



Shire of Northam
Heritage, Commerce and Lifestyle

**Shire of Northam
2019/20**

Delegated Authority Register

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EXPLANATION NOTES

General

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

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

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

Transfer of Authority Due to Absence

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

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

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

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

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

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

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

SECTION A

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

Administration

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

The Chief Executive Officer is delegated authority to;

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

REFER TO SEPARATE USAGE REGISTER KEPT BY CEO EA.

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

The Chief Executive Officer is delegated authority to:

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

A02 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Choose an item.
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Choose an item.
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DELEGATION NUMBER	-	A03
LEGISLATIVE POWER	-	Local Government Act 1995, S3.43 & s3.47.
DELEGATION SUBJECT	-	Disposing of Confiscated or Uncollected Goods
DELEGATE	-	Chief Executive Officer
SUB DELEGATE	-	Nil.

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

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

A03 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
5/09/2019	Owners of uncollected/claimed vehicles	Approval of tender for vehicles	Jason Whiteaker - CEO
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Choose an item.
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DELEGATION NUMBER	- A04
LEGISLATIVE POWER	- Caravan Parks And Camping Grounds Regulations 1997, (Reg. 11)
DELEGATION SUBJECT	- Approval of Camping Other than at a Caravan Park or Camping Ground
DELEGATE	- Chief Executive Officer
SUB DELEGATE	- Executive Manager Development Services Manager Health and Environment

The Chief Executive Officer is delegated authority to:

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

Conditions

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

A04 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Choose an item.
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Choose an item.
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DELEGATION NUMBER	- A05
LEGISLATIVE POWER	- Local Government Act 1995 Local Government (Miscellaneous Provisions) Act 1960 Dog Act 1976 Cat Act 2011 Control of Vehicles (Off Road Areas) Act 1978 Caravan Parks & Camping Grounds Act 1995 Litter Act 1979 Planning & Development Act 2005 Building Act 2011 Food Act 2008 Public Health Act 2016 & Health (Miscellaneous Provisions) Act 1911
DELEGATION SUBJECT	- Authorised, Designated & Approved Officers – Appointment
DELEGATE	- Chief Executive Officer
SUB DELEGATE	- Nil.

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

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

The following is a list of Authorised Officers:

Planning & Development Act 2005:

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

Litter Officers:

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

Dog Act Officers:

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

Cat Act Officers:

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

Swimming Pool Inspections:

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

Building Act 2011

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

Food Act 2008

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

Public Health Act 2016

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

Health (Miscellaneous Provisions) Act 1911

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

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Caravan Parks and Camping Ground Act 1995

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

Health (Asbestos) Regulations 1992

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

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

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

A06 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
9/08/2019	Peter Griggs	Notice of Entry	Jason Whiteaker - CEO
9/03/2020	Joyce Daniels	Notice of Entry	Jason Whiteaker - CEO
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Choose an item.

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

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

Conditions:

- Determinations and decisions under the Shire of Northam's Local Laws having regard to the relevant Council policies in force at the time.
- The administration of the Extractive Industries Local Law 2016, including any enforcement action and collection of the annual licence fee be delegated to the CEO, but that the exercise of the following powers be reserved to the Council:
 - Issue or refusal of a licence under clause 3.1(2)
 - Determination of a licence period under clause 3.1(3)(a)
 - Transfer, cancel or refusal to renew a licence under clauses 4.1(2), 4.2 and 4.3(4) determination of any security under clause 5.1(1).

Exclusions – Renewal of a licence where it is proposed to vary the conditions of the licence; or where the licensee has not complied with the conditions of the licence.

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

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

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

Condition

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

Building

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

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

Special Conditions or Guidelines

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

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

REFER TO SEPARATE USAGE REGISTER KEPT BY SENIOR BUILDING SURVEYOR.

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

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

Special Conditions or Guidelines

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

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

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

B02 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
22/07/2019	Wes's Demolition	Issued Demolition Permit to Contractor	Gordon Tester - SBS
11/09/2019	Kate Amanda Carameli	Issued Demolition Permit to Owner	Gordon Tester - SBS
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Choose an item.

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

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

Special Conditions or Guidelines

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

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

B03 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
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DELEGATION NUMBER	- B04
LEGISLATIVE POWER	- <i>Building Act 2011, s58, s127</i>
DELEGATION SUBJECT	- Buildings – Grant of Occupancy Permit, Building Approval Certificate
DELEGATE	- Chief Executive Officer
SUB DELEGATE	- Executive Manager Development Services Senior Building Surveyor

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

Special Conditions or Guidelines

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

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

B04 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Jason Whiteaker - CEO
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Jason Whiteaker - CEO
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Jason Whiteaker - CEO

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

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

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

Subject to the provisions of *Building Act 2011*.

Special Conditions or Guidelines

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

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

B05 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
17/05/2019	Forest Carey	Building Order Issued Under Section 112 of Building act 2011	Chadd Hunt - EMDS
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Choose an item.
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DELEGATION NUMBER	- B06
LEGISLATIVE POWER	- Building Act 2011, s133, s127
DELEGATION SUBJECT	- Buildings – Prosecutions
DELEGATE	- Chief Executive Officer
SUB DELEGATE	- Nil.

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

B06 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
15/10/2019	Forest Carey	Authorised Service of Prosecution Notices to Forest Carey	Jason Whiteaker - CEO
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Choose an item.
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DELEGATION NUMBER	- B07
LEGISLATIVE POWER	- <i>Building Act 2011, s127</i> <i>Building Regulations 2012, r53</i> <i>Local Government Act 1995, s5.42 & s9.10</i>
DELEGATION SUBJECT	- Recover the Charge Imposed for Private Swimming Pool Inspections
DELEGATE	- Chief Executive Officer
SUB DELEGATE	- Executive Manager Corporate Services

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

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

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

The Chief Executive Officer is delegated authority to:

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

REFER TO SEPARATE USAGE REGISTER KEPT BY SENIOR BUILDING SURVEYOR.

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

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

B09 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
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DELEGATION NUMBER	- B10
LEGISLATIVE POWER	- <i>Building Act 2011, s117</i>
DELEGATION SUBJECT	- Buildings – Revoke Building Orders
DELEGATE	- Chief Executive Officer
SUB DELEGATE	- Executive Manager Development Services Senior Building Surveyor

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

B10 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Jason Whiteaker - CEO
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Jason Whiteaker - CEO
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Jason Whiteaker - CEO

DELEGATION NUMBER	- B11
LEGISLATIVE POWER	- <i>Building Regulations 2012 Reg 70(1A)(1)& 70(2)</i> <i>Local Government Act 1995 Sections 5.44, 9.10(1), 9.16, 9.19 & 9.20</i> <i>Criminal Procedure Act 2004 section 6(a), 6(b) & 7(1)</i>
DELEGATION SUBJECT	- Authorised and Approved Officers - Building Act Infringement Notices
DELEGATE	- Chief Executive Officer (Approved Officer)
SUB DELEGATE	- Executive Manager Development Services (Authorised Officer) Senior Building Surveyor (Authorised Officer) Compliance Officer (Authorised Officer)

The Chief Executive Officer is delegated authority to appoint Authorised Officers under s.9.10 (1) of the Local Government Act 1995 for the purposes of issuing Building Act Infringement notices, in accordance with the Criminal Procedure Act 2004 s.6 (b) and Building Regulations 2012, section 70(2).

Special Conditions or Guidelines

A person who is appointed as an approved officer is not eligible to be appointed as an authorised officer. 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.

Delegation as an "Approved Officer" in accordance with *Building Regulation 70(1)* for the purposes of *Building Act 2011* Infringement Notices is limited to the Chief Executive Officer ONLY who is delegated authority to:

- Grant extension of time to pay a Building Act Infringement Notice in accordance section 9.19 of the local Government act 1995 providing authority to determine to extension of time to pay Building act Infringement notice, in accordance with Building Regulation 70(1),and
- Section 9.20 of the Local Government Act providing authority to determine withdrawal of a Building Act Infringement Notice in accordance with Building Regulation 70(1).

2019/20 Delegated Authority Register

Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
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Engineering

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

The Chief Executive Officer is delegated authority:

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

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

2019/20 Delegated Authority Register

E01 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
7/08/2019	Road users	Temporary road closure of Gordon Place. 3:00pm on Friday, 9th August 2019 to 7:00am on Monday 12th August 2019; 3:00pm on Friday, 16th August 2019 to 7:00am on Monday 19th August 2019; 3:00pm on Friday, 23rd August 2019 to 7:00am on Monday 26th August 2019; 3:00pm on Friday, 30th August 2019 to 7:00am on Monday 2nd September 2019; 3:00pm on Friday, 6th September 2019 to 7:00am on Monday 9th September 2019; 3:00pm on Friday, 13th September 2019 to 7:00am on Monday 16th September 2019; 3:00pm on Friday, 20th September 2019 to 7:00am on Monday 23rd September 2019; 3:00pm on Thursday, 26th September 2019 to 7:00am on Monday 30th September 2019.	Jason Whiteaker - CEO
24/10/2019	Road users	Temporary road closure of Gordon Place. 3:00pm on	Jason Whiteaker - CEO

2019/20 Delegated Authority Register

		Friday, 1st November 2019 to 7:00am on Monday, 4th November 2019, 3:00pm on Friday, 8th November 2019 to 7:00am on Monday, 11th November 2019, 3:00pm on Friday, 15th November 2019 to 7:00am on Monday, 18th November 2019, 3:00pm on Friday, 22nd November 2019 to 7:00am on Monday, 25th November 2019	
28/11/2019	Road Users	Temporary Closure of Fitzgerald Street Friday 13th December 2019 12pm - 11:59pm for the Christmas on Fitzgerald Event.	Clinton Kleynhans - EMES
12/03/2020	Road Users and general Public	Temporary Closure of Beavis Place, Minson Ave, Gordon Place, Nind St, O'Hara Lane, and Grey Street on 4th April 2020 12pm to 5th April 2020 for Event set up and management for the Northam Motor Sport Festival.	Clinton Kleynhans - EMES
12/03/2020	Road Users	Temporary Closure of Selby Street Northam Monday 16th March 2020 for safe access for swimming pool installation.	Clinton Kleynhans - EMES
12/03/2020	Road Users and general Public	Temporary Closure of Fitzgerald Street, for	Clinton Kleynhans - EMES

2019/20 Delegated Authority Register

		the purpose of the ANZAC day Parade	
12/03/2020	Road Users and general Public	Temporary Closure of Mt Ommaney Drive on 4th April for the Lindsay Monk Memorial Hill Climb Event.	Clinton Kleynhans - EMES
12/03/2020	Road Users and general Public	Temporary Closure of Fitzgerald Street, Wellington Street, Grey Street, Gordon Place, Elizabeth Place, Gordon Place, Beavis Place, Minson Ave, Nind St & O'Hara Lane from 12am 4th April to 12 am 5th April 2020 for the running of the Northam Motor Sport Festival car rally and Family Fun Day Event.	Clinton Kleynhans - EMES
21/04/2020	Road users and general public	Temporary closure of Hovea Cr., Balga Tce and Lobelia av. During the spray seal in progress for Zamia tce by the Contractor KEE surfacing. The work commences in stages. Stage 1 close Hovea Cr and Balga tce for 1 to 2 hours with controllers guiding traffic at the intersection with Zamia. Open traffic to stage 1 closure and stage 2 close Lobeila to complete seal spray of Zamia	Clinton Kleynhans - EMES

2019/20 Delegated Authority Register

		finishing at Crowea tce.	
15/05/2020	Road users and general public	Temporary closure of Southern Brook Road to facilitate culvert replacement works as part of contract C.201920-22.	Clinton Kleynhans - EMES
4/06/2020	Road users and general public	Temporary closure of Frankish Road to facilitate deep sewer extension works.	Clinton Kleynhans - EMES
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Click here to enter a date.	Click here to enter text.	Click here to enter text.	Clinton Kleynhans - EMES

2019/20 Delegated Authority Register

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

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

E02 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
28/11/2019	Public Road Users	Temporary Closure of Fitzgerald Street Friday 13th December 2019 12pm - 11:59pm for the Christmas on Fitzgerald Event.	Clinton Kleynhans - EMES
12/03/2020	Road Users and general Public	Temporary Closure of Beavis Place, Minson Ave, Gordon Place, Nind St, O'Hara Lane, and Grey Street on 4th April 2020 12pm to 5th April 2020 for Event set up and management for the	Clinton Kleynhans - EMES

2019/20 Delegated Authority Register

		Northam Motor Sport Festival.	
12/03/2020	Road Users and general Public	Temporary Closure of Mt Ommaney Drive on 4th April for the Lindsay Monk Memorial Hill Climb Event.	Clinton Kleynhans - EMES
12/03/2020	Road Users and general Public	Temporary Closure of Fitzgerald Street, Wellington Street, Grey Street, Gordon Place, Elizabeth Place, Gordon Place, Beavis Place, Minson Ave, Nind St & O'Hara Lane from 12am 4th April to 12 am 5th April 2020 for the running of the Northam Motor Sport Festival car rally and Family Fun Day Event.	Clinton Kleynhans - EMES
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DELEGATION NUMBER	- E03
LEGISLATIVE POWER	- <i>Local Government Act 1995, Sch 9.1, cl 5(1)</i> <i>Local Government (Uniform Local Provisions) Regulations 1996 Reg 9</i>
DELEGATION SUBJECT	- Gates across Public Thoroughfare
DELEGATE	- Chief Executive Officer
SUB DELEGATE	- Executive Manager Engineering Services

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

E03 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
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DELEGATION NUMBER	- E04
LEGISLATIVE POWER	- <i>Local Government Act 1995, Schedule 9.1, Clause 7</i> <i>Local Government (Uniform Local Provisions) Regulations 1996 Regs 12 to 16 (Inclusive)</i>
DELEGATION SUBJECT	- Crossovers
DELEGATE	- Chief Executive Officer
SUB DELEGATE	- Executive Manager Engineering Services

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

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

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

E04 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
26/07/2019	Norm Watkins	Approval to construct a crossover at 195 Fitzgerald Street Northam	Clinton Kleynhans - EMES
8/08/2019	Zack Volynovsky	Approval to construct a crossover at 631 Jacamar Drive Northam	Clinton Kleynhans - EMES
9/09/2019	Graham Storer	Approval to construct a crossover	Clinton Kleynhans - EMES

2019/20 Delegated Authority Register

		at 69 Newcastle Road Northam	
18/09/2019	Maria Delores Caruana	Approval to construct a crossover at 68 Burlong Road	Clinton Kleynhans - EMES
18/09/2019	Daniel Mitic	Approval to construct a crossover at 30 Fairway Bend	Clinton Kleynhans - EMES
9/10/2019	Efstathios Zaharopoulos	Approval to construct a crossover at 45 Stirling Street	Clinton Kleynhans - EMES
23/10/2019	Pipi Katherine / J Corp	Approval to construct a crossover at 18 Oakover Place	Clinton Kleynhans - EMES
22/11/2019	Anthony Gray	Approval to construct a crossover at 7A Mudalla Street	Clinton Kleynhans - EMES
10/01/2020	Jan Robinson	Approval to construct a crossover at 7 Zamia Terrace	Clinton Kleynhans - EMES
17/01/2020	Lucy McManus	Approval to construct a crossover at 16 Charles Street	Clinton Kleynhans - EMES
27/03/2020	Robert Franzinelli	Approval to construct a crossover at Lot 20 Leeming Road	Clinton Kleynhans - EMES
27/03/2020	B1 Homes	Approval to construct a crossover at 65 Kingia Road	Clinton Kleynhans - EMES
7/04/2020	James Thomas	Approval to construct a crossover at 51 Forrest Street	Clinton Kleynhans - EMES
23/04/2020	David Draper	Approval to construct a crossover at 71 Hovea Crescent	Clinton Kleynhans - EMES
24/04/2020	Michael Hewett	Approval to construct a crossover at 11 Jacamar Place	Clinton Kleynhans - EMES
1/05/2020	Toni Korotschuk	Approval to construct a crossover at 66 Newcastle Road	Clinton Kleynhans - EMES



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

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

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

E05 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
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2019/20 Delegated Authority Register

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

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

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

E06 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
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Finance

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

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

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

2019/20 Delegated Authority Register

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

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

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

Subject to the disposal complying with the following requirements:

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

F02 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
20/01/2020	General Public	Disposal of miscellaneous items no longer in use at Northam Operations Depot via public Auction.	Clinton Kleynhans - A/CEO
1/10/2019	Northam Holden	Direct trade -in of PN1618 against purchase of Holden	Jason Whiteaker - CEO

2019/20 Delegated Authority Register

		Colorado for EMES as per plant replacement adopted in budget. PO 55430	
31/10/2019	Avon Valley Mitsubishi	Direct trade –in of PN1514 against purchase of Mitsubishi Triton for Ranger 1 as per plant replacement adopted in budget. PO 55203	Jason Whiteaker - CEO
20/11/2019	Countrywide Power Equipment	Direct trade –in of PN1606 against purchase of Husqvarna catcher ride on mower for Parks & Gardens Northam as per plant replacement adopted in budget. PO 56422	Jason Whiteaker - CEO
22/01/2020	Avon Valley Mitsubishi	Direct trade –in of PN1613 against purchase of Mitsubishi Outlander for ETO as per plant replacement adopted in budget. PO 56860	Jason Whiteaker - CEO
28/01/2020	Avon Valley Mitsubishi	Direct trade –in of PN1520 against purchase of Mitsubishi Outlander for Health as per plant replacement adopted in budget. PO 56850	Jason Whiteaker - CEO
30/01/2020	Valley Ford	Direct trade –in of PN1614 against purchase of Ford Escape for Planning as per plant replacement	Jason Whiteaker - CEO

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		adopted in budget. PO 57080	
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DELEGATION NUMBER	- F03
LEGISLATIVE POWER	- Local Government Act 1995 Recovery of Rates and Charges, s6.55 & s6.56
DELEGATION SUBJECT	- Recovery of Unpaid Debtors
DELEGATE	- Chief Executive Officer
SUB DELEGATE	- Executive Manager Corporate Services

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

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

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

The Chief Executive Officer is delegated authority to;

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

2019/20 Delegated Authority Register

F04 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
28/08/2019	Road Construction Contractors	Advertisement of Tender 3 of 2019 Asphalt Supply and Lay Panel Contract via Council Purchasing Service of WALGA	Jason Whiteaker - CEO
28/08/2019	Road Construction Contractors	Advertisement of Tender 4 of 2019 Bituminous Spray Seal Works Panel Contract via Council Purchasing Service of WALGA	Jason Whiteaker - CEO
28/08/2019	Solar Power Contractors	Advertisement of Tender 5 of 2019 Shire of Northam Solar Initiative Contract via Council Purchasing Service of WALGA	Jason Whiteaker - CEO
5/09/2019	General Public	Advertisement of Tender V1/2019 for the sale and removal of impounded vehicles.	Jason Whiteaker - CEO
9/10/2019	Road Construction Contractors	Award of RFQ17 of 2018 Bituminous Spray Seal Works Coates Road Wundowie via Council Purchasing Service of WALGA	Jason Whiteaker - CEO
14/10/2019	Turf suppliers	Purchase of turf for Henry Street Oval via Council Purchasing Service of WALGA	Jason Whiteaker - CEO
9/10/2019	Road Construction Contractors	Advertisement of RFQ 16 of 2019 – Bituminous Spray Seal Works Spencers Brook Road via Council	Jason Whiteaker - CEO

2019/20 Delegated Authority Register

		Purchasing Service of WALGA.	
20/11/2019	Road Construction Contractors	Award of RFQ 16 of 2019 – Bituminous Spray Seal Works Spencers Brook Road via Council Purchasing Service of WALGA.	Jason Whiteaker - CEO
27/11/2019	Road Construction Contractors	Advertisement of RFQ 23 of 2019 – Bituminous Spray Seal various streets Northam town & Grass valley via Council Purchasing Service of WALGA.	Jason Whiteaker - CEO
9/12/2019	Road Construction Contractors	Procurement of Asphalt services for Yilgarn and Peel Terrace Bridge approaches via Council Purchasing Service of WALGA.	Jason Whiteaker - CEO
3/12/2019	Road Construction Contractors	Advertisement of RFQ 24 of 2019 – Bituminous Spray Seal various streets Wundowie & Bakers Hill via Council Purchasing Service of WALGA.	Jason Whiteaker - CEO
12/12/2019	Road Construction Contractors	Advertisement of RFQ 25 of 2019 – Bituminous Spray Seal Spencer Brook road SLK 16.47-19.55 via Council Purchasing Service of WALGA.	Jason Whiteaker - CEO
23/12/2019	Road Construction Contractors	Advertisement of RFQ 28 of 2019 – Asphalt overlay for Henty PI & Carlin/Tamma intersection via	Jason Whiteaker - CEO

2019/20 Delegated Authority Register

		Council Purchasing Service of WALGA.	
20/01/2020	Gardening maintenance contractors	Advertisement of RFT 1 of 2020 Northam Cemetery Maintenance (3 year term) in the West Australian.	Jason Whiteaker - CEO
10/02/2020	Shed supply and construction contractors	Advertisement of Tender 2 of 2020 – Supply and Construction of Bakers Hill Fire Shed in West Australian	Jason Whiteaker - CEO
9/03/2020	Road Construction Contractors	Advertisement of RFQ 02 of 2020 – Northam airport taxiway extension via Council Purchasing Service of WALGA.	Jason Whiteaker - CEO
13/03/2020	CCTV and Security systems contractors	Advertisement of Tender 3 of 2020 – Supply and installation of Wundowie CCTV network via Council Purchasing Service of WALGA.	Jason Whiteaker - CEO
20/03/2020	Road Construction Contractors	Advertisement of Tender 4 of 2020 – Shoulder recon & reseal Southern Brook Rd 0.0-3.07 via Council Purchasing Service of WALGA.	Jason Whiteaker - CEO
16/04/2020	Road Construction Contractors	Award of Contract C.201920-21 – Northam airport taxiway extension via Council Purchasing Service of WALGA.	Jason Whiteaker - CEO
13/03/2019	Waste Engineering Consultants	Advertisement of RFQ 7 of 2020 – Transfer Station and Reuse Shop Engineering and	Jason Whiteaker - CEO

2019/20 Delegated Authority Register

		Design Old Quarry Road Waster Facility via Council purchasing services of WALGA	
6/05/2020	Shed supply and construction contractors	Advertisement of Tender 5 of 2020 – Supply and Construction of Bakers Hill Fire Shed (Revised Scope) in West Australian	Jason Whiteaker - CEO
6/05/2020	Play equipment and Park furniture suppliers	Purchase of Park Furniture and sensory Play equipment for Bakers hill POS via Council purchasing services of WALGA	Jason Whiteaker - CEO
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2019/20 Delegated Authority Register

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

The Chief Executive Officer is delegated authority to make a determination to waive or grant concessions in relation to any amount of money or write off any amount of money that is owed to the local government [subject to section 6.12(2) and in accordance with policy C 3.4 Write Off / Waive Small Fees or Debts] – up to a maximum of \$5,000.

F05 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
23/08/2019	Directions Workforce Solutions	Waiver of hire fees totalling \$340 for the Career Expo on 11 September 2019.	Jason Whiteaker - CEO
5/09/2019	Holyoake	Hire fees of \$84 for the Soundshell to hold free community event – Mental Health Week.	Jason Whiteaker - CEO
27/09/2019	Bakers Hill Primary School & P&C / Community	Waiver of event application fee totalling \$154 for Bakers Hill P&C for 'Class on the Grass'.	Jason Whiteaker - CEO
11/10/2019	Pink Up Northam Committee	Booking fees for Pink Up Northam event totalling \$84.	Clinton Kleynhans - A/CEO
22/11/2019	Bakers Hill Progress & Recreation	Waiver of event fee and blanket stallholder fee	Jason Whiteaker - CEO

2019/20 Delegated Authority Register

	Association (BHPRA)	totalling \$316 for the Bakers Hill Community Christmas Fair. Note: interest declared as Cr Williams is known to me (requested as Secretary of BHPRA).	
24/10/2019	Clackline BFB	Waiver of community bus fee up to \$500 to ascertain the fire danger existing in the outlying parts of their area of responsibility for fire suppression.	Jason Whiteaker - CEO
27/11/2019	Northam Central BFB	Waiver of community bus fee up to \$500 to ascertain the fire danger existing in the outlying parts of their area of responsibility for fire suppression.	Jason Whiteaker - CEO
2/12/2019	Share and Care	Waiver of fee for 2 x half season pool passes totalling \$290.00 for use at Share & Care facilities Magnolia Refuge and Jacaranda House	Chadd Hunt - A/CEO
7/01/2020	St John Ambulance	Booking fee for the Northam Recreation Centre totalling \$480.00 to hold a thank you/recognition dinner for volunteers.	Clinton Kleynhans - A/CEO

2019/20 Delegated Authority Register

14/01/2020	Jess Joy	Waiver of fees for 2 x half season passes for raffle for the Northam Action Bush Fire Appeal.	Clinton Kleynhans - A/CEO
14/01/2020	Jess Joy	Waiver of hire fees for the Sound Shell totalling \$56.00 for the Northam Action Bush Fire Appeal.	Clinton Kleynhans - A/CEO
15/01/2020	Northam Chamber of Commerce	Waiver of hire fees at the Northam Recreation Centre totalling \$379.00 for the Northam Bush Fire Appeal fundraiser.	Clinton Kleynhans - A/CEO
11/02/2020	Northam Police Ball Committee	Waiver of hire fees totalling \$132.00 at the Northam Town Hall for a formal fundraiser/charity ball for Give 5 for Kids and Police Legacy charity. Confirmed applicant is a non-government organisation.	Jason Whiteaker - CEO
25/02/2020	Seniors Recreation Council of WA	Waiver of hire fees totalling \$480.00 at the Northam Recreation Centre for the LiveLighter Aged Care Games.	Jason Whiteaker - CEO
27/02/2020	Bakers Hill Primary School P&C	Waiver of event permit fee totalling \$154 for the 'Class on the Grass' community event.	Jason Whiteaker - CEO
27/02/2020	The Vintage Sports Car Club	Waiver of event application fee \$154 and BKB room	Jason Whiteaker - CEO

2019/20 Delegated Authority Register



	of WA (INC) – Randle Beavis	hire \$200 and Community Bus hire up to \$146 for the Northam Motorsport Festival	
9/06/2020	Salzar Rahman	Waiver of hire fees totalling \$120 for the use of a room at the Recreation Centre, for a 6 week booking. The waiver is the difference between the hire rate at the Recreation Centre and the Lesser Hall, which was unavailable for that period of time.	Jason Whiteaker - CEO
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Jason Whiteaker - CEO
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Click here to enter a date.	Click here to enter text.	Click here to enter text.	Jason Whiteaker - CEO
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Jason Whiteaker - CEO

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

The Chief Executive Officer is delegated authority for the disposal of property by lease or licence in accordance with section 3.58 of the Local Government Act 1995 and policy A8.4 Management of Council Property Leases.

NOTE: Section 3.58(1) defines:

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

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

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

Subject to the disposal;

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

The grant of a lease or licence in relation to:

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

is further subject to:

1. Disposal by Lease
 - a) The disposal of property by lease being subject to:
 - i. The lease being in accordance with the Shire's Leasing Policy (as then applicable);
 - ii. The term of the lease being no greater than twelve (12) years for Northam Airport Hangar Sites and five (5) years for all other property;
 - iii. The rental fee payable being no greater than \$20,000 (plus GST) per annum during the initial year of the lease term; and
 - iv. The area leased being no greater than 1000m².

- b) The agreement for the varying the terms of a lease including but not limited to terminations, renewal options, assignments, subletting, special conditions or payment schedules of a lease subject to:
 - i. The variation being minor in nature in accordance with the Shire's Leasing Policy (as then applicable);
 - ii. The lease providing for an option for extension and specifying the applicable terms of that option term;
 - iii. The exercise of the lease being in accordance with the terms of the option provisions of the original lease, and in particular that the lessee is not in a material and un-remedied breach of that lease; and
 - iv. The extension being in accordance with the option provisions of the original lease.

- 2. Disposal by Licence
 - a) The disposal of property by licence being subject to:
 - i. The licence being in accordance with the Shire's Leasing Policy (as then applicable);
 - ii. The granting of a licence being permitted under the Shire's management order or lease;
 - iii. The term of the licence being no greater than five (5) years;
 - iv. The fee payable being no greater than \$20,000 (plus GST) per annum during the initial year of the licence term; and
 - v. The area licenced being no greater than 1000m².
 - b) The agreement for the varying the terms of a licence including but not limited to terminations, renewal options, assignments, sublicensing, special conditions or payment schedules of a licence subject to:
 - i. The variation being minor in nature in accordance with the Shire's Leasing Policy (as then applicable);
 - ii. The licence providing for an option for extension and specifying the applicable terms of that option term;
 - iii. The exercise of the licence being in accordance with the terms of the option provisions of the original licence, and in particular that the licensee is not in a material and un-remedied breach of that licence; and
 - iv. The extension being in accordance with the option provisions of the original licence.

F06 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
N/A	Ken Nilson	Lease of Hangar 14 and the appropriate advertisement	Jason Whiteaker - CEO
N/A	Jasmin Rossiter T/A Jasa's Photography	Pop-up shop temporary lease under 12 months	Jason Whiteaker - CEO
18/03/2020	Lisa McDonald	Lease Agreement for Pop Up Shop 182 Fitzgerald Street, Northam	Jason Whiteaker - CEO

Health

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

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

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



2019/20 Delegated Authority Register

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

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

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

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

Planning

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

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

P01 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
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2019/20 Delegated Authority Register

DELEGATION NUMBER	- P02
LEGISLATIVE POWER	- <i>Planning and Development (Local Planning Schemes) Regulations 2015, section 64(1)(c) & (2)</i> Local Planning Scheme No. 6
DELEGATION SUBJECT	- Development Applications – Waiver of Requirement for Advertising
DELEGATE	- Chief Executive Officer
SUB DELEGATE	- Executive Manager Development Services Manager Planning Services

The Chief Executive Officer is delegated authority to waive a requirement for an application to be advertised if it does not comply with the requirements of Local Planning Scheme No. 6 if satisfied that the departure from the Scheme is of a minor nature and there is no likely impact.

P02 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
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DELEGATION NUMBER	-	P03
LEGISLATIVE POWER	-	Local Planning Scheme No 6
DELEGATION SUBJECT	-	Planning Determinations
DELEGATE	-	Chief Executive Officer
SUB DELEGATE	-	Executive Manager Development Services Manager Planning Services

General Delegation

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

Where applications for development approval have been advertised for consultation purposes, in accordance with the provisions of Clause 64 of the Deemed Provisions for Local Planning Schemes and/or Part 4 of the R-Codes, if:

Conditions

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

Exclusions

General Exclusions

1. Applications for development approval for development exceeding \$4M in value and/or a net increase of in excess of 10 dwellings and/or uses listed as 'P', 'D' or 'A' or 'I' within the Scheme at variance with Scheme requirements and standards.

Specific Exclusions and Exceptions for Minor Works etc.

2. Subject to 8 below, with respect to applications for development approval for development other than advertising signage, domestic outbuildings, fencing and residential additions/alterations, any delegated decision must be consistent with, rather than giving due regard to, relevant Local Planning Policies.
3. Subject to 8 below, applications for development approval for development of land within a Local Reserve may only be approved under delegated authority where it is consistent with the purpose of the Reserve.
4. Subject to 8 below, applications for development approval for the types of land-use or development listed below may only be refused under delegated authority:
 - i) Animal Establishment in other than the 'Rural' or 'Rural Smallholding' Zone;
 - ii) Equestrian Activity in other than the 'Rural' or 'Rural Smallholding' Zone;
 - iii) Hotel (except for alterations and additions on existing licensed premises);
 - iv) Industry – Extractive (except for minor modifications to existing approvals);
 - v) Industry – Mining in other than the 'Rural' Zone;
 - vi) Liquor Store (small and large) (except for minor modifications to existing approvals);
 - vii) Motel in other than the 'Commercial' or 'Tourist' Zone (except for minor modifications to existing premises);
 - viii) Night Club;
 - ix) Restricted Premises;
 - x) Tavern (except for minor modifications to existing premises);
 - xi) Major new Telecommunications Infrastructure.
5. Subject to 8 below, unless specifically provided for in a Local Planning Policy or Policies, applications for development approval that must be assessed under the provisions of Clauses 3.4.2 or 3.4.3 of the Scheme (uses not listed in the Zoning Table) may only be refused under delegated authority..
6. Subject to 8 below, applications for development approval that must be assessed under the provisions of Part 3, Clauses 3.8 up to and including 3.12 of the Scheme (the 'non-conforming uses' provisions) may only be refused under delegated authority, except for minor modifications or extensions. (Note: Should the delegated officer feel that the application may warrant approval, the application shall be reported to Council for consideration).
7. Subject to 8 below, unless specifically provided for in a Local Planning Policy or Policies, applications for development approval that are assessed under the provisions of Clause 4.13.7 of the Scheme (the 'Cash Payment in Lieu of the Provision of Car Parking' provisions) may only be refused under delegated authority. (Note: Should the delegated officer feel that the application may warrant approval, the application shall be reported to Council for consideration).
8. Subject to 9 below, the provisions of 1 - 7 above do not apply to applications for an extension of time to commence a development approval, alterations and/or expansions affecting a maximum area of 20% of the existing development, or 250m² (in terms of floor space or land area in use, as appropriate), whichever is the lesser, and which are associated with existing, lawful land-uses, wherein the application may be refused or approved, with or without conditions, under delegated authority.

9. Where an extension of time to commence a development approval is granted pursuant to 8 above, the term of any renewal shall not exceed 24 months, however, an unlimited number of renewals may be granted under delegated authority.

An officer to whom this authority is delegated cannot approve plans in which he/she may have a conflict of interest.

REFER TO SEPARATE USAGE REGISTER KEPT BY MANAGER PLANNING SERVICES

2019/20 Delegated Authority Register

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

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

P04 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
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2019/20 Delegated Authority Register

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

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

P05 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
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2019/20 Delegated Authority Register

DELEGATION NUMBER	- P06
LEGISLATIVE POWER	- Local Planning Schemes No 6
DELEGATION SUBJECT	- Advertising Signs
DELEGATE	- Chief Executive Officer
SUB DELEGATE	- Executive Manager Development Services Manager Planning Services

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

P06 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
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2019/20 Delegated Authority Register

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

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

P07 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
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DELEGATION NUMBER	- P08
LEGISLATIVE POWER	- <i>Local Government Act 1995, s5.42</i>
DELEGATION SUBJECT	- Recommendations to the WAPC Regarding Applications for Subdivision/Amalgamation or Strata Title
DELEGATE	- Chief Executive Officer
SUB DELEGATE	- Executive Manager Development Services Manager Planning Services

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

Exclusions/Conditions

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

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

P08 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
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DELEGATION NUMBER	- P09
LEGISLATIVE POWER	- <i>Local Government Act 1995, s5.42</i> <i>Deemed Provisions for Local Planning Schemes (Cl. 82)</i>
DELEGATION SUBJECT	- Clearance of Conditions of Development Approval, or Conditions of Subdivision/Amalgamation or Strata Title Approval
DELEGATE	- Chief Executive Officer
SUB DELEGATE	- Executive Manager Development Services Manager Planning Services

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

Exclusions/Conditions
Nil.

P09 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
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2019/20 Delegated Authority Register

DELEGATION NUMBER	- P10
LEGISLATIVE POWER	- <i>Local Government Act 1995, s5.42</i>
DELEGATION SUBJECT	- Advice to the Department for Lands Regarding Matters Associated with the <i>Land Administration Act 1997</i>
DELEGATE	- Chief Executive Officer
SUB DELEGATE	- Executive Manager Development Services Manager Planning Services

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

Exclusions/Conditions

Nil.

P10 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
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2019/20 Delegated Authority Register

DELEGATION NUMBER	- P11
LEGISLATIVE POWER	- <i>Local Government Act 1995, s5.42</i>
DELEGATION SUBJECT	- Advising other Regulatory Authorities
DELEGATE	- Chief Executive Officer
SUB DELEGATE	- Executive Manager Development Services Manager Planning Services

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

Exclusions/Conditions

Nil.

P11 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
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2019/20 Delegated Authority Register

DELEGATION NUMBER	- P12
LEGISLATIVE POWER	- <i>Local Government Act 1995, s5.42</i>
DELEGATION SUBJECT	- Appeals, Requests for Reconsideration
DELEGATE	- Chief Executive Officer
SUB DELEGATE	- Executive Manager Development Services Manager Planning Services

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

Exclusions/Conditions
Nil.

P12 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
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2019/20 Delegated Authority Register

DELEGATION NUMBER	-	P13
LEGISLATIVE POWER	-	<i>Planning and Development Act 2005</i> <i>Gazetted Local Planning Schemes</i> <i>Local Government (Miscellaneous Provisions) Act 1960</i>
DELEGATION SUBJECT	-	Authorised Officers – Planning Infringements
DELEGATE	-	Chief Executive Officer
SUB DELEGATE	-	Executive Manager Development Services

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

P13 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
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2019/20 Delegated Authority Register

DELEGATION NUMBER	-	P14
LEGISLATIVE POWER	-	<i>Planning and Development Regulations 2009, clause 52.</i> Local Planning Scheme No. 6
DELEGATION SUBJECT	-	Development Applications – Waiver of Application Fees
DELEGATE	-	Chief Executive Officer
SUB DELEGATE	-	Executive Manager Development Services Manager Planning Services

The Chief Executive Officer, pursuant to clause 52 of the *Planning and Development Regulations 2009*, is delegated authority to waive or refund, defer in whole or part, payment of a fee for a planning service.

Where fees for a planning service, have been deferred, the fees will be payable on practical completion of the approved development or as stipulated in the conditions of approval.

The following guidelines are applicable –

- o Applications submitted by Not for Profit, Charitable or Sporting Organisations – no fees
- o Applications for new home based businesses – 50% fee reduction- payable upon commencement of development
- o Application for change of use within existing commercial zoned premises- 50% fee reduction – payable on practical completion (development physically completed) of the development
- o All other applications – payable on practical completion (development physically completed)

P14 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
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Properties

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

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

PR01 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
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2019/20 Delegated Authority Register

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

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

PR02 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Choose an item.
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Choose an item.
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Choose an item.

Ranger

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

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

R01 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
24/10/2019	Glen T. McShane	4 Cat Permit approved for 15 Rushton Crescent, Northam	Chadd Hunt - EMDS
24/10/2019	Lynda Morgan	4 Dog Permit approved for 92 Thomas Street, Spencers Brook	Chadd Hunt - EMDS
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Choose an item.

2019/20 Delegated Authority Register

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

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

No. - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Choose an item.
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Choose an item.
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Choose an item.

Other

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

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

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

O01 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Choose an item.
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Choose an item.
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Choose an item.

2019/20 Delegated Authority Register

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

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

O02 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Choose an item.
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Choose an item.
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Choose an item.

2019/20 Delegated Authority Register

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

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

O03 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Choose an item.
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Choose an item.
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Choose an item.

2019/20 Delegated Authority Register

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

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

O04 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Choose an item.
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Choose an item.
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Choose an item.

2019/20 Delegated Authority Register

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

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

O01 - Delegation Use			
Date of Decision	Person/party impacted by decision	How power / discharge of duty was exercised	Name of Officer Exercising Delegation
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Choose an item.
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Choose an item.
Click here to enter a date.	Click here to enter text.	Click here to enter text.	Choose an item.

SECTION B

DELEGATIONS FROM COUNCIL TO COMMITTEES

DELEGATION NUMBER	- C01
LEGISLATIVE POWER	- <i>Local Government Act 1995, s5.16</i>
DELEGATION SUBJECT	- Receive, Assess and Determine Grant Applications for the Local Business Support Grant Scheme
DELEGATE	- Local Business Support Committee

The Local Business Support Committee has been delegated authority to undertake the following:

- a. Receive and assess grant applications; and
- b. Make a final determination on all grant applications received.

REFER TO MINUTES FROM THE LOCAL BUSINESS SUPPORT COMMITTEE MEETINGS

SECTION C

DELEGATIONS FROM CHIEF EXECUTIVE OFFICER TO OTHER EMPLOYEES

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

EXECUTIVE MANAGER CORPORATE SERVICES:

- B07** Recover charges imposed for Private Swimming Pool inspections
- F01** Creditors, Payment of
- F02** Disposal of Council Property (Public Auction, Public Tender or Private Treaty)
- F03** Recovery of unpaid Debtors
- O04** Issuing of Licences, Approvals & Permits – Local Laws

EXECUTIVE MANAGER DEVELOPMENT SERVICES

- A02** Power to Remove and Impound Goods
- A04** Approval of Camping Other than at a Caravan Park or Camping Ground
- A07** Shire of Northam Local Laws Administration
- A08** Perform the functions of the “local government” pursuant to the Caravan Parks and Camping Grounds Act 1995
- B01** Buildings – Grant or Refusal of Building Permits
- B02** Buildings – Grant or Refusal of Demolition Permits
- B03** Buildings – Further Grounds for Not Granting an Application
- B04** Buildings – Grant of Occupancy Permit, Building Approval Certificate
- B05** Buildings – Building Orders
- B08** Issue Permit to Deposit Material on or Excavate on or Adjacent Street
- B09** Buildings – Extending the period of duration of an Occupancy permit or a Building Approval Certificate
- B10** Buildings – Revoke Building Orders
- B11** Authorised and Approved Officers - Building Act Infringement Notices
- E01** Temporary Closure of Thoroughfares to Vehicles
- E02** Events on Roads
- F01** Creditors, Payment of
- F02** Disposal of Council Property (Public Auction, Public Tender or Private Treaty)

H01	Public Health Act 2016 and the Health (Miscellaneous Provisions) Act 1911 – Power or duty of the local government (enforcement agency) under any provision of these Acts
H02	Food Act 2008 – Functions of enforcement agency
P01	Instruct Legal Action
P02	Development Applications - Waiver of Requirement for Advertising
P03	Planning Determinations
P04	Strata Titles – Certificates of Local Government
P05	Consent to the lease of Common Property
P06	Advertising Signs
P07	Illegal Development, Giving Written Direction
P08	Recommendations to the WAPC Regarding Applications for Subdivision/Amalgamation or Strata Title
P09	Clearance of Conditions of Development Approval, or Conditions of Subdivision/Amalgamation or Strata Title Approval
P10	Advice to the Department for Lands Regarding Matters Associated with the Land Administration Act 1997
P11	Advising other Regulatory Authorities
P12	Appeals, Requests for Reconsideration
P13	Authorised Officers – Planning Infringements
PR01	Notice Requiring Certain Things to be Done by the Owner or Occupier of Land
PR02	Authority to Issue Section 39 & 40 Certificates Liquor Licensing Act 1988
R01	Approval to keep more than the prescribed number of cats and dogs permitted by relevant local laws
R02	Disposal of Sick or Injured Impounded Animals
O03	Offences – Bush Fires Act
O04	Issuing of Licences, Approvals & Permits – Local Laws

EXECUTIVE MANAGER ENGINEERING SERVICES

A02	Power to Remove and Impound Goods
A07	Shire of Northam Local Laws Administration
B08	Issue Permit to Deposit Material on or Excavate on or
E01	Temporary Closure of Thoroughfares to Vehicles

- E02** Events on Roads
- E03** Gates Across Public Thoroughfare
- E04** Crossovers
- E05** Public Thoroughfares – Fixing or Altering Levels, or Alignments, or Drainage onto Adjoining Land
- E06** Public Thoroughfares – Public Access & Plans s3.52 (within designated Townsites)
- F01** Creditors, Payment of
- F02** Disposal of Council Property (Public Auction, Public Tender or Private Treaty)
- PR01** Notice Requiring Certain Things to be Done by the Owner or Occupier of Land
- O04** Issuing of Licences, Approvals & Permits – Local Laws

EXECUTIVE MANAGER COMMUNITY SERVICES

- F01** Creditors, Payment of
- F02** Disposal of Council Property (Public Auction, Public Tender or Private Treaty)
- O04** Issuing of Licences, Approvals & Permits – Local Laws

MANAGER PLANNING SERVICES

- A07** Shire of Northam Local Laws Administration
- P02** Development Applications - Waiver of Requirement for Advertising
- P03** Planning Determinations
- P04** Strata Titles – Certificates of Local Government
- P05** Consent to the lease of Common Property
- P06** Advertising Signs
- P07** Illegal Development, Giving Written Direction
- P08** Recommendations to the WAPC Regarding Applications for Subdivision/Amalgamation or Strata Title
- P09** Clearance of Conditions of Development Approval, or Conditions of Subdivision/Amalgamation or Strata Title Approval
- P10** Advice to the Department for Lands Regarding Matters Associated with the Land Administration Act 1997

- P11** Advising other Regulatory Authorities
- P12** Appeals, Requests for Reconsideration
- PR02** Authority to Issue Section 39 & 40 Certificates Liquor Licensing Act 1988

MANAGER HEALTH AND ENVIRONMENT

- A04** Approval of Camping Other than at a Caravan Park or Camping Ground
- A07** Shire of Northam Local Laws Administration
- A08** Perform the functions of the "local government" pursuant to the Caravan Parks and Camping Grounds Act 1995
- H01** Public Health Act 2016 and the Health (Miscellaneous Provisions) Act 1911 – Power or duty of the local government (enforcement agency) under any provision of these Acts
- H02** Food Act 2008 – Functions of enforcement agency

ENVIRONMENTAL HEALTH OFFICER/S

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

SENIOR BUILDING SURVEYOR

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

- Occupancy permit or a Building Approval Certificate
- B10** Buildings – Revoke Building Orders
- B11** Authorised and Approved Officers - Building Act Infringement Notices

COMPLIANCE OFFICER

- A07** Shire of Northam Local Laws Administration
- A08** Perform the functions of the “local government” pursuant to the Caravan Parks and Camping Grounds Act 1995
- B11** Authorised and Approved Officers - Building Act Infringement Notices

RANGER/S

- A07** Shire of Northam Local Laws Administration
- O03** Offences - Bush Fires Act

COMMUNITY EMERGENCY SERVICES MANAGER

- O03** Offences - Bush Fires Act

SHIRE PRESIDENT

CHIEF BUSH FIRE CONTROL OFFICER

} **Jointly**

- O02** Burning, Prohibited (Variations)