type: none"> <li>a. Authorise an employee to perform relevant DAP functions.</li> </ol> </li> </ol>
<b>Delegates</b>	CEO

<p><b>Conditions</b></p>	<p><b>Function authority limits:</b></p> <p>a. <b>Authority 1:</b> Limited to the CEO &amp; Executive Director.  b. <b>Authority 2:</b> Limited to the Manager Development Services &amp; above.  c. <b>Authority 3:</b> Limited to the Coordinator Planning Services &amp; above.  d. <b>Authority 4:</b></p> <p>_4a: 228 (Giving of infringement notice) - All authorised persons (Planning Officers &amp; Compliance Officers)  _4b: 230 (Extension of time) - Manager &amp; above.  _4c: 231 (Withdrawal of infringement notice) - Manager &amp; above.  e. <b>Authority 5:</b>  _5a: Coordinator Planning Services &amp; above.  _5b: Senior Planning Officer &amp; above.  _5c: Prescribed Limits for Determining Development Applications:  <b>Level 1: No limit</b> (<i>Includes</i> authority to: Approve &amp; Refuse applications, approve non-conforming land use, permit changes in land use, approve Bushfire Management Plans): CEO, Executive Director, Manager &amp; Coordinator.  <b>Level 2: Up to: \$3 million</b> (<i>Includes</i> authority to: Approve applications, permit changes in land use,, approve Bushfire Management Plans; <i>Excludes</i> authority to: Refuse applications, approve non-conforming land use): Senior Planning Officers &amp; Above.  <b>Level 3: Up to: \$2 million</b> (<i>Includes</i> authority to: Approve applications, permit changes in land use, <i>Excludes</i> authority to Refuse applications, approve non-conforming land use): Planning Officers.  <b>Level 4: Up to: \$500 thousand</b> (<i>Includes</i> authority to: Approve applications, permit changes in land use, <i>Excludes</i> authority to Refuse applications, approve non-conforming land use): Designated Technical Officers.  f. <b>Authority 6:</b> Limited to Senior Planning Officers &amp; above.  g. <b>Authority 7:</b> Limited to Senior Planning Officers &amp; above.</p>
<p><b>Express power to subdelegate</b></p>	<p><b>Council conditions:</b></p> <p>a. Subdelegates (Authorised Persons) are appointed by the CEO.  b. Authorised Persons 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 record).</p>
<p><b>Subdelegates</b></p>	<p>Coordinator Development Assessment and Customer Relations  Coordinator Planning Services  Development Compliance Officer  Development Engineer  Executive Director Infrastructure, Development &amp; Environment  Manager Development Services  Planning Officer  Senior Planning and Development Compliance Officer  Senior Planning Officer</p>

<b>Statutory framework</b>	<p>Primary &amp; Annual Returns: In accordance with sections 5.75 and 5.76 of the Act, the delegation of a power or duty to an employee under the Act or section 214 of the Planning and Development Act 2005 triggers the requirement to make disclosures in primary and annual returns. An employee to whom a duty or power is delegated under the Local Government Act 1995 is considered a 'designated employee' under section 5.74(1) of the Act.</p> <p><a href="#">Planning &amp; Development Act 2005</a></p> <p>_s214 (Illegal development, responsible authority's powers as to)</p> <p><a href="#">Local Government (Development Assessment Panels) Regulations 2025</a></p> <p>_Performance of Relevant DAP Function: Relevant DAP functions must be performed by the CEO or an authorised employee on behalf of the local government. The council or a committee of the council cannot direct the CEO or authorised employees in performing these functions.</p> <p>_Authorisation of Employees: The CEO may authorise an employee to perform relevant DAP functions</p>
<b>Policy</b>	<p>Policies - Local Planning Policies: <a href="#">Link</a></p> <p>Additional Information: The regulations clarify the roles of the council and local government staff in preparing and submitting a Responsible Authority Report (RAR) to a DAP. From 1 May 2025, the RAR must be prepared by the local government's administration, not the council.</p>
<b>Record keeping</b>	<p>Report to Council. Report to Council Committee monthly.</p>
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
8 May 2025	Amended delegation	The new Local Government (Development Assessment Panels) Regulations 2025 have been introduced under the Local Government Act 1995 in Western Australia. These regulations were published on 2 April 2025 and came into effect on 1 May 2025.	---
8 May 2025	Amended delegation	The new Local Government (Development Assessment Panels) Regulations 2025 have been introduced under the Local Government Act 1995 in Western Australia. These regulations were published on 2 April 2025 and came into effect on 1 May 2025	

<b>Delegation</b>	<b>PD1.02 Development Control (Authority to enforce compliance, development control and take legal action) (PD Act)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Planning and Development Act 2005
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Planning &amp; Development Act 2005</a> _Part 13 — Enforcement and legal proceedings
<b>Express power or duty delegated</b>	<a href="#">Planning &amp; Development Act 2005</a> _Authority to: 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.
<b>Function</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. Deal with unauthorised development. Give <u>written direction</u> regarding unauthorised development and remove or alter unauthorised development pursuant to s214 &amp; s215 of the Planning &amp; Development Act 2005.</li> <li>2. Enter and inspect in accordance with s79 of the Planning and Development (Local Planning Schemes) Regulations 2015;</li> <li>3. Implement matters delegated to the City of Albany under the Planning and Development Act 2005;</li> <li>4. Exercise discretion when issuing, withdrawing, amending notices and requisitions pursuant to Part 13 of the Planning and Development Act 2005 and the provisions the LPS;</li> <li>5. Exercise discretion and to respond to appeals lodged with the State Administrative Tribunal (SAT) for: <ol style="list-style-type: none"> <li>a. The determination of planning application appeals under Part 14 of the Planning and Development Act 2005, and the City's Local Planning Scheme (LPS);</li> <li>b. The determination of <u>building</u> application appeals;</li> <li>c. The determination of 'without prejudice' conditions;</li> <li>d. Prosecute under the Planning and Development Act 2005, Part 13;</li> <li>e. Make recommendations for appointment of consultants/legal representatives for SAT Matters; and</li> <li>f. Mediate matters before the State Administrative Tribunal (SAT).</li> </ol> </li> <li>6. Take action for departure from the requirements and provisions of the LPS, including the Planning and Development Act 2005, Part 13.</li> <li>7. Authorise persons to administer any or all of the above functions.</li> </ol>
<b>Delegates</b>	Executive Director Infrastructure, Development & Environment
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Development Control, Enforcement and Legal Action (including Appeals and SAT Matters): <ol style="list-style-type: none"> <li>i. The Executive Director shall sign any Prosecution Notices.</li> <li>ii. 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.</li> </ol> </li> <li>b. Without Prejudice" conditions and amended plans for matters mediated in the SAT are to be reported to the Council for consideration and determination.</li> <li>c. Representation is only exercised after consultation with the Executive Director (or in their absence), the approval of the CEO.</li> <li>d. Any third-party action against the City must be reported to the City's insurer.</li> </ol>

<b>Express power to subdelegate</b>	Local Government Act 1995 _s.5.42(b) Delegation of some powers or duties to the CEO
<b>Subdelegates</b>	Coordinator Development Assessment and Customer Relations Coordinator Planning Services Development Compliance Officer Development Engineer Executive Director Corporate & Commercial Services Manager Development Services Planning Officer Senior Planning and Development Compliance Officer Senior Planning Officer
<b>Subdelegate conditions</b>	<p>a. Classes of persons authorised to administer this function with conditions are listed as "Subdelegates".</p> <p>b. Subdelegates are appointed by the CEO.</p> <p>c. The classes of persons and limitations are assigned by the CEO as follows;</p> <ul style="list-style-type: none"> <li>▪ Executive Director (All)</li> <li>▪ Manager Development Services (Authority 1, 2, 3, 4, 5 a, c, d, e &amp; f only, 6)</li> <li>▪ Coordinator Planning Services (Authority 2, 3, 4, 5 a, c, d, e &amp; f only, 6)</li> <li>▪ Senior Planning Officer(s) (Authority 2, 3, 5 a, c, &amp; f only, 6)</li> <li>▪ Development Engineer (Authority 2, 3, 5 a, c, &amp; f only, 6)</li> <li>▪ Planning Officer (s) (Authority 2, 3, 5 a, c, &amp; f only)</li> <li>▪ Senior Planning &amp; Development Compliance Officer (Authority 1, 2, 3, 4, 5 a, c, d, e &amp; f only, 6)</li> <li>▪ Development Compliance Officer (Authority 1, 2, 3, 4, 5 a, c, d, e &amp; f only, 6)</li> </ul>
<b>Statutory framework</b>	<a href="#">Planning &amp; Development Act 2005</a> : _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.),
<b>Policy</b>	<a href="#">Local Planning Scheme</a> <a href="#">Regulatory Compliance Policy &amp; Guideline</a>
<b>Record keeping</b>	Report to file. Report to Council Committee monthly.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

## Planning &amp; Development Act - Minister of Lands to CEO

<b>Delegation</b>	<b>SI_2.01 Sign Development Applications for Crown Land as Owner (PD Act)</b>
<b>Category</b>	PART 3 - STATUTORY DELEGATIONS ASSIGNED TO LOCAL GOVERNMENT
<b>Head of power</b>	Planning and Development Act 2005
<b>Delegator</b>	Minister for Lands
<b>Express power to delegate</b>	<a href="#">Planning and Development Act 2005</a> _Section 267A Planning and Development Act 2005
<b>Express power or duty delegated</b>	<u>Instrument of delegation:</u> <i>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</i>

<b>Function</b>	<ol style="list-style-type: none"> <li>1. The power to sign as owner in respect of Crown land that is: <ol style="list-style-type: none"> <li>a. a reserve managed by the local government pursuant to section 46 of the Land Administration Act 1997 and the development is consistent with the reserve purpose and the development is not for a commercial purpose; or</li> <li>b. the land is a road of which the local government has the care, control and management under section 55(2) of the Land Administration Act 1997 and where there is no balcony or other structure proposed to be constructed over that road unless that structure comes within the definition of: <ol style="list-style-type: none"> <li>i. a "<u>minor encroachment</u>" in the Building Regulations 2012 (Regulation 45A),</li> <li>ii. or is an "awning, verandah or thing" (Regulation 458), or is a ground anchor,</li> <li>iii. and where the development is consistent with the use of the land as a road,</li> </ol> </li> </ol> </li> <li>2. In respect of development applications being made under or referred to in: <ol style="list-style-type: none"> <li>a. (section 99(2) of the Planning and Development Act 2005 in respect of development for which approval is required under a regional Interim development order (as that term, is defined in that Act);</li> <li>b. 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);</li> <li>c. 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);</li> <li>d. 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);</li> <li>e. 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);</li> <li>f. section 163 of the Planning and Development Act 2005 in respect of development on land which is comprised within a place entered in the Register maintained by Heritage Council under the Heritage of Western Australia Act 1990, or which such a place forms part;</li> <li>g. section 171A of the Planning and Development Act 2005 in respect of a prescribed development application (as that term is defined in that section of the Act).</li> </ol> </li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Refer to Column 3 of the <a href="#">Schedule</a> . <i>Extract:</i> <ol style="list-style-type: none"> <li>a. In accordance with and subject to approved Government. Land policies.</li> <li>b. Any signature subject to the following endorsement: <ol style="list-style-type: none"> <li>i. 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 Planning and Development Act 2005 (including any planning scheme).</li> <li>ii. The signature does not represent approval or consent for planning purposes.</li> <li>iii. 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.</li> </ol> </li> </ol>
<b>Statutory framework</b>	<a href="#">Planning &amp; Development Act 2005</a> <a href="#">Land Administration Act 1997</a>

<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025Resolution AR178.
<b>Last reviewed</b>	1 July 2025

## Planning &amp; Development Act 2005 - Western Australia Planning Commission to CEO

<b>Delegation</b>	<b>SI_2.02 WA Planning Commission – Powers of Local Governments - s.15 of the Strata Titles Act 1985 (DEL.2020/01)</b>
<b>Category</b>	PART 3 - STATUTORY DELEGATIONS ASSIGNED TO LOCAL GOVERNMENT
<b>Head of power</b>	Planning and Development Act 2005
<b>Delegator</b>	Western Australian Planning Commission
<b>Express power to delegate</b>	<a href="#">Planning and Development Act 2005</a> _Section 16 Planning and Development Act 2005
<b>Express power or duty delegated</b>	<i>Instrument of Delegation:</i> Government Gazette 29 January 2021 DEL 2020/01 (Pg. 449). The Western Australian Planning Commission (the WAPC) may delegate any function to a local government, a committee established under the <i>Local Government Act 1995</i> or an employee of a local government. Extract: <i>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.</i> <i>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.</i>
<b>Function</b>	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 <i>Strata Titles Act 1985</i> 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 <i>Strata Titles Act 1985</i> 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.
<b>Delegates</b>	CEO
<b>Conditions</b>	The following conditions pertain to the Schedules listed: Schedule 1 <u>1. Applications made under section 15 of the Strata Titles Act 1985:</u> _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 1s 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**

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.

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

(2) 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).
<b>Statutory framework</b>	<a href="#">Planning and Development Act 2005</a> <i>Instrument of Delegation: DEL2020/01 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.</i>
<b>Record keeping</b>	Report to file. Report to Council Committee.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025Resolution AR178.
<b>Last reviewed</b>	1 July 2025

## Public Health Act 2016

Delegations under the Public Health Act 2016.

## Public Health Act - Council to CEO &amp; CEO to Employees

<b>Delegation</b>	<b>EH2.01 Appoint Authorised Officer or Approved Officer under (Public Health Act 2016, Asbestos Regs)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Public Health Act 2016
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Health (Asbestos) Regulations 1992</a> , r.15D(7) Infringement Notices
<b>Express power or duty delegated</b>	<a href="#">Health (Asbestos) Regulations 1992</a> , r.15D(5) Infringement Notices
<b>Function</b>	Authority to appoint a person or classes of persons as an authorised officer or approved officer for the purposes of the <i>Criminal Procedure Act 2004</i> Part 2 [r.15D(5)].
<b>Delegates</b>	CEO Executive Director Corporate & Commercial Services Manager Public Health and Safety
<b>Conditions</b>	<p>a. Subject to each person so appointed being issued with a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices [r.15D(6)].</p> <p>b. Classes of persons authorised to be appointed and administer this function are listed as "sub-delegates".</p>
<b>Express power to subdelegate</b>	Nil. ( <i>The Health (Asbestos) Regulations 1992 do not provide a power to sub-delegate</i> ).
<b>Subdelegates</b>	Coordinator Health Services Development Compliance Officer Environmental Health Officer Senior Environmental Health Officer Senior Planning and Development Compliance Officer
<b>Subdelegate conditions</b>	<i>Note: Classes of persons who are authorised to administer this function are listed as Subdelegates.</i>
<b>Statutory framework</b>	<a href="#">Public Health Act 2016</a> <a href="#">Health (Asbestos) Regulations 1992</a> <a href="#">Criminal Procedure Act 2004</a> – Part 2
<b>Policy</b>	Resources: <ul style="list-style-type: none"> <li>City of Albany Environmental Guidelines: <a href="#">Link</a></li> <li>City of Albany Building Services Guidelines: <a href="#">Building Services Demolition Work</a></li> <li>City of Albany Transfer Station User Guides: <a href="#">Link</a></li> </ul>

<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>EH2.02 Enforcement Agency Reports to the Chief Health Officer (Public Health Act)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Public Health Act 2016
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Public Health Act 2016</a> , s.21 Enforcement agency may delegate
<b>Express power or duty delegated</b>	<p>Public Health Act 2016 - Section 22: Reports by and about Enforcement Agencies</p> <p>Under section 22, enforcement agencies (including local governments) are required to:</p> <ul style="list-style-type: none"> <li>▪ Report to the Chief Health Officer on the performance of their functions under the Act, including those carried out by employees or contractors. These reports must be submitted at intervals specified by the Chief Health Officer.</li> <li>▪ Forward details of any legal proceedings initiated under the Act: <ul style="list-style-type: none"> <li>◦ Within one month of instituting proceedings.</li> <li>◦ Within one month of the proceedings being finally resolved.</li> </ul> </li> <li>▪ The Department of Health must also include a summary of these reports in its annual report under the Financial Management Act 2006, along with the current State Public Health Plan.</li> </ul>
<b>Function</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. Prepare and submit to the Chief Health Officer the local government's report on: <ol style="list-style-type: none"> <li>1. The performance of its functions under the Public Health Act 2016, and</li> <li>2. The performance of functions by persons employed or engaged by the City [s.22(1)].</li> </ol> </li> <li>2. Prepare and submit to the Chief Health Officer a report detailing any legal proceedings initiated for an offence under the Act [s.22(2)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	None.
<b>Express power to subdelegate</b>	None. Sub-delegation is not permitted unless a regulation enacted under the Public Health Act 2016 specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].
<b>Subdelegates</b>	Executive Director Corporate & Commercial Services Manager Public Health and Safety
<b>Subdelegate conditions</b>	None.

<b>Statutory framework</b>	<p>Public Health Act 2016, Section 20 Section 20 – Conditions on Performance of Functions</p> <ul style="list-style-type: none"> <li>▪ This section empowers the Chief Health Officer to impose conditions or restrictions on how a local government enforcement agency performs its functions under the Act. These conditions may relate to: <ul style="list-style-type: none"> <li>◦ The scope or manner of enforcement activities.</li> <li>◦ Specific qualifications or procedural requirements.</li> <li>◦ Alignment with broader public health strategies or directives.</li> </ul> </li> <li>▪ This provision ensures that enforcement agencies operate within a consistent and accountable framework, particularly when exercising powers delegated under the Act.</li> </ul>
<b>Policy</b>	<p>Several internal documents reflect the City’s alignment with section 20 obligations:</p> <ul style="list-style-type: none"> <li>▪ The Environmental Health Services Service Plan outlines performance standards for complaint response, inspections, and development application assessments. These are consistent with conditions that may be imposed under section 20.</li> <li>▪ The Environmental Health service plan confirms proactive and reactive compliance activities, including food safety inspections and public health promotion, which are subject to oversight by the Chief Health Officer.</li> </ul>
<b>Record keeping</b>	<p>Report to file. Report to Council Committee annually.</p>
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>EH2.03 Designate Authorised Officers under (Public Health Act 2016)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Public Health Act 2016
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Public Health Act 2016</a> , Section 21 – An enforcement agency may delegate any of its functions under the Act, subject to conditions and limitations prescribed by the legislation.
<b>Express power or duty delegated</b>	<p><a href="#">Public Health Act 2016</a></p> <ul style="list-style-type: none"> <li>• Section 24(1) – Authority to designate persons as authorised officers for the purposes of the Act.</li> <li>• Section 24(3) – Duty to ensure that a person is not designated as an authorised officer unless they meet the prescribed qualifications, experience, or training requirements.</li> </ul>
<b>Function</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. Designate a person or class of persons as authorised officers for the purposes of: <ol style="list-style-type: none"> <li>1. The Public Health Act 2016 or another specified Act; or</li> <li>2. Specific provisions of the Public Health Act 2016 or another specified Act.</li> </ol> </li> <li>2. This may include: <ol style="list-style-type: none"> <li>1. An environmental health officer or a class of environmental health officers;</li> <li>2. A person who is not an environmental health officer, or a class of such persons;</li> <li>3. Or a combination of both.</li> </ol> </li> </ol>
<b>Delegates</b>	<p>CEO  Coordinator Health Services  Environmental Health Officer  Executive Director Corporate &amp; Commercial Services  Manager Public Health and Safety  Senior Environmental Health Officer</p>
<b>Conditions</b>	<p>General Conditions – Public Health Act 2016</p> <ol style="list-style-type: none"> <li>a. Designation of authorised officers is subject to: <ol style="list-style-type: none"> <li>1. The person being appropriately qualified and experienced[s.25(1)(a)].</li> <li>2. The issue of a certificate, badge, or identity card identifying the authorised officer [s.30 and s.31].</li> <li>3. Maintenance of a Register (list) of authorised officers by the enforcement agency [s.27]</li> </ol> </li> <li>b. Legal Proceedings: <ol style="list-style-type: none"> <li>1. Only the Chief Executive Officer and/or Executive Director Corporate &amp; Commercial Services may institute legal proceedings under the Act.</li> </ol> </li> </ol> <p>Specific Conditions – Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974  Authority includes:</p> <ol style="list-style-type: none"> <li>a. Approval of applications for effluent disposal systems [Regulation 4].</li> <li>b. Issuing permits to use effluent disposal systems [Regulation 10].</li> </ol>

<b>Express power to subdelegate</b>	<i>None. Sub-delegation is not permitted unless a regulation enacted under the Public Health Act 2016 specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].</i>
<b>Statutory framework</b>	<p><a href="#">Public Health Act 2016</a></p> <p>This Act provides the overarching legal framework for public health regulation in Western Australia. Key provisions include:</p> <ul style="list-style-type: none"> <li>▪ Section Provision s.20 Conditions on performance of functions by enforcement agencies.</li> <li>▪ s.25 Authorised officers must have appropriate qualifications and experience.</li> <li>▪ s.26 Additional provisions relating to designations.</li> <li>▪ s.27 Enforcement agencies must maintain a list of authorised officers.</li> <li>▪ s.28 Designation ceases under specified conditions.</li> <li>▪ s.29 Chief Health Officer may issue guidelines on qualifications and experience.</li> <li>▪ s.30–31 Certificates of authority must be issued and produced under other written laws.</li> <li>▪ s.32 Certificates must be returned when designation ends.</li> </ul> <p><a href="#">The Criminal Code, Chapter XXVI</a></p> <ul style="list-style-type: none"> <li>▪ Referenced under s.252 of the Public Health Act 2016, this chapter addresses offences against public order, which may intersect with public health enforcement (e.g. obstruction of authorised officers).</li> </ul> <p>Local Laws</p> <ul style="list-style-type: none"> <li>▪ <a href="#">Health Local Laws 2001</a>: Provides localised provisions for sanitation, public health nuisances, and food safety enforcement within the City of Albany.</li> <li>▪ <a href="#">Waste Local Law 2017 (As Amended)</a>: Covers waste management practices, including illegal dumping, disposal standards, and enforcement mechanisms.</li> </ul>
<b>Policy</b>	Council Policy: <a href="#">1.47 Regulatory Compliance Policy and Guidelines</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>EH2.04 Dealing with Seized Items under the Public Health Act</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Public Health Act 2016
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Public Health Act 2016</a> , s.21 Enforcement agency may delegate
<b>Express power or duty delegated</b>	<a href="#">Public Health Act 2016</a> _s.260 Return of seized item _s.262 Cost of destruction or disposal of forfeited items _s.263 Return of forfeited items _s.264 Compensation
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Determine if no contravention of the <i>Public Health Act 2016</i> has occurred and return seized items or forfeited items to the person from whom the items were seized or to any other person who is determined to be entitled to it [s.260 and 263].</li> <li>2. Recover the cost of destruction or disposal of forfeited items [s.262].</li> <li>3. In response to an application for compensation, Determine compensation that is just and reasonable in relation to any item seized under Part 16 if there has been no contravention of the Act and the item cannot be returned or has in consequence of the seizure depreciated in value [s.264].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Compensation is limited to a maximum value of <b>\$1000</b> , with any proposal for compensation above this value to be referred for Council's determination.
<b>Express power to subdelegate</b>	<i>Nil – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].</i>
<b>Subdelegates</b>	Coordinator Health Services Executive Director Corporate & Commercial Services Manager Public Health and Safety
<b>Statutory framework</b>	<a href="#">Public Health Act 2016</a> , s.20 Conditions on performance of functions by enforcement agencies. <i>Note – Decisions about compensation may be referred for review by the State Administration Tribunal [s.265]</i>
<b>Policy</b>	Resources: Guidelines: Powers and entry inspection and seizure - Public Health Act - <a href="#">Link</a>
<b>Record keeping</b>	Report to file. Report to Council Committee.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025



<b>Delegation</b>	<b>EH2.05 Appoint Designated Officer – Public Health Information Sharing</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Public Health Act 2016
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<a href="#">Public Health Act 2016</a> , s.21 Enforcement agency may delegate
<b>Express power or duty delegated</b>	<a href="#">Public Health Act 2016</a> , s.299 Information Sharing
<b>Function</b>	Authority, to appoint Designated Officer/s for the purposes of s.299 [s.299(1)].
<b>Delegates</b>	CEO Coordinator Health Services Environmental Health Officer Executive Director Corporate & Commercial Services Manager Public Health and Safety Senior Environmental Health Officer
<b>Conditions</b>	Appointments must be consistent with requirements outlined in the <a href="#">Chief Health Officer's Information Sharing Guideline</a> , prepared in accordance with s.300.
<b>Express power to subdelegate</b>	<i>Nil – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].</i>
<b>Statutory framework</b>	<a href="#">Public Health Act 2016</a> , s.300 Guidelines relating to information sharing. <i>(Note – Decisions under this delegation may be referred for review by the State Administration Tribunal).</i>
<b>Policy</b>	Guidelines: Chief Health Officer - Information Sharing - Guidelines (For the purposes of sections 299 and 300 of the Public Health Act 2016): <a href="#">Link</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

## Road Traffic (Vehicles) Act 2012

State Government Authorisation and Delegation to Local Governments.

## Road Traffic Act - CEO to Employees

<b>Delegation</b>	<b>V1.01 Approval for Certain Local Government Vehicles as Special Use Vehicles (Vehicles Act)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Road Traffic (Vehicles) Act 2012
<b>Delegator</b>	Department of Transport
<b>Express power to delegate</b>	<a href="#">Road Traffic (Vehicles) Regulations 2014</a> _Pursuant to the <i>Road Traffic (Vehicles) Regulations 2014</i>
<b>Express power or duty delegated</b>	Approve vehicles owned by a local government and ordinarily used by persons authorised or appointed by that local government to perform functions on its behalf under: <ul style="list-style-type: none"> <li>a. the <i>Local Government Act 1995</i>;</li> <li>b. regulations made under the <i>Local Government Act 1995</i>;</li> <li>c. a local law;</li> <li>d. any other legislation empowering a local government to authorise or appoint persons to perform functions on the behalf of the local government (including but not limited to the <i>Dog Act 1 976</i>); or</li> <li>e. any combination of the above paragraphs (a) to (d);</li> </ul>
<b>Function</b>	To perform functions on its behalf under: <ul style="list-style-type: none"> <li>a. the <i>Local Government Act 1995</i>;</li> <li>b. regulations made under the <i>Local Government Act 1995</i>;</li> <li>c. a local law;</li> <li>d. any other legislation empowering a local government to authorise or appoint persons to perform functions on the behalf of the local government (including but not limited to the <i>Dog Act 1 976</i>); or</li> <li>e. any combination of the above paragraphs (a) to (d);</li> </ul> <p>As special use vehicles for the purposes of paragraph "f" of the definition of "special use vehicle" in regulation 327(4) of the Regulations, with the effect that those vehicles may be fitted with one or more yellow flashing lights under regulation 327(3)(b) of the Regulations,</p>
<b>Delegates</b>	CEO

<b>Conditions</b>	<ol style="list-style-type: none"> <li>1. Those lights must emit rotating, flashing yellow coloured light(s) and must not be a strobe light.</li> <li>2. At least one flashing light shall be mounted on top of the vehicle and when lit, shall be visible in normal daylight up to a distance of not less than 200 metres to vehicles approaching from any direction.</li> <li>3. No part of the lens of the flashing lights is visible either directly or indirectly to the driver when seated in the normal driving position.</li> <li>4. If more than one flashing light is fitted, they must be placed symmetrically about the centre line of the vehicle or combination of vehicles.</li> <li>5. An on/off switch for the flashing lights must be installed so as to be easily operated from the driver's seat.</li> <li>6. Any additional equipment fitted to the vehicle must not interfere with the overall safe operation of the vehicle.</li> <li>7. Any vehicle fitted with flashing lights for the purposes of this approval must: <ol style="list-style-type: none"> <li>a. have words clearly set out on the sides of the vehicle which state the name of the local government in question together with the words "Ranger", "Ranger Services", or words to similar unambiguous effect; and</li> <li>b. where the vehicle is a station wagon or van, have the words "Ranger", "Ranger Services", or words to similar unambiguous effect clearly set out on the back of the vehicle.</li> </ol> </li> </ol> <p>This condition 7 is not intended to prevent the use of additional words on the vehicle.</p>
<b>Subdelegates</b>	Executive Director Infrastructure, Development & Environment Manager Operations
<b>Subdelegate conditions</b>	<ol style="list-style-type: none"> <li>a. Classes of persons authorised to administer this function on behalf of the CEO are listed as "Subdelegates".</li> <li>b. City employees responsible for "Fleet Management" are authorised this function on behalf of the "Subdelegates".</li> </ol>
<b>Statutory framework</b>	Road Traffic Authority Delegation: <a href="#">Link</a>
<b>Policy</b>	Admin Policy: <a href="#">Fleet Management Policy &amp; Guideline</a>
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Delegation</b>	<b>V1.02 Traffic Management - Events on Roads (Vehicles Act)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Road Traffic (Vehicles) Act 2012
<b>Delegator</b>	Commissioner of Main Roads
<b>Express power to delegate</b>	Road Traffic Code 2000 _Regulation 297(2) <i>Road Traffic Code 2000</i>
<b>Express power or duty delegated</b>	Reference: <a href="#">Instrument of Delegation</a> - Traffic Management for Events - Code of Practice  Authorised Bodies (City of Albany): <a href="#">Link</a>  Extract: Express Power or Duty Authorised: Erect, establish, display, alter or take down such road signs of whatsoever type or class (except for permanent traffic control signals) as may be required for the purpose and duration of any works, survey or inspection, associated with the construction, maintenance or repair on a road (other than a main road or highway), any adjoining land or any portion thereof within its jurisdiction.
<b>Function</b>	Local Government ("Authorised Body") by itself, its employees, consultants, agents and contractors (together "Representatives") to, from the date indicated [in the Instrument of Authorisation], erect, establish, display, alter or take down such road signs of whatsoever type or class (except for permanent traffic control signals) as may be required for the purpose and duration of any: <ul style="list-style-type: none"> <li>i. "event" subject to an order from the Commissioner of Police pursuant to Part VA of the <i>Road Traffic Act 1974</i>;</li> <li>ii. race meeting or speed test for which the Minister referred to in section 83 of the <i>Road Traffic Act 1974</i> has, under that provision, temporarily suspended the operation of any provisions of the <i>Road Traffic Act 1974</i> or regulations made under that Act; or</li> <li>iii. public meeting or procession the subject of a permit granted by the Commissioner of Police under the <i>Public Order in Streets Act 1984</i>;</li> </ul> or as may be required for the purpose of controlling traffic on a road adjacent to, or in the vicinity of, any event or organised activity approved by the Authorised Body under its local laws, on a road (other than a main road or highway) within its jurisdiction.
<b>Delegates</b>	CEO
<b>Conditions</b>	Conditions of Authorisation: At all times, the "Authorised Body", being the Local Government (City of Albany): <ul style="list-style-type: none"> <li>a. Shall at all times observe, perform and comply with the provisions of the "Traffic Management for Events Code of Practice" (as amended or replaced from time to time in consultation with the Traffic Management for Events Advisory Group) issued by Main Roads Western Australia ("the Code") referring to the version which is current at the time of the event, a copy of which can be obtained from Main Roads Western Australia from <a href="http://www.mainroads.wa.gov.au">www.mainroads.wa.gov.au</a> or by contacting Main Roads by phone;</li> <li>b. Shall develop and implement procedures that will satisfy the Commissioner that traffic management implemented by the Authorised Body, its employees, agents and contractors will in all respects conform to and comply with the requirements of the Code; and</li> <li>c. Shall ensure that its Representatives comply with the terms and conditions identified above at paragraphs (a) and (b) as if they were named in those paragraphs in place of the Authorised Body.</li> </ul>

<b>Express power to subdelegate</b>	Positions Authorised: The Local Government itself, its employees, consultants, agents and contractors.
<b>Subdelegates</b>	Executive Director Infrastructure, Development & Environment Manager City Reserves Manager Engineering & Assets Manager Operations
<b>Subdelegate conditions</b>	<p>a. Classes of persons authorised to administer this function designated as "Subdelegates".</p> <p>b. Authorised classes of person to administer this function on behalf of the "Subdelegates":</p> <p><i>_Persons employed in the City's Asset Management Team.</i></p>
<b>Statutory framework</b>	Authorised Bodies: Authorised Bodies (City of Albany): <a href="#">Link</a> Code of Practice: <a href="#">Traffic Management for Events Code of Practice</a>
<b>Policy</b>	Resources: <a href="#">Main Roads Western Australia: Planning and Technical Services Directorate Road Safety Branch February 2021</a>
<b>Record keeping</b>	Report to file. Report to Council Committee.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
3 Jun 2025	Amended delegation	Authorised Persons: The following classes of persons are assigned as Authorised Officers to administer functions on behalf of the Manager City Reserves: Developed Reserves Supervisor, Natural Reserves and Mowing Supervisor, Leading Hand Natural Reserves and Reserves Officer(s).	CEO Authorisation: 03/06/2025.

<b>Delegation</b>	<b>V1.03 Traffic Management – Road Works (Vehicle Act)</b>
<b>Category</b>	PART 2 - DELEGATIONS UNDER OTHER LEGISLATION
<b>Head of power</b>	Road Traffic (Vehicles) Act 2012
<b>Delegator</b>	Commissioner of Main Roads
<b>Express power to delegate</b>	<a href="#">Road Traffic Code 2000</a> _Regulation 297(2) of the <i>Road Traffic Code 2000</i>
<b>Express power or duty delegated</b>	<a href="#">Instrument of Delegation</a> - Traffic Management for Works on Roads - Code of Practice;  Local Government ('Authorised Body') by itself, its employees, consultants, agents and contractors (together 'Representatives') to, from the date indicated [in the Instrument of Authorisation], erect, establish, display, alter or take down such traffic signs and traffic control devices of whatsoever type or class (except for permanent traffic control signals) as may be required for the purpose and duration of any works, survey or inspection, associated with the construction, maintenance or repair on a road (other than a main road or highway), any adjoining land or any portion thereof within its jurisdiction.
<b>Function</b>	Authority to: Erect, establish, display, alter or take down such traffic signs and traffic control devices of whatsoever type or class (except for permanent traffic control signals) as may be required for the purpose and duration of any works, survey or inspection, associated with the construction, maintenance or repair on a road (other than a main road or highway), any adjoining land or any portion thereof within its jurisdiction.
<b>Delegates</b>	CEO
<b>Conditions</b>	Terms & Conditions; Authorised Bodies (Local Government), being the City of Albany:  <ul style="list-style-type: none"> <li>a. Shall at all times observe, perform and comply with the provisions of the 'Traffic Management for Works on Roads Code of Practice' (as amended or replaced from time to time in consultation with the Traffic Management for Roadworks Advisory Group) issued by Main Roads Western Australia ('the Code') referring to the version which is current at the time of the relevant works, a copy of which can be obtained from Main Roads Western Australia from <a href="http://www.mainroads.wa.gov.au">www.mainroads.wa.gov.au</a> or by contacting Main Roads by phone;</li> <li>b. Shall develop and implement procedures that will satisfy the Commissioner that traffic management implemented by the Authorised Body, its employees, agents and contractors will in all respects conform to and comply with the requirements of the Code; and</li> <li>c. Shall ensure that its Representatives comply with the terms and conditions identified above at paragraphs (a) and (b) as if they were named in those paragraphs in place of the Authorised Body.</li> </ul>
<b>Subdelegates</b>	Developed Reserves Supervisor Executive Director Infrastructure, Development & Environment Leading Hand Natural Reserves Manager City Reserves Manager Engineering & Assets Manager Operations Natural Reserves and Mowing Supervisor Reserves Officer

<b>Subdelegate conditions</b>	a. Same conditions imposed on the CEO. b. Classes of persons authorised to administer this function are designated as "Subdelegates":
<b>Statutory framework</b>	Legislation: Road Traffic (Vehicles) Act 2012
<b>Policy</b>	Nil.
<b>Record keeping</b>	Report to file.
<b>Date adopted</b>	1 July 2025
<b>Adoption references</b>	OCM 01/07/2025 Resolution AR178.
<b>Last reviewed</b>	1 July 2025

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
3 Jun 2025	Amended delegation	Authorised Persons: The following classes of persons are assigned as Authorised Officers to administer functions on behalf of the Manager City Reserves: Developed Reserves Supervisor, Natural Reserves and Mowing Supervisor, Leading Hand Natural Reserves and Reserves Officer(s).	CEO Authorisation: 03/06/2025.

## AMENDMENTS

<b>Delegation</b>	<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
EH1.04.3 Health (Miscellaneous Provisions) Act 1911 - Powers of Local Government	7 Jul 2025	Amended delegation	Regulations formally repealed and should no longer be referenced or enforced are referenced in main document.	Nil
EH1.04.4 Environmental Protection - Illegal Dumping & Noise	3 Jun 2025	Amended delegation	The following classes of persons limited to illegal dumping only: Manager City Reserves, Developed Reserves Supervisor, Natural Reserves and Mowing Supervisor, Leading Hand Natural Reserves and Reserves Officer(s).	CEO Authorisation: 03/06/2025.
LG2.06 Obstruction of Footpaths and Thoroughfares	3 Jun 2025	Amended delegation	Authorised Persons: The following classes of persons are assigned as Authorised Officers to administer functions on behalf of the Manager City Reserves: Developed Reserves Supervisor, Natural Reserves and Mowing Supervisor, Leading Hand Natural Reserves and Reserves Officer (s).	CEO Authorisation: 03/06/2025.
LG3.01.1 Activities on Thoroughfares and Public Places and Trading Local Law 2011 - Infrastructure Control – (LG Act)	3 Jun 2025	Amended delegation	Authorised Officers: The following classes of persons are assigned as Authorised Officers to administer functions on behalf of the Manager City Reserves: Developed Reserves Supervisor, Natural Reserves and Mowing Supervisor, Leading Hand Natural Reserves and Reserves Officer (s).	CEO Authorisation: 03/06/2025.
LG3.01.2 Activities on Thoroughfares and Public Places and Trading Local Law 2011 - Trading, Stallholders, Performing and Outdoor Dining (LG Act)	3 Jun 2025	Amended delegation	Authorised Persons: The following classes of persons are assigned as Authorised Officers to administer functions on behalf of the Manager City Reserves: Developed Reserves Supervisor, Natural Reserves and Mowing Supervisor, Leading Hand Natural Reserves and Reserves Officer (s).	CEO Authorisation: 03/06/2025.
LG3.10 Local Government Property Local Law 2011	3 Jun 2025	Amended delegation	Authorised Persons: The following classes of persons are assigned as Authorised Officers to administer functions on behalf of the Manager City Reserves: Developed Reserves Supervisor, Natural Reserves and Mowing Supervisor, Leading Hand Natural Reserves and Reserves Officer (s).	CEO Authorisation: 03/06/2025.

Delegation	Date	Type	Amendment	References
LG3.12 Waste Local Law 2017	15 Jan 2025	Amended delegation	Appended with additional information: Express power to delegate: Local Government Act 1995: _s.5.42 Delegation of some powers or duties to the CEO _s.5.43 Limitations on delegations to the CEO Manager Engineering removed as a sub-delegate.	
LG4.02 Application of Regional Price Preference Policy	22 Oct 2024	Amended delegation	Application of Regional Price Preference Policy (LG Act). "Quotations of \$30,000 value or greater (Major Quotations)." Change to \$50,000.	OCM 22/10/2024 Resolution CCS668.
LG4.04 Payments from the Municipal or Trust Funds (LG Act)	9 May 2025	Amended delegation	Addition of Financial Services Coordinator and Business Analyst / Management Accountant to list of delegates	Nil
LG4.05 Power to Invest and Manage Investments (LG Act)	9 May 2025	Amended delegation	Addition of Financial Services Coordinator to delegates list	Nil
LG5.05 Tenders for Goods and Services – Accepting and Rejecting Tenders; Varying Contracts; Exercising Contract Extension Options (LG Act)	22 Oct 2024	Amended delegation	Note*: Only contracts of value greater than \$30,000 are administered by this delegation." Change to \$50,000	OCM 22/10/2024 Resolution CCS668.
LG5.05 Tenders for Goods and Services – Accepting and Rejecting Tenders; Varying Contracts; Exercising Contract Extension Options (LG Act)	17 Feb 2025	Amended delegation	Sub-delegate conditions amended. _From: \$30,000 to \$50,000, being: Note*: Only contracts that are of a value greater than \$30,000 are administered by this delegation, inline with the new Major Quotation threshold, and administered by the Procurement team. _Appended with notation: All figures stated in this delegation are exclusive of GST.	EMT Item 4.2 - June 2025.
LG8.02 Control Reserves and Certain Unvested Facilities	3 Jun 2025	Amended delegation	Authorised Persons: The following classes of persons are assigned as Authorised Officers to administer functions on behalf of the Manager City Reserves: Developed Reserves Supervisor, Natural Reserves and Mowing Supervisor, Leading Hand Natural Reserves and Reserves Officer (s).	CEO Authorisation: 03/06/2025.

Delegation	Date	Type	Amendment	References
LG8.06 Determine and Manage Conditions on Permission for Private Works on, over, or under Public Places (LG Act)	3 Jun 2025	Amended delegation	Authorised Persons: The following classes of persons are assigned as Authorised Officers to administer functions on behalf of the Manager City Reserves: Developed Reserves Supervisor, Natural Reserves and Mowing Supervisor, Leading Hand Natural Reserves and Reserves Officer (s).	CEO Authorisation: 03/06/2025.
LG8.07 Gates Across Public Thoroughfares (LG Act)	3 Jun 2025	Amended delegation	Authorised Persons: The following classes of persons are assigned as Authorised Officers to administer functions on behalf of the Manager City Reserves: Developed Reserves Supervisor, Natural Reserves and Mowing Supervisor, Leading Hand Natural Reserves and Reserves Officer (s).	CEO Authorisation: 03/06/2025.
LG8.08 Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift (LG Act)	14 Jan 2025	Amended delegation	Authorisation amended by CEO to clarify the application of local law relating to private property, being: (2) Authority to give notice and specify conditions under the local law to prevent sand drift from affecting the amenity and/or health of occupants of neighbouring properties.	EMT 14/01/2025
LG8.09 Private Works on, over or under Public Places (LG Act)	3 Jun 2025	Amended delegation	Authorised Persons: The following classes of persons are assigned as Authorised Officers to administer functions on behalf of the Manager City Reserves: Developed Reserves Supervisor, Natural Reserves and Mowing Supervisor, Leading Hand Natural Reserves and Reserves Officer (s).	CEO Authorisation: 03/06/2025.
LG9.01 Audit, Risk and Improvement Committee (LG Act)	17 Sep 2025	Amended delegation	Delegation title amended to reflect new committee title: From: Audit & Risk Committee To: Audit, Risk & Improvement Committee.	Not applicable.
PD1.01 Appointment of Authorised Persons to administer the Planning & Development Act 2005 (PD Act)	8 May 2025	Amended delegation	The new Local Government (Development Assessment Panels) Regulations 2025 have been introduced under the Local Government Act 1995 in Western Australia. These regulations were published on 2 April 2025 and came into effect on 1 May 2025.	Nil

Delegation	Date	Type	Amendment	References
PD1.01 Appointment of Authorised Persons to administer the Planning & Development Act 2005 (PD Act)	8 May 2025	Amended delegation	The new Local Government (Development Assessment Panels) Regulations 2025 have been introduced under the Local Government Act 1995 in Western Australia. These regulations were published on 2 April 2025 and came into effect on 1 May 2025	
V1.02 Traffic Management - Events on Roads (Vehicles Act)	3 Jun 2025	Amended delegation	Authorised Persons: The following classes of persons are assigned as Authorised Officers to administer functions on behalf of the Manager City Reserves: Developed Reserves Supervisor, Natural Reserves and Mowing Supervisor, Leading Hand Natural Reserves and Reserves Officer (s).	CEO Authorisation: 03/06/2025.
V1.03 Traffic Management – Road Works (Vehicle Act)	3 Jun 2025	Amended delegation	Authorised Persons: The following classes of persons are assigned as Authorised Officers to administer functions on behalf of the Manager City Reserves: Developed Reserves Supervisor, Natural Reserves and Mowing Supervisor, Leading Hand Natural Reserves and Reserves Officer (s).	CEO Authorisation: 03/06/2025.