Shire of York
Register of Delegated Authority

Adopted 28 July 2026

REVIEW

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INTRODUCTION

Introduction

Delegations and the appointment of authorised persons are used to perform the functions prescribed in legislation.

The application of these powers permits the efficient, effective and timely delivery of services in accordance with legislation that is consistent with the Shire's Strategic Community Plan and commitment to a strong customer service focus.

Delegation is a formal means of empowering one entity to perform functions and duties that are otherwise reserved in legislation for another entity. Delegation is a tool used in government at all levels to enable the efficient and effective delivery of services while ensuring clarity regarding who is permitted to perform specific discretionary functions.

Local government exercises many of its functions through a combination of delegated powers and authorisations. This includes functions under the *Local Government Act 1995* (the Act) and Regulations but also legislation related to planning, dogs, cats, health, building, bush fire prevention and management and food safety.

Definitions

The terms used throughout this register are defined below:

"**Authorisations**": the written form that conveys an authorisation to an Authorised person.

"**Conditions**": a description of when the delegation/ authorisation can / cannot be used or the time frame for which the delegation/ authorisation is valid.

"**Delegate**": the person (named by position title or office) or entity 'appointed' by the delegator, to act in place of the delegator for the purpose of exercising an express power or duty.

"**Delegation**": the process, prescribed in legislation, for assigning authority to exercise an express power or duty from the delegate to another person (named by position title or office) or an entity (the Delegate).

"**Delegator**": the person (named by position title or office) or entity in which the written law vests an Express Power or Duty whom delegates that Express Power or Duty.

"**Express Power or Duty**": a power or duty written (expressly) in legislation.

"**Express Power to Delegate**": a power (procedure) written (expressly) in legislation that enables the devolution of an Express Power or Duty from a Delegator to a Delegate.

"**Head of Power**": the legislation, which contains an express power to delegate and/or an express power or duty.

"**Instrument of Delegation**": the written form of a delegation. Legislation requires delegation be provided in writing. The instrument of delegation communicates the delegation from the Delegator to the Delegate.

"**Sub-delegate**": the person (named by position or title or office) or entity to which a Delegate has sub-delegated a power or duty, which has been delegated to that Delegate by the Delegator.

Foundation for Delegation

Section 59 of the *Interpretation Act 1984* prescribes the framework for how delegated authority must be structured in Western Australian law:

1. The written law (Head of Power) must include an Express Power to Delegate, which specifically enables a person (the Delegator) to make a delegation.
2. In that same written law, there must be an Express Power or Duty conferred or imposed on the Delegator and it must be capable of being delegated. This means that the power or duty proposed for delegation must be written in the same law as the Express Power to Delegate; and that written law must not prohibit the power or Duty from being delegated or contain limitations or conditions, which the proposed delegation exceeds.
3. The power to delegate cannot be delegated.
4. Delegations must be in writing (the instrument of delegation).
5. Delegations must be advised to the Delegate in writing.

The requirements for delegation prescribed in the *Interpretation Act 1984*, apply to all delegations under Western Australian Law, including the Act and all other Acts under which local government has duties and powers.

Review of Delegations

Section 5.46 of the Act requires that a review of the delegations made under the Act occurs at least once every financial year. In line with good governance principles, it is important that delegations are reviewed regularly to ensure currency. The Shire reviews this register in accordance with those requirements.

Standard Conditions on Delegations

In accordance with Section 5.71 of the Act and the Shire of York's Code of Conduct, if an employee has been delegated a power

or duty relating to a matter in which the employee has an interest, that employee must not exercise the power or discharge the duty and must, in the case of the CEO, disclose to the Shire President the nature of the interest, and in the case of any other employee, must disclose to the CEO the nature of the interest. The Act contains severe penalties for failure to comply.

Any delegation exercised shall comply with any laws and regulations in force, and the requirements of any Shire of York local laws, policies and resolutions of Council.

Record of Actions and Decisions

If a person is exercising a power or duty that has been delegated under the Act, Section 5.46(3) of the Act requires that records be kept whenever the delegated authority is utilised. Regulation 19 of the *Local Government (Administration) Regulations 1996* prescribes the information required to be recorded, being:

1. How the person exercised the power or discharged the duty;
2. When the person exercised the power or discharged the duty; and
3. 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.

The register details the recording and record keeping requirements associated with each delegation. and is reported to Council at the Concept Forum. It is important that the details of the person who exercised the delegation are recorded in the register. Only officers who are delegated authority can be make discretionary decisions under delegation.

Primary and Annual Returns

In accordance with Sections 5.75 and 5.76 of the Act, the delegation of a power or duty to an employee under the Act or Section 214 of the *Planning and Development Act 2005* triggers the requirement to make disclosures in primary and annual returns. An employee to whom a duty or power is delegated under the Act is considered a 'designated employee' under Section 5.74(1) of the Act.

The Act contains severe penalties (a fine of $10,000 or two years imprisonment) for failure to comply with this requirement. It is the responsibility of each individual employee to ensure compliance.
The Shire of York utilises the Attain compliance platform to manage its Return process and in accordance with Section 5.96A of the Act and Regulation 29C of the *Local Government (Administration) Regulations 1996*, produces and publishes on its website a report annually detailing the Returns made in the last financial year.

Matters which cannot be Delegated

Under Section 5.43 of the Act the following powers cannot be delegated by Council to the CEO:

1. Any power or duty that requires a decision of an absolute majority or special (75%) majority of the local government;
2. Accepting a tender which exceeds an amount determined by the local government;
3. Appointing an auditor;
4. Acquiring or disposing of any property value at an amount determined by the local government;
5. Any of the local government's powers under Section 5.98, 5.98A, 5.99, 5.99A and 5.100 of the Act;
6. Borrowing money on behalf of the local government;
7. Hearing or determining an objection of a kind referred to in Section 9.5;
8. The power under Section 9.49A(4) to authorise a person to sign documents on behalf of the local government;
9. Any power or duty that requires the approval of the Minister or Governor; or
10. Such other duties or powers that may be prescribed by the Act.

Furthermore, the following Regulations prescribe powers and duties which cannot be delegated to the CEO:

1. Regulation 18G of the Local *Government (Administration) Regulations 1996* prohibits the delegation to a CEO of the powers and duties under Sections 7.12A2, 7.12A(3)(a) and 7.12A(4) of the Act (relating to meetings with auditors) and Regulations 18C and 18D (relating to the selection and appointment of CEO's and reviews of their performance).
2. Regulation 6 of the *Local Government (Financial Management) Regulations 1996* prohibits the delegation of the duty to conduct an internal audit to an employee (including a CEO) who has been delegated the duty of maintaining the local government's day to day accounts or financial management operations.

Delegation by the Chief Executive Officer to an Employee

Section 5.44(1) of the Act allows for the CEO to delegate any of the powers to another employee other than the power of delegation. This must be done in writing as per Section 5.44(2). The Act also allows for the CEO to place conditions on any delegations under Section 5.44(4).

There is no power for a person other than the CEO to delegate a power as stated in Section 5.44(1) of the Act.

Officers must refer to relevant legislation prior to making any decisions under delegated authority.

Acting Through Another Person

The Act recognises that employees do not always need delegations (or sub delegations) to carry out their tasks and functions on behalf of the Shire. Section 5.45(2) of the Act states:

"(2) Nothing in this Division is to be read as preventing —
(a) a local government from performing any of its functions by acting through a person other than the CEO; or
(b) a CEO from performing any of his or her functions by acting through another person."

The key difference between a delegation and "acting through" is that a delegate exercises the decision-making function in his or her own right. Thus, an employee may pay an account or issue an approval if directed to do so by another employee who has the authority to make such a decision and chooses to "act through" another employee.
The principal issue is that where a person has no discretion in carrying out a function, then that function may be undertaken through the "acting through" concept. Alternatively, where the decision allows for discretion on the part of the decision maker, then that function needs to be delegated for another person to have that authority.

Using Delegations to Make Decisions

Before using a delegated authority, a delegate must familiarise themselves with the legislative framework that informs the decisions they will make under the Delegation. Care should be taken to understand the legislative process, conditions and limitations relevant to the statutory power or duty. The delegate must also consider and apply policy, procedures or standards that are relevant to the decisions they are empowered to make and also ensure that they comprehensively understand the legal framework that informs their decision making.

Conflicts of Interest

A conflict of interest arises where a personal interest is in conflict with the public interest. In accordance with Sections 5.70 and 5.71 of the Act, delegates must disclose any conflict of interest relating to advice or reports, or interests relating to delegated functions. An interest may require them to be removed from the decision-making process.

A Delegate may refer the decision making back to the Delegator, where they consider there is a risk or sensitivity, which makes it more appropriate for the Delegator to make that decision.

The Shire's Code of Conduct sets out the requirement for employees to immediately disclose interests that could be in conflict, or could be perceived to be in conflict with the performance of their public duties.

The Act contains severe penalties (a fine of $10,000 or two years imprisonment) for failure to comply with this requirement. It is the responsibility of each individual employee to ensure compliance

DELEGATIONS

01 Local Government Act 1995 Delegations

Local Government Act 1995

Delegation	**1.1.1 Compensation - Damage Incurred when Performing Executive Functions**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.3.22(1) Compensation s.3.23 Arbitration
Function	1. In accordance with the s.3.22 procedures, assess and determine the extent of damage to private property arising directly from performance of executive functions and make payment of compensation [s.3.22(1)]. 2. Where compensation is unable to be determined and agreed between parties, give effect to arbitration in accordance with s.3.23.
Delegates	CEO
Conditions	a. Delegation is limited to settlements which do not exceed a material value of $5,000. Settlements over that value are to be presented to Council.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Nil
Subdelegate conditions	Not applicable
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution #140623
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section changed to improve clarity.	---

Delegation	**1.1.2 Powers of Entry**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.3.28 When this Subdivision applies s3.31 General procedure for entering property s.3.32 Notice of entry s.3.33 Entry under warrant s.3.34 Entry in an emergency s.3.36 Opening fences
Function	1. Authority to exercise powers of entry to enter onto land to perform any of the local government functions under this Act, other than entry under a Local Law [s.3.28]. 2. Authority to authorise persons to enter onto land, premises or thing, without consent of the owner / occupier, unless the owner / occupier objects [s.3.31(2)]. 3. Authority to give notice of entry [s.3.32]. 4. Authority to seek and execute an entry under warrant [s.3.33]. 5. Authority to execute entry in an emergency, using such force as is reasonable [s.3.34(1) and (3)]. 6. Authority to give notice and effect entry by opening a fence [s.3.36].
Delegates	CEO
Conditions	a. Delegated authority under s.3.34(1) and (3) may only be used where there is imminent or substantial risk to public safety or property.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Corporate & Community Services Executive Manager Infrastructure and Development Services Principal Environmental Health Officer Ranger
Subdelegate conditions	Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	*Local Government Act 1995:* s.9.10 Appointment of authorised persons – refer also s.3.32(2)] Part 3, Division 3, Subdivision 3 – prescribes statutory processes for Powers of Entry. s.3.34(2) Entry in an emergency
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026

Adoption references	Resolution # 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
27 Jun 2023	Amended delegation	Amended – Replaces DE1.18	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---
23 Jul 2026	Amended delegation	Adjusted to include additional provisions as set out in the WALGA template. Environmental Officer added.	Resolution #140626

Delegation	**1.1.3 Declare Vehicle is Abandoned Vehicle Wreck**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.3.40A(4) Abandoned vehicle wreck may be taken
Function	1. Declare that an impounded vehicle is an abandoned vehicle wreck [s.3.40A(4)].
Delegates	CEO
Conditions	a. Disposal of a declared abandoned vehicle wreck to be undertaken in accordance with Delegated Authority 1.1.4 Confiscated or Uncollected Goods or alternatively, referred for Council decision.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Infrastructure and Development Services Ranger
Subdelegate conditions	Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government Act 1995*: Part 3, Division 3, Subdivision 3.
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution # 140623
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
27 Jun 2023	Amended delegation	Replaces DE1.10	Resolution # 140623
25 Jun 2024	Amended delegation	Correction to Conditions to refer to Delegation 1.1.4. Addition of Manager Development Services as a Subdelegate. Wording in Record Keeping Section modified to improve clarity.	---
23 Jun 2026	Amended delegation	Removal of Manager Development Services as a Subdelegate	Resolution # 140626

Delegation	**1.1.4 Confiscated or Uncollected Goods**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.3.46 Goods may be withheld until costs paid s.3.47 Confiscated or uncollected goods, disposal of s.3.48 Impounding expenses, recovery of
Function	1. Authority to refuse to allow goods impounded under s.3.39 or s.3.40A to be collected until the costs of removing, impounding and keeping them have been paid to the local government. [s.3.46]. 2. Authority to sell or otherwise dispose of confiscated or uncollected goods or vehicles that have been ordered to be confiscated under s.3.43 [s.3.47]. 3. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48]. 4. The period after which gods may be sold or otherwise disposed of under subsection (2b) is: a. For perishable goods – 3 days. b. For animals – 7 days. c. For prescribed non-perishable goods – one month. d. For other non-perishable goods – 2 months.
Delegates	CEO
Conditions	a. Disposal of confiscated or uncollected goods, including abandoned vehicles, with a market value less than $20,000 may, in accordance with r.30 of the *Local Government (Functions and General) Regulations 1996,* be disposed of by any means considered to provide best value, provided the process is transparent and accountable. b. NOTE - declared abandoned vehicle wreck may only be removed and impounded by a person duly authorised under s.3.40A(1). c. The Delegation can only be used where a record is retained which evidences the Delegate's reasonable efforts to identify and contact an owner have failed.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Infrastructure and Development Services
Subdelegate conditions	Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government Act 1995:* Part 3, Division 3, Subdivision 3 s.3.58 Disposing of Property – applies to the sale of goods under s.3.47 as if they were property referred to in that section.

Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	26 June 2023
Adoption references	Resolution# 140623
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
27 Jun 2023	Amended delegation	Amended – Replaces DE1.11, DE1.12 and DE1.13	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---
23 Jun 2026	Amended delegation	Wording in Conditions modified to include new delegation.	---

Delegation	**1.1.5 Disposal of Sick or Injured Animals**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.3.47A Sick or injured animals, disposal of s.3.48 Impounding expenses, recovery of
Function	1. Authority to determine when an impounded animal is ill or injured, that treating it is not practicable, and to humanely destroy the animal and dispose of the carcass [s.3.47A(1)].
Delegates	CEO
Conditions	Delegation only to be used where a record is retained which evidences the Delegate's reasonable efforts to identify and contact an owner have failed.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Infrastructure and Development Services Ranger
Subdelegate conditions	Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government Act 1995* Part 3, Division 3, Subdivision 3 s.58 Disposing of Property – applies to the sale of goods under s.3.47 as if they were property referred to in that section
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum.
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Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
27 Jun 2023	Amended delegation	Amended – Replaces DE1.14	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---
23 Jun 2026	Amended delegation	Authority to recover expenses removed from this delegation. Manager Development Services removed as a Subdelegate.	Resolution # 140626

Delegation	**1.1.6 Close Thoroughfares to Vehicles**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.3.50 Closing certain thoroughfares to vehicles s.3.50A Partial closure of thoroughfare for repairs or maintenance s.3.51 Affected owners to be notified of certain proposals
Function	1. Authority to close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles for a period not exceeding 4-weeks [s.3.50(1)]. 2. Authority to determine to close a thoroughfare for a period exceeding 4-weeks and before doing so, to: a. Give public notice, written notice to the Commissioner of Main Roads and written notice to prescribed persons and persons that own prescribed land; and b. Consider submissions relevant to the road closure/s proposed [s.3.50(1a), (2) and (4)]. 3. Authority to revoke an order to close a thoroughfare [s.3.50(6)]. 4. Authority to partially and temporarily close a thoroughfare without public notice for repairs or maintenance, where it is unlikely to have significant adverse effect on users of the thoroughfare [s.3.50A] 5. Before doing anything to which s.3.51 applies, take action to notify affected owners and give public notice that allows reasonable time for submissions to be made and consider any submissions made before determining to fix or alter the level or alignment of a thoroughfare or draining water from a thoroughfare to private land [s3.51].
Delegates	CEO
Conditions	a. If, under s.3.50(1), a thoroughfare is closed without giving local public notice, local public notice is to be given as soon as practicable after the thoroughfare is closed [s.3.50(8)]. b. Maintain access to adjoining land [s.3.52(3)] (relevant to a Townsite only). c. Limited to temporary road closures only. Permanent closure of roads must be determined by Council and subject to compliance with Land Administration Act 1987, s.58. d. Where the closure is required for the conduct of an event, the requirement of the Road Traffic (Events on Roads) Regulations 1991 will be applied. e. Reasons where the Chief Executive Officer would determine an application for the temporary closure of a thoroughfare, include but are not limited to the following: i. In cases of emergency. ii. Where in the opinion of the Chief Executive Officer that due to heavy rain a thoroughfare is likely to be damaged by the passage of traffic of a particular class, or by the passage of traffic generally. iii. For the conduct of an Event in accordance with the Road Traffic (Events on Roads) Regulations 1991. iv. Where the Council is undertaking repair and maintenance works to a thoroughfare.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Subdelegates	Executive Manager Infrastructure and Development Services
Subdelegate conditions	Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government Act 1995*: Part 3, Division 3, Subdivision 3 *Road Traffic (Events on Roads) Regulations 1991* *Local Government (Uniform Local Provisions) Regulations 1996* *Thoroughfares Local Law* *Local Government Property Local Law*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution # 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
24 Oct 2016	Amended delegation	Reviewed – 24 October 2016 – Replaced DE24 in part	---
27 Nov 2017	Amended delegation	Amended – 27 November 2017	---
21 Dec 2021	New delegation	New – 21 December 2021 - replaces DE1.1, DE1.2, DE1.3 and DE1.4	---
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---
23 Jun 2026	Amended delegation	Additional condition added to exclude permanent road closures.	Resolution # 140626

Delegation	**1.1.7 Obstruction of Footpaths and Thoroughfares**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government (Uniform Local Provisions) Regulations 1996:* r.5(2) Interfering with, or taking from, local government land r.6 Obstruction of public thoroughfare by things placed and left - Sch. 9.1 cl. 3(1)(a) r.7A Obstruction of public thoroughfare by fallen things – Sch.9.1 cl.3(1)(b) r.7 Encroaching on public thoroughfare – Sch.9.1. cl.3(2)
Function	1. Authority to determine, by written notice served on a person who is carrying out plastering, painting or decorating operations (the work) over or near a footpath on land that is local government property, to require the person to cover the footpath during the period specified in the notice so as to: a. Prevent damage to the footpath; or b. Prevent inconvenience to the public or danger from falling materials [ULP r.5(2)]. 2. Authority to provide permission including imposing appropriate conditions or to refuse to provide permission, for a person to place on a specified part of a public thoroughfare one or more specified things that may obstruct the public thoroughfare. [ULP r.6(2) and (4)]. 3. Authority to renew permission to obstruct a thoroughfare and to vary any condition imposed on the permission effective at the time written notice is given to the person to whom permission is granted [ULP r.6(6)]. 4. Authority to require an owner or occupier of land to remove any thing that has fallen from the land or from anything on the land, which is obstructing a public thoroughfare [ULP r.7A]. 5. Authority to require an owner occupier of land to remove any part of a structure, tree or plant that is encroaching, without lawful authority on a public thoroughfare [ULP r.7].
Delegates	CEO
Conditions	a. Actions under this Delegation must comply with procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996. b. Permission may only be granted where, the proponent has: i. Where appropriate, obtained written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction. ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good public assets damaged by the obstruction at the completion of works. iii. Provided evidence of sufficient Public Liability Insurance. iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Infrastructure and Development Services
Subdelegate conditions	Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.

Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government (Uniform Local Provisions) Regulations 1996* Penalties under the *Uniform Local Provisions Regulations* are administered in accordance with Part 9, Division 2 of the *Local Government Act 1995* *Road Traffic (Events on Roads) Regulations 1991* *Thoroughfares Local Law* *Local Government Property Local Law*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Delegation	**1.1.8 Gates Across Public Thoroughfares**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government (Uniform Local Provisions) Regulations 1996:* r.9 Permission to have gate across public thoroughfare – Sch.9.1 cl.5(1)
Function	1. Authority to provide, or refuse to provide, permission to have a gate or other device across a local government thoroughfare that permits the passage of vehicle traffic and prevents livestock straying [ULP r.9(1)]. 2. Authority to require an applicant to publish a notice of the application in a manner thought fit for the purpose of informing persons who may be affected by the proposed gate or device [r.9(2)]. 3. Authority to impose conditions on granting permission [ULP r.9(4)]. 4. Authority to renew permission, or at any other time vary any condition, effective upon written notice to the person to whom permission was granted [ULP r.9(5)]. 5. Authority to cancel permission by written notice and request the person to whom permission was granted to remove the gate or device within a specified time [ULP r.9 (6)].
Delegates	CEO
Conditions	a. Actions under this Delegation must comply with procedural requirements detailed in the *Local Government (Uniform Local Provisions) Regulations 1996.* b. Each approval provided must be recorded in the Shire of York's statutory Register of Gates in accordance with ULP r.8.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Infrastructure and Development Services
Subdelegate conditions	Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government (Uniform Local Provisions) Regulations 1996* – prescribe applicable statutory procedures Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the *Local Government Act 1995*
Policy	Policy G28 – Gates Across Road Reserves
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum.

Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Delegation	**1.1.9 Public Thoroughfare – Dangerous Excavations**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government (Uniform Local Provisions) Regulations 1996:* r.11(1), (4), (6) & (8) Dangerous excavation in or near public thoroughfare – Sch.9.1 cl.6
Function	1. Authority to determine if an excavation in or on land adjoining a public thoroughfare is dangerous and take action to fill it in or fence it or request the owner / occupier in writing to fill in or securely fence the excavation [ULP r.11(1)]. 2. Authority to determine to give permission or refuse to give permission to make or make and leave an excavation in a public thoroughfare or land adjoining a public thoroughfare [ULP r.11(4)]. 3. Authority to impose conditions on granting permission [ULP r.11(6)]. 4. Authority to renew a permission granted or vary at any time, any condition imposed on a permission granted [ULP r.11(8)].
Delegates	CEO
Conditions	a. Actions under this Delegation must comply with procedural requirements detailed in the *Local Government (Uniform Local Provisions) Regulations 1996.* b. Permission may only be granted where, the proponent has: i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed works. ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public assets at the completion of works. iii. Provided evidence of sufficient Public Liability Insurance. iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Nil
Subdelegate conditions	Not applicable
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government (Uniform Local Provisions) Regulations 1996* – prescribe applicable statutory procedures. Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the *Local Government Act 1995*

Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain)* in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Delegation	**1.1.10 Crossing – Construction, Repair and Removal**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government (Uniform Local Provisions) Regulations 1996:* r.12(1) Crossing from public thoroughfare to private land or private thoroughfare – Sch.9.1 cl.7 (2) r.13(1) Requirement to construct or repair crossing – Sch.9.1 cl.7(3)
Function	1. Authority to approve or refuse to approve, applications for the construction of a crossing giving access from a public thoroughfare to land or private thoroughfare serving land [ULP r,12(1)]. 2. Authority to determine the specifications for construction of crossings to the satisfaction of the local government [ULP r.12(1)(a)]. 3. Authority to give notice to an owner or occupier of land requiring the person to construct or repair a crossing [ULP r.13(1)]. 4. Authority to initiate works to construct a crossing where the person fails to comply with a notice requiring them to construct or repair the crossing and recover 50% of the cost of doing so as a debt due from the person [ULP r.13(2)].
Delegates	CEO
Conditions	a. Actions under this Delegation must comply with procedural requirements detailed in the *Local Government (Uniform Local Provisions) Regulations 1996.* b. Maintenance and upkeep of the crossing to a safe and useable standard is the responsibility of the property owner.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Infrastructure and Development Services
Subdelegate conditions	Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government (Uniform Local Provisions) Regulations 1996* – prescribe applicable statutory procedures Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the *Local Government Act 1995* *Thoroughfares Local Law*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026

Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
27 Jun 2023	Amended delegation	Amended - replaces DE4-2	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Delegation	**1.1.11 Private Works on, over or under Public Places**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* r.17 Private works on, over, or under public places – Sch.9.1 cl.
Function	1. Authority to grant permission or refuse permission to construct a specified thing on, over, or under a specified public thoroughfare or public place that is local government property [ULP r.17(3)]. 2. Authority to impose conditions on permission including those prescribed in r.17(5) and (6) [ULP r.17(5)].
Delegates	CEO
Conditions	a. Actions under this Delegation must comply with procedural requirements detailed in the *Local Government (Uniform Local Provisions) Regulations 1996*. b. Permission may only be granted where, the proponent has: i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed private works. ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public place at the completion of works. iii. Provided evidence of sufficient Public Liability Insurance. iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Infrastructure and Development Services
Subdelegate conditions	Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government (Uniform Local Provisions) Regulations 1996* – prescribe applicable statutory procedures Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the *Local Government Act 1995*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026

Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
18 Apr 2016	New delegation	Adopted – 18 April 2016	---
27 Nov 2017	Amended delegation	Amended – 27 November 2017	---
17 Dec 2017	Amended delegation	Amended 17 December 2018	---
27 Jun 2023	Amended delegation	Amended - Replaces DE4-1	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Delegation	**1.1.12 Expressions of Interest for Goods and Services**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.3.57 Tenders for providing goods or services *Local Government (Functions and General) Regulations 1996:* r.21 Limiting who can tender, procedure for r.23 Rejecting and accepting expressions of interest to be acceptable tenderer r24 Person expressing interest to be notified of outcome
Function	1. Authority to determine when to seek Expressions of Interest and to invite Expressions of Interest for the supply of goods or services [F&G r.21]. 2. Authority to consider Expressions of Interest which have not been rejected and determine those which are capable of satisfactorily providing the goods or services, for listing as acceptable tenderers [F&G r.23 & r24].
Delegates	CEO
Conditions	a. A determination to call for Expressions of Interest may only occur where the procurement or disposal is identified in Annual Budget allocations.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees.
Subdelegates	Executive Manager Corporate & Community Services Executive Manager Infrastructure and Development Services
Subdelegate conditions	Conditions on the original delegation also apply to the sub-delegations, except the power of sub-delegation.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government (Functions and General) Regulations 1996* – prescribe applicable statutory procedures.
Policy	*Policy F2 - Procurement* *Policy F9 - Panels of Pre-Qualified Suppliers* *WALGA Procurement Toolkit*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain* in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum. Documentation to be recorded in the relevant EOI File.
Date adopted	23 June 2026

Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
27 Jun 2023	Amended delegation	Amended - Replaces DE5-4	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Delegation	**1.1.13 Tenders for Goods and Services – Call Tenders**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.3.57 Tenders for providing goods or services *Local Government (Functions and General) Regulations 1996:* r.11(1), (2) When tenders have to be publicly invited r.13 Requirements when local government invites tenders though not required to do so r.14 Publicly inviting tenders, requirements for r.18 Rejecting and accepting tenders r.20 Variation of requirements before entry into contract r.21A Varying a contract for the supply of goods or services
Function	1. Authority to call tenders [F&G r.11(1)]. 2. Authority to invite tenders although not required to do so [F&G r.13]. 3. Authority to determine in writing, before tenders are called, the criteria for acceptance of tenders [F&G r.14(2a)]. 4. Authority to determine the information that is to be disclosed to those interested in submitting a tender [F&G r.14(4)(a)]. 5. Authority to vary tender information after public notice of invitation to tender and before the close of tenders, taking reasonable steps to ensure each person who has sought copies of the tender information is provided notice of the variation [F&G r.14 (5)].
Delegates	CEO
Conditions	a. Tenders may only be called where there is an adopted budget for the proposed goods or services, with the exception being in the period immediately prior to the adoption of a new Annual Budget where: i. The proposed goods or services are required to fulfil a routine contract related to the day to day operations of the local government; or ii. A current supply contract expiry is imminent; and iii. The value of the proposed new contract has been included in the draft Annual Budget proposed for adoption, and iv. The tender specification includes a provision that the tender will only be awarded subject to the budget adoption by the Council.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Corporate & Community Services Executive Manager Infrastructure and Development Services
Subdelegate conditions	a. Each sub-delegate may only use the sub-delegation in regard to contracts that are within the scope of the incumbent's position role and responsibilities. b. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.

Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government (Functions and General) Regulations 1996* – prescribe applicable statutory procedures
Policy	*WALGA Subscription Service – Procurement Toolkit* *Policy F2 Procurement*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain)* in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum. Entry into the Tender Register in accordance with r.17 *Local Government (Functions and General) Regulations 1996.* Documentation is to be recorded in the relevant Tender File.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
24 Oct 2016	New delegation	New – 24 October 2016	---
27 Nov 2017	Amended delegation	Amended – 27 November 2017	---
27 Jun 2023	Amended delegation	Replaces DE5-5	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Delegation	**1.1.14 Tenders for Goods and Services – Accepting and Rejecting Tenders; Varying Contracts; Exercising Contract Extension Options**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.3.57 Tenders for providing goods or services *Local Government (Functions and General) Regulations 1996:* r.11(2)(j) Exercising contract extension options r.18(2), (4), (4a), (5), (6) and (7) Rejecting and accepting tenders r.20(1), (2), (3) Variation of requirements before entry into contract r.21A Varying a contract for the supply of goods or services
Function	1. Authority to determine whether or not to reject tenders that do not comply with requirements as specified in the invitation to tender [F&G.r.18(2)]. 2. Authority to seek clarification from tenderers in relation to information contained in their tender submission [F&G r.18(4a)]. 3. Authority to assess, by written evaluation, tenders that have not been rejected, to determine: a. The extent to which each tender satisfies the criteria for deciding which tender to accept; and b. To accept the tender that is most advantageous within the $250,000 detailed as a condition on this Delegation [F&G r.18(4)]. 4. Authority to decline to accept any tender [F&G r.18(5)]. 5. Authority to accept the next most advantageous tender if, within 6-months of accepting a tender, a contract has not been entered into OR the local government and the successful tenderer agree to terminate the contract [F&G r.18(6) & (7)]. 6. Authority to determine whether variations in goods and services required are minor variations, and to negotiate with the successful tenderer to make minor variations before entering into a contract [F&G r.20(1) and (3)]. 7. Authority to choose the next most advantageous tender to accept, if the chosen tenderer is unable or unwilling to form a contract to supply the varied requirement OR the minor variation cannot be agreed with the successful tenderer, so that the tenderer ceases to be the chosen tenderer [F&G r.20(2)]. 8. Authority to vary a tendered contract, after it has been entered into, provided the variation/s are necessary for the goods and services to be supplied, and do not change the scope of the original contract or increase the contract value beyond 10% or to a maximum of $100,000 whichever is the lesser value [F&G r.21A(a)]. 9. Authority to exercise a contract extension option that was included in the original tender specification and contract in accordance with r.11(2)(j).
Delegates	CEO

Conditions	a. Exercise of authority under F&G.r.18(2) requires consideration of whether or not the requirements as specified in the invitation to tender have been expressed as mandatory and if so, discretion may not be capable of being exercised –consider process contract implications. b. In accordance with s.5.43(b), tenders may only be accepted under this delegation, where: i. The total consideration under the resulting contract is $250,000 or less; ii. The expense is included in the adopted Annual Budget; and iii. The tenderer has complied with requirements under F&G r.18(2) and (4). c. A decision to vary a tendered contract before entry into the contract [F&G r.20(1) and (3)] must include evidence that the variation is minor in comparison to the total goods or services that tenderers were invited to supply. d. A decision to renew or extend the contract must only occur where the original contract contained the option to renew or extend its term as per r.11(2)(j) and that the contractor's performance has been reviewed and the review evidences the rationale for entering into the extended term.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Corporate & Community Services Executive Manager Infrastructure and Development Services
Subdelegate conditions	a. Each sub-delegate may only use the sub-delegation in regard to contracts that are within the scope of the incumbent's position role and responsibilities. b. Conditions on the original delegation also apply to the sub-delegations, except the power of sub-delegation. c. The performance of sub-delegation under Function 8 only applies to lump sum contracts and is to align with the authorised limits contained in financial delegations.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government (Functions and General) Regulations 1996* – prescribe applicable statutory procedures
Policy	*WALGA Subscription Service – Procurement Toolkit* *F2 Procurement Policy*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
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Amendments			
Date	**Type**	**Amendment**	**References**
28 Mar 2023	New delegation	Adopted – 28 March 2023	Resolution 420323
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Delegation	**1.1.15 Panels of Pre-Qualified Suppliers for Goods and Services**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government (Functions and General) Regulation 1996:* r.24AB Local government may establish panels of pre-qualified suppliers r.24AC(1)(b) Requirements before establishing panels of pre-qualified suppliers r.24AD(3) & (6) Requirements when inviting persons to apply to join panel of pre-qualified suppliers r.24AH(2), (3), (4) and (5) Rejecting and accepting applications to join panel of pre-qualified suppliers
Function	1. Authority to determine that a there is a continuing need for the goods or services proposed to be provided by a panel of pre-qualified suppliers [F&G r.24AC(1)(b)]. 2. Authority to, before inviting submissions, determine the written criteria for deciding which application should be for inclusion in a panel of pre-qualified suppliers should be accepted [F&G r.24AD(3)]. 3. Authority to vary panel of pre-qualified supplier information after public notice inviting submissions has been given, taking reasonable steps to each person who has enquired or submitted an application is provided notice of the variation [F&G r.24AD(6)]. 4. Authority to reject an application without considering its merits, where it was submitted at a place and within the time specified, but fails to comply with any other requirement specified in the invitation [F&G r.24AH(2)]. 5. Authority to assess applications, by written evaluation of the extent to which the submission satisfies the criteria for deciding which applicants to accept, and decide which applications to accept as most advantageous [F&G r.24AH(3)]. 6. Authority to request clarification of information provided in a submission by an applicant [F&G r.24AH(4)]. 7. Authority to decline to accept any application [F&G r.24AH(5)]. 8. Authority to enter into contract, or contracts, for the supply of goods or services with a pre-qualified supplier, as part of a panel of pre-qualified suppliers for those particular goods or services [F&G r.24AJ(1)].
Delegates	CEO
Conditions	a. In accordance with s.5.43, panels of pre-qualified suppliers may only be established, where the total consideration under the resulting contract is $250,000 or less and the expense is included in the adopted Annual Budget.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Corporate & Community Services Executive Manager Infrastructure and Development Services
Subdelegate conditions	a. Each sub-delegate may only use the sub-delegation in regard to contracts that are within the scope of the incumbent's position role and responsibilities. b. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.

Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government (Functions and General) Regulations 1996* – prescribe applicable statutory procedures
Policy	*WALGA Subscription Service – Procurement Toolkit* *Policy F2 - Procurement* *Policy F9 – Panels of Pre-Qualified Suppliers*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Delegation	**1.1.16 Disposing of Property**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.3.58(2) & (3) Disposing of Property
Function	1. Authority to dispose of property to: a. The highest bidder at public auction [s.3.58(2)(a)]. b. The person who at public tender called by the local government makes what is considered by the delegate to be, the most acceptable tender, whether or not it is the highest tender [s.3.58(2)(b)] 2. Authority to dispose of property by private treaty only in accordance with section 3.58 (3) and prior to the disposal, to consider any submissions received following the giving of public notice [s.3.58(3)].
Delegates	CEO
Conditions	a. Disposal of land or building assets is limited to matters specified in the Annual Budget and in any other case, a Council resolution is required. b. In accordance with s.5.43, disposal of property, for any single project or where not part of a project but part of a single transaction, is limited to a maximum value of $50,000 or less. c. When determining the method of disposal: i. Where a public auction is determined as the method of disposal: • Reserve price has been set by independent valuation. • Where the reserve price is not achieved at auction, negotiation may be undertaken to achieve the sale at up to a -10% variation on the set reserve price. ii. Where a public tender is determined as the method of disposal and the tender does not achieve a reasonable price for the disposal of the property, then the CEO is to determine if better value could be achieved through another disposal method and if so, must determine not to accept any tender and use an alternative disposal method. iii. Where a private treaty is determined [s.3.58(3)] as the method of disposal, authority to: • Negotiate the sale of the property up to a -10% variance on the valuation; and • Consider any public submissions received and determine if to proceed with the disposal, ensuring reasons for the decision are recorded. d. Where the market value of the property is determined as being less than $20,000 (F&G r.30(3) excluded disposal) may be undertaken: i. Without reference to Council for resolution; and ii. In any case, be undertaken to ensure that the best value return is achieved however, where the property is determined as having a nil market value then, as a minimum, the disposal must ensure environmentally responsible disposal.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Subdelegates	Executive Manager Corporate & Community Services Executive Manager Infrastructure and Development Services
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation. b. Sub-delegation is capped to a value of $5,000 per individual item being disposed of.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government Act 1995* – s.3.58 Disposal of Property *Local Government (Functions and General) Regulations 1995* – r.30 Dispositions of property excluded from Act s. 3.58
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
27 Jun 2023	Amended delegation	Replaces DE1.15 and DE1.16	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Delegation	**1.1.17 Payments from the Municipal or Trust Funds**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government (Financial Management) Regulations1996:* r.12(1)(a) Payments from municipal fund or trust fund, restrictions on making
Function	1. Authority to make payments from the municipal or trust funds [r.12(1)(a)].
Delegates	CEO
Conditions	a. Authority to make payments is subject to annual budget limitations. b. Access to electronic funds transfer software, passwords and encryption information is to be restricted to the CEO, Executive Manager Corporate & Community Services, Executive Manager Infrastructure & Development Services and the Finance Manager.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Corporate & Community Services Executive Manager Infrastructure and Development Services Manager Finance
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation. b. Delegates must comply with the Procedures approved by the CEO in accordance with Financial Management Regulation 5, and Policy F5 – Authority to Make Payments from the Trust and Municipal Funds. c. Payments by Cheque and EFT transactions must be approved jointly by two Delegates, one of whom must be the CEO or an Executive Manager.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government Act 1995* *Local Government (Financial Management) Regulations 1996* - refer specifically r.13 Payments from municipal fund or trust fund by CEO, CEO's duties as to etc. *Local Government (Audit) Regulations 1996*
Policy	Department of Local Government, Industry Regulation and Safety *Operational Guideline No.11 – Use of Corporate Credit Cards* Department of Local Government, Industry Regulation and Safety *Accounting Guidelines and Circulars* *Policy F2 - Procurement* *Policy F5 – Authority to Make Payments from the Trust and Municipal Funds* *Policy F6 – Corporate Credit Card Policy*

Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum. Each payment from the municipal or trust funds is to be noted on a list complied for each month which is to be presented to the next Ordinary Meeting of Council.
Date adopted	23 June 2026
Adoption references	Resolution # 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
18 Apr 2016	New delegation	Adopted 18 April 2016 to replace DE1	---
24 Oct 2016	Amended delegation	Amended – 24 October 2016	---
27 Nov 2017	Amended delegation	Amended – 27 November 2017	---
27 Jun 2023	Amended delegation	Replaces DE3-1	Resolution # 140623
25 Jun 2024	Amended delegation	Additional Condition relating to donations. Wording in Record Keeping Section modified to improve clarity.	---
23 Jun 2026	Amended delegation	Authority to make donations removed as inconsistent with Local Government (Financial Management) Regulations1996: r.12(1)(a). This will be included in a future revision of Policy C8 Funding: Grants and Sponsorship. Updated to reflect the new Department of Local Government, Industry Regulation and Safety	---

Delegation	**1.1.18 Defer, Grant Discounts, Waive or Write Off Debts**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.6.12 Power to defer, grant discounts, waive or write off debts
Function	1. Waive a debt which is owed to the Shire of York [s.6.12(1)(b)]. 2. Grant a concession in relation to money which is owed to the Shire of York [s.6.12(1)(b)]. 3. Write off an amount of money which is owed to the Shire of York [s.6.12(1)(c)]
Delegates	CEO
Conditions	a. A debt, other than a debt relating to a rate or service charge, may only be waived where the dollar amount does not exceed $1,000 per debtor. b. A debt relating to interest accrued on a rate or service charge may only be written off where the dollar value does not exceed $400 (suspension and/or write off) per property per annum in accordance with Policy F10 Financial Hardship: Rates and Charges. c. A debt may only be written off where all necessary measures have been taken to locate / contact the debtor and where costs associated with continued action to recover the debt will outweigh the net value of the debt if recovered by the Shire of York, or where the value of the debt makes recovery attempts uneconomical. d. Write off of debts greater than these values must be referred to Council for a decision. e. An application for fee waiver or concession may only be granted where the applicant completes a Request for Fee Waiver Application Form, and the amount is less than $1,000. This includes, but is not limited to such things as: venue hire, bus hire, chair hire etc. Applications of $1,000 or more must go to Council for approval.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Nil
Subdelegate conditions	Not applicable
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Collection of Rates Debts – refer Delegations: • 1.1.21 Agreement as to Payment of Rates and Service Charges • 1.1.23 Recovery of Rates and Service Charges • 1.1.24 Recovery of Rates Debts – Require Lessee to Pay Rent
Policy	*Policy F10 – Financial Hardship – Rates & Charges*

Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum. Where the write off relates to rates, relevant notes are to be kept on the property file within Synergysoft and the hard copy file in the Compactus. In accordance with r.42 of the Local Government (Financial Management) Regulations 1996, the total amount of money written off is to be reported in the Annual Report.
Date adopted	23 June 2026
Adoption references	Resolution # 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
21 Dec 2012	New delegation	NEW 21 December 2021 Replaces DE3.4, DE3.7 & DE3.12	---
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---
23 Jun 2026	Amended delegation	Adjusted to include the write-off of small rates balances and Policy F1 and F10.	Resolution # 140626

Delegation	**1.1.19 Power to Invest and Manage Investments**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.6.14 Power to invest *Local Government (Financial Management) Regulations 1996:* r.19 Investments, control procedures for
Function	1. Authority to invest money held in the municipal fund or trust fund that is not, for the time being, required for any other purpose [s.6.14(1)]. 2. Authority to establish and document internal control procedures to be followed in the investment and management of investments [FM r.19].
Delegates	CEO
Conditions	a. All investment activity must comply with the Financial Management r.19C and Policy F4 - Investment. b. A report detailing the investment portfolio's performance, exposures and changes since last reporting, is to be presented to the next Ordinary Meeting of Council. c. Procedures are to be systematically documented and retained in accordance with the Record Keeping Plan, and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles. d. Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit and Risk Committee at least once within every 3 financial years. [Audit r.17]
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Corporate & Community Services Manager Finance
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation. b. A decision to invest must be jointly confirmed by two Delegates, one of whom is the Chief Executive Officer.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government (Financial Management) Regulations 1996* – refer r.19C Investment of money, restrictions on (Acts.6.14(2)a))
Policy	*Policy F4 - Investment*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain)* in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.

Date adopted	23 June 2026
Adoption references	Resolution # 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
27 Jun 2023	Amended delegation	Replaces DE3-2	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---
23 Jun 2026	Amended delegation	Sub delegates amended to include Manager Finance.	Resolution # 140626

Delegation	**1.1.20 Rate Record Amendment**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.6.39(2)(b) Rate record
Function	1. Authority to determine any requirement to amend the rate record for the 5-years preceding the current financial year [s.6.39(2)(b)].
Delegates	CEO
Conditions	a. Delegates must comply with the requirements of s.6.40 of the Act.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Corporate & Community Services Manager Finance
Subdelegate conditions	Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government Act 1995* – s.6.40 prescribes consequential actions that may be required following a decision to amend the rate record. Decisions under this delegation may be referred for review by the State Administration Tribunal.
Policy	*Policy F8 – Rates Exemptions for Charitable Purposes.*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain)* in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	26 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---
23 Jun 2026	Amended delegation	Sub delegates amended to include Manager Finance.	Resolution # 140626

Delegation	**1.1.21 Agreement as to Payment of Rates and Service Charges**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.6.49 Agreement as to payment of rates and service charges
Function	1. Authority to make an agreement with a person for the payment of rates or service charges [s.6.49].
Delegates	CEO
Conditions	a. Decisions under this delegation must comply with Policy F1 - Revenue Collection and F10 – Financial Hardship – Rates and Charges. b. Agreements must be in writing and, subject to the Policy F1 - Revenue Collection and F10 – Financial Hardship – Rates and Charges, must ensure acquittal of the rates or service charge debt before the next annual rates or service charges are levied.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Corporate & Community Services
Subdelegate conditions	Not applicable
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Policy	*Policy F1 – Revenue Collection* *Policy F10 – Financial Hardship – Rates and Charges*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain) i*n accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum. Relevant notes are to be kept on the property file within Synergysoft and the hard copy file in the Compactus.
Date adopted	28 July 2026
Adoption references	Resolution # 150726
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
24 Oct 2016	New delegation	New – 24 October 2016	---
27 Nov 2017	Amended delegation	Amended – 27 November 2017	---
27 Jun 2023	Amended delegation	Replaces DE3-3	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---
28 Jul 2026	Amended delegation	Amended to include Policy F1 – Revenue Collection and increase sub delegation to include EMCCS.	Resolution # 150726

Delegation	**1.1.22 Determine Due Date for Rates or Service Charges**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.6.50 Rates or service charges due and payable
Function	1. Authority to determine the date on which rates or service charges become due and payable to the Shire of York [s.6.50].
Delegates	CEO
Conditions	This delegation only relates to interim rating - instalments are by budget adoption by Council, suggest having subdelegates.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Corporate & Community Services Manager Finance Nil
Subdelegate conditions	Not applicable
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	28 July 2026
Adoption references	Resolution# 150726
Last reviewed	28 July 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---
28 Jul 2026	Amended delegation	Wording was added to the Conditions to improve the delegation. Subdelegates amended to include EMCCS and Manager Finance.	Resolution # 150726

Delegation	**1.1.23 Recovery of Rates or Service Charges**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.6.56 Rates or service charges recoverable in court s.6.64(3) Actions to be taken
Function	1. Authority to recover rates or service charges, as well as costs of proceedings for the recovery, in a court of competent jurisdiction [s.6.56(1)]. 2. Authority to lodge (and withdraw) a caveat to preclude dealings in respect of land where payment of rates or service charges imposed on that land is in arrears [s.6.64(3)].
Delegates	CEO
Conditions	Decisions under this delegation must comply with Policies F1 – Revenue Collection and F10 – Financial Hardship – Rates and Charges.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Corporate & Community Services Manager Finance
Subdelegate conditions	Not applicable
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Rates & Charges (Rebates & Deferments) Act 1992* *Valuation of Land Act 1978* *Fire & Emergency Services Act 1998*
Policy	*Policy F1 – Revenue Collection* *Policy F10 – Financial Hardship – Rates & Charges*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum. Relevant notes are to be kept on the property file within Synergysoft and the hard copy file in the Compactus.
Date adopted	23 June 2026
Adoption references	Resolution # 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
24 Oct 2016	New delegation	New – 24 October 2016	---
27 Nov 2017	Amended delegation	Amended – 27 November 2017	---
27 Jun 2023	Amended delegation	Replaces DE3-8	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---
23 Jun 2026	Amended delegation	Subdelegates amended to include EMCCS and Manager Finance.	Resolution # 140626

Delegation	**1.1.24 Recovery of Rates Debts – Require Lessee to Pay Rent**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.6.60 Local Government may require lessee to pay rent
Function	1. Authority to give notice to a lessee of land in respect of which there is an unpaid rate or service charge, requiring the lessee to pay its rent to the Shire of York [s.6.60(2)]. 2. Authority to recover the amount of the rate or service charge as a debt from the lessee if rent is not paid in accordance with a notice [s.6.60(4)].
Delegates	CEO
Conditions	a. Decisions under this delegation must comply with Policy F10 – Financial Hardship – Rates and Charges.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Corporate & Community Services Manager Finance
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation. b. The sub-delegation does not include Function 2, this Function must be determined by the Chief Executive Officer.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government Act 1995* – refer s.6.61 and s.6.62 and Schedule 6.2 prescribe procedures relevant to exercise of authority under s.6.60. *Rates & Charges (Rebates & Deferments) Act 1992* *Valuation of Land Act 1978* *Fire & Emergency Services Act 1998*
Policy	*Policy F10 – Financial Hardship – Rates and Charges*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain)* in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
24 Oct 2016	New delegation	New – 24 October 2016	---
27 Nov 2017	Amended delegation	Amended – 27 November 2017	---
27 Jun 2023	Amended delegation	Replaces DE3-9	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---
23 Jun 2026	Amended delegation	Subdelegates amended to include Manager Finance.	Resolution # 140626

Delegation	**1.1.25 Rate Record – Objections**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.6.76 Grounds of objection
Function	1. Authority to extend the time for a person to make an objection to a rate record [s.6.76 (4)]. 2. Authority to consider an objection to a rate record and either allow it or disallow it, wholly or in part, providing the decision and reasons for the decision in a notice promptly served upon the person whom made the objection [s.6.76(5)].
Delegates	CEO
Conditions	a. An extension is not to be granted for a period exceeding six weeks.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Nil
Subdelegate conditions	Not applicable
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Decisions under this delegation may be referred for review by the State Administration Tribunal.
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
24 Oct 2016	New delegation	DE3-5 Adopted 18 April 2016; DE3-6 New 24 October 2016	---
27 Nov 2017	Amended delegation	Amended – 27 November 2017	---
27 Jun 2023	Amended delegation	Replaces DE3-5 and DE3-6	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Delegation	**1.1.26 Appoint Persons to Receive and Withdrawal of Complaints**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government (Model Code of Conduct) Regulations 2021:* r.11(3) Complaint about alleged breach
Function	1. Authority to appoint one (1) or more persons for the purpose of receiving and withdrawals of complaints in accordance with the *Local Government (Model Code of Conduct) Regulations 2021* [r.11(3)]. 2. Authority to approve the complaint form and any future amendments to the form [r.11 (2)(a)].
Delegates	CEO
Conditions	Nil
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Nil
Subdelegate conditions	Not applicable
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Policy	Policy E1 Code of Conduct: Council Members, Committee Members & Candidates Policy E11 Council Code of Conduct Division 3 Complaint Handling Policy
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution # 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
23 Aug 2022	New delegation	NEW	Resolution # 150822
22 Aug 2023	Amended delegation	Aligned with WALGA template, missed in initial adoption of reviewed Delegations Register hence re-presented to Council for adoption	Resolution # 060823
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Delegation	**1.1.27 DAP – Engage Consultant to assist in preparing Responsible Authority Report**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995*: s.5.44 CEO may delegate some powers and duties to other employees
Express power or duty delegated	*Local Government (Development Assessment Panels) Regulations 2025*: Reg. 5(2)(b) Performance of relevant DAP function
Function	Authority to engage a person who is not an employee of the local government, and who the delegate believes to be suitably qualified, to assist in the preparation of a responsible authority report [r.5(2)(b)].
Delegates	CEO
Conditions	a. Must comply with the adopted Policy F2 - Procurement and the threshold for incurring liabilities applicable to the delegate's position title.
Express power to subdelegate	*Local Government (Development Assessment Panels) Regulations 2025*: Reg.5(1)(a) Performance of relevant DAP function
Subdelegates	Executive Manager Corporate & Community Services
Subdelegate conditions	Not applicable
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Policy	Policy E1 Code of Conduct: Council Members, Committee Members & Candidates Policy E11 Council Codeof Conduct Division 3 Complaint Handling Policy
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link Attain) in accordance with r.19 of the Local Government (Administration)Regulations 1996. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 July 2026
Adoption references	Resolution # 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
23 Jun 2026	New delegation	NEW	Resolution # 140626

Delegation	**1.2.1 Issuing of Licences, Approvals & Permits – Local Laws**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Shire of York Local Laws*
Function	The authority to determine applications for the issue and/or renewal of licenses and permits that are provided for in Council's Local Laws.
Delegates	CEO
Conditions	Nil
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Corporate & Community Services Executive Manager Infrastructure and Development Services
Subdelegate conditions	Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Security deposits for Dangerous Excavations and Private Works in Public Places, are a permit condition determined in accordance with r.11 and r.17 of the *Local Government (Uniform Local Provisions) Regulations 1996.* Crossing permits are approved under r.12 and r.13 of the *Local Government (Uniform Local Provisions) Regulations 1996.* *Council's Local Laws*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

02 Building Act 2011 Delegations

Building Act 2011 Delegations

Delegation	**2.1.1 Permit Authority (Local Government)**
Head of power	02 Building Act 2011 Delegations
Delegator	Local Government
Express power to delegate	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	*Building Act 2011:* s.18 Further Information s.20 Grant of building permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit *Building Regulations 2012:* r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))
Function	1. Authority to require an applicant to provide any documentation or information required to determine a building permit application [s.18(1)]. 2. Authority to grant or refuse to grant a building permit [s.20(1) & (2) and s.22]. 3. Authority to impose, vary or revoke conditions on a building permit [s.27(1) and(3)]. 4. Authority to determine an application to extend time during which a building permit has effect [r.23]. a. Subject to being satisfied that work for which the building permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)] b. Authority to impose any condition on the building permit extension that could have been imposed under s.27 [r.24(2)]. 5. Authority to approve, or refuse to approve, an application for a new responsible person for a building permit [r.26].
Delegates	CEO
Conditions	Nil
Express power to subdelegate	*Building Act 2011:* s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Subdelegates	Executive Manager Infrastructure and Development Services
Subdelegate conditions	Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.

Statutory framework	*Building Act 2011* s.119 Building and demolition permits – application for review by SAT s.23 Time for deciding application for building or demolition permit s.17 Uncertified application to be considered by building surveyor *Building Regulations 2012* – r.25 Review of decision to refuse to extend time during which permit has effect (s.32(3)) – reviewable by SAT *Building Services (Registration Act) 2011* – Section 7 *Home Building Contracts Act 1991* – Part 3A, Division 2 – Part 7, Division 2 *Building and Construction Industry Training Levy Act 1990* *Heritage Act 2018*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum. Relevant notes are to be kept on the property file within Synergysoft and the hard copy file in the Compactus.
Date adopted	28 July 2026
Adoption references	Resolution# 150726
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
27 Jun 2023	Amended delegation	Amended - Replaces DE6-1	Resolution # 140623
25 Jun 2024	Amended delegation	Addition of Executive Manager Infrastructure and Development Services as a Subdelegate. Wording in Record Keeping Section modified to improve clarity.	---
24 Jun 2025	Amended delegation	Addition of Building Surveyor as sub-delegate	Resolution# 160625
28 Jul 2026	Amended delegation	Wording of title modified to improve clarity. Removal of Manager Development Services and Building Surveyor as Subdelegates.	Resolution # 150726

Delegation	**2.1.2 Demolition Permits**
Head of power	02 Building Act 2011 Delegations
Delegator	Local Government
Express power to delegate	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	*Building Act 2011:* s.18 Further Information s.21 Grant of demolition permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit *Building Regulations 2012:* r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))
Function	1. Authority to require an applicant to provide any documentation or information required to determine a demolition permit application [s.18(1)]. 2. Authority to grant or refuse to grant a demolition permit on the basis that all s.21(1) requirements have been satisfied [s.20(1) & (2) and s.22]. 3. Authority to impose, vary or revoke conditions on a demolition permit [s.27(1) and(3)]. 4. Authority to determine an application to extend time during which a demolition permit has effect [r.23]. a. Subject to being satisfied that work for which the demolition permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)] b. Authority to impose any condition on the demolition permit extension that could have been imposed under s.27 [r.24(2)]. 5. Authority to approve, or refuse to approve, an application for a new responsible person for a demolition permit [r.26].
Delegates	CEO
Conditions	Nil
Express power to subdelegate	*Building Act 2011:* s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Subdelegates	Executive Manager Infrastructure and Development Services
Subdelegate conditions	Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	*Building Act 2011* s.119 Building and demolition permits – application for review by SAT s.23 Time for deciding application for building or demolition permit *Building Services (Complaint Resolution and Administration) Act 2011* Part 7, Division 2 *Building and Construction Industry Training Levy Act 1990* *Heritage Act 2018*

Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum. Relevant notes are to be kept on the property file within Synergysoft and the hard copy file in the Compactus.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	26 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
27 Jun 2023	Amended delegation	Amended - Replaces DE6-1	Resolution # 140623
25 Jun 2024	Amended delegation	Addition of Executive Manager Infrastructure and Development Services as a Subdelegate. Wording in Record Keeping Section modified to improve clarity.	---
24 Jun 2025	Amended delegation	Addition of Building Surveyor as sub-delegate	Resolution# 160625
23 Jun 2026	Amended delegation	Removal of Manager Development Services and Building Surveyor as Subdelegates.	Resolution # 140626

Delegation	**2.1.3 Occupancy Permits or Building Approval Certificates**
Head of power	02 Building Act 2011 Delegations
Delegator	Local Government
Express power to delegate	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	*Building Act 2011:* s.55 Further information s.58 Grant of occupancy permit, building approval certificate s.62(1) and (3) Conditions imposed by permit authority s.65(4) Extension of period of duration *Building Regulations 2012:* r.40 Extension of period of duration of time limited occupancy permit or building approval certificate (s.65)
Function	1. Authority to require an applicant to provide any documentation or information required in order to determine an application [s.55]. 2. Authority to grant, refuse to grant or to modify an occupancy permit or building approval certificate [s.58]. 3. Authority to impose, add, vary or revoke conditions on an occupancy permit [s.62(1) and (3)]. 4. Authority to extend, or refuse to extend, the period in which an occupancy permit or modification or building approval certificate has effect [s.65(4) and r.40].
Delegates	CEO
Conditions	Nil
Express power to subdelegate	*Building Act 2011:* s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Subdelegates	Executive Manager Infrastructure and Development Services
Subdelegate conditions	Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	*Building Act 2011* s.59 Time for granting occupancy permit or building approval certificate s.60 Notice of decision not to grant occupancy permit or grant building approval certificate s.121 Occupancy permits and building approval certificates – application for review by SAT *Building Services (Complaint Resolution and Administration) Act 2011* – Part 7, Division 2 *Building and Construction Industry Training Levy Act 1990* *Heritage Act 2018*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum. Relevant notes are to be kept on the property file within Synergysoft and the hard copy file in the Compactus.

Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
27 Jun 2023	Amended delegation	Amended - Replaces DE6-1	Resolution # 140623
25 Jun 2024	Amended delegation	Addition of Executive Manager Infrastructure and Development Services as a Subdelegate. Wording in Record Keeping Section modified to improve clarity.	---
24 Jun 2025	Amended delegation	Addition of Building Surveyor as sub-delegate	Resolution# 160625
23 Jun 2026	Amended delegation	Removal of Manager Development Services and Building Surveyor as Subdelegates.	Resolution # 140626

Delegation	**2.1.4 Designate Employees as Authorised Persons**
Head of power	02 Building Act 2011 Delegations
Delegator	Local Government
Express power to delegate	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	*Building Act 2011:* s.96(3) Authorised persons s.99(3) Limitation on powers of authorised person
Function	1. Authority to designate an employee as an authorised person [s.96(3)]. 2. Authority to revoke or vary a condition of designation as an authorised person or give written notice to an authorised person limiting powers that may be exercised by that person [s.99(3)]. NOTE: An *authorised person* for the purposes of s.96(3) and s.99(3) is not an *approved officer* or *authorised officer* for the purposes of r.70 of the *Building Regulations 2012*.
Delegates	CEO
Conditions	Decisions under this delegated authority should be in accordance with r.5 of the *Building Regulations 2012*.
Express power to subdelegate	*Building Act 2011:* s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Subdelegates	Nil
Subdelegate conditions	Not applicable
Statutory framework	*Building Act 2011:* s.97 Each designated authorised person must have an identity card. r.5A Authorised persons (s.3) – definition
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
27 Jun 2023	Amended delegation	Amended - Replaces DE6-1	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Delegation	**2.1.5 Building Orders**
Head of power	02 Building Act 2011 Delegations
Delegator	Local Government
Express power to delegate	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	*Building Act 2011:* s.88 Finishes of walls close to boundaries s.110(1) A permit authority may make a building order s.111(1) Notice of proposed building order other than building order (emergency) s.117(1) and (2) A permit authority may revoke a building order or notify that it remains in effect s.118(2) and (3) Permit authority may give effect to building order if non-compliance s.133(1) A permit authority may commence a prosecution for an offence against this Act
Function	1. Authority to make Building Orders in relation to: a. Building work b. Demolition work c. An existing building or incidental structure [s.110(1)]. 2. Authority to give notice of a proposed Building Order and consider submissions received in response and determine actions [s.111(1)(c)]. 3. Authority to revoke a Building Order [s.117]. 4. If there is non-compliance with a Building Order, authority to cause an authorised person to: a. Take any action specified in the order; or b. Commence or complete any work specified in the order; or c. Of any specified action was required by the order to cease, to take such steps as are reasonable to cause the action to cease [s.118(2)]. 5. Authority to take court action to recover as a debt, reasonable costs and expense incurred in doing anything in regard to non-compliance with a building order [s.118(3)]. 6. Authority to initiate a prosecution pursuant to section 133(1) for non-compliance with a building order made pursuant to s.110 of the Building Act 2011. 7. Authority to, for the purpose of imposing a condition under s.27 or making a building order, specify the way in which an outward facing side of a particular close wall must be finished if — a. there are no regulations as mentioned in subsection (2) that apply to the wall; and b. the finish for the outward facing side of the wall is not set out in the plans and specifications that were specified in the applicable certificate of design compliance for the building permit for the wall.
Delegates	CEO
Conditions	Nil
Express power to subdelegate	*Building Act 2011:* s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Subdelegates	Executive Manager Infrastructure and Development Services

Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation. b. The sub-delegation does not include performing Functions 5 and 6. These can only be undertaken by authority of the Chief Executive Officer.
Statutory framework	*Building Act 2011:* s.88 Finishes of walls close to boundaries s.111 Notice of proposed building order other than building order (emergency) s.112 Content of building order s.113 Limitation on effect of building order s.114 Service of building order Part 9 Review - s.122 Building orders – application for review by SAT
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum. Relevant notes are to be kept on the property file within Synergysoft and the hard copy file in the Compactus.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
27 Jun 2023	Amended delegation	Amended - Replaces DE6-1	Resolution # 140623
25 Jun 2024	Amended delegation	Addition of Executive Manager Infrastructure and Development Services as a Subdelegate. Wording in Record Keeping Section modified to improve clarity.	---
24 Jun 2025	Amended delegation	Addition of Building Surveyor as sub-delegate	Resolution# 160625
23 Jun 2026	Amended delegation	Removal of Manager Development Services and Building Surveyor as Subdelegates.	Resolution # 140626

Delegation	**2.1.6 Inspection and Copies of Building Records**
Head of power	02 Building Act 2011 Delegations
Delegator	Local Government
Express power to delegate	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	*Building Act 2011:* s.131(2) Inspection, copies of building records
Function	1. Authority to determine an application from an interested person to inspect and copy a building record [s.131(2)].
Delegates	CEO
Conditions	Nil
Express power to subdelegate	*Building Act 2011:* s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Subdelegates	Executive Manager Infrastructure and Development Services
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation. b. This delegation can only be exercised where the landowner has signed the application form (excluding requests from State agencies).
Statutory framework	*Building Act 2011* - s.146 Confidentiality *Freedom of Information Act 1992* *State Records Act 2000*
Policy	Policy O8 – Employee Code of Conduct
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum. Relevant notes are to be kept on the property file within Synergysoft and the hard copy file in the Compactus.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---
24 Jun 2025	Amended delegation	Addition of Building Surveyor as sub-delegate	Resolution# 160625
23 Jun 2026	Amended delegation	Removal of Manager Development Services and Building Surveyor as Subdelegates.	Resolution # 140626

Delegation	**2.1.7 Referrals and Issuing Certificates**
Head of power	02 Building Act 2011 Delegations
Delegator	Local Government
Express power to delegate	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	*Building Act 2011:* s.145A Local Government functions
Function	1. Authority to refer uncertified applications under s.17(1) to a building surveyor who is not employed by the local government [s.145A(1)]. 2. Authority to issue a certificate for Design Compliance, Construction Compliance or Building Compliance whether or not the land subject of the application is located in the Shire of York's District [s.145A(2)].
Delegates	CEO
Conditions	Nil
Express power to subdelegate	*Building Act 2011:* s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Subdelegates	Executive Manager Infrastructure and Development Services
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	*Building Act 2011* *Building Regulations 2012*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum. Relevant notes are to be kept on the property file within Synergysoft and the hard copy file in the Compactus.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
27 Jun 2023	Amended delegation	Amended - Replaces DE6-1	Resolution # 140623
25 Jun 2024	Amended delegation	Addition of Executive Manager Infrastructure and Development Services as a Subdelegate. Wording in Record Keeping Section modified to improve clarity.	---
24 Jun 2025	Amended delegation	Addition of Building Surveyor as sub-delegate	Resolution# 160625
23 Jun 2026	Amended delegation	Removal of Manager Development Services and Building Surveyor as Subdelegates.	Resolution # 140626

Delegation	**2.1.8 Private Pool Barrier – Alternative and Performance Solutions**
Head of power	02 Building Act 2011 Delegations
Delegator	Local Government
Express power to delegate	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	*Building Regulations 2012:* r.51 Approvals by permit authority
Function	1. Authority to approve requirements alternative to a fence, wall, gate or other component included in the barrier, if satisfied that the alternative requirements will restrict access by young children as effectively as if there were compliant with AS 1926.1 [r.51(2)] 2. Authority to approve a door for the purposes of compliance with AS 1926.1, where a fence or barrier would cause significant structural or other problem which is beyond the control of the owner/occupier or the pool is totally enclosed by a building or a fence or barrier between the building and pool would create a significant access problem for a person with a disability [r.51(3)] 3. Authority to approve a performance solution to a Building Code pool barrier requirement if satisfied that the performance solution complies with the relevant performance requirement [r.51(5)].
Delegates	CEO
Conditions	Nil
Express power to subdelegate	*Building Act 2011:* s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Subdelegates	Executive Manager Infrastructure and Development Services
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation. b. Any variation request is to be discussed with the Chief Executive Officer prior to approval, with evidence being retained on the property file.
Statutory framework	*Building Act 2011* *Building Regulations 2012* Swimming Pool provisions – AS1926.1 Standards (as amended)
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum. Relevant notes are to be kept on the property file within Synergysoft and the hard copy file in the Compactus.
Date adopted	23 June 2026
Adoption references	Resolution# 140626

Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Addition of Executive Manager Infrastructure and Development Services as a Subdelegate. Wording in Record Keeping Section modified to improve clarity.	---
24 Jun 2025	Amended delegation	Addition of Building Surveyor as sub-delegate	Resolution# 160625
23 Jun 2026	Amended delegation	Removal of Manager Development Services and Building Surveyor as Subdelegates.	Resolution # 140626

Delegation	**2.1.9 Smoke Alarms – Alternative Solutions**
Head of power	02 Building Act 2011 Delegations
Delegator	Local Government
Express power to delegate	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	*Building Regulations 2012:* r.55 Terms Used (alternative building solution approval) r.61 Local Government approval of battery powered smoke alarms
Function	1. Authority to approve alternative building solutions which meet the performance requirement of the Building Code relating to fire detection and early warning [r.55]. 2. Authority to approve or refuse to approve a battery powered smoke alarm and to determine the form of an application for such approval [r.61].
Delegates	CEO
Conditions	Nil
Express power to subdelegate	*Building Act 2011:* s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Subdelegates	Executive Manager Infrastructure and Development Services
Subdelegate conditions	a. Any variation request is to be discussed with the Chief Executive Officer prior to approval, with evidence being retained on the property file. b. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	*Building Act 2011* *Building Regulations 2012*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum. Relevant notes are to be kept on the property file within Synergysoft and the hard copy file in the Compactus.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Addition of Executive Manager Infrastructure and Development Services as a Subdelegate. Wording in Record Keeping Section modified to improve clarity.	---
24 Jun 2025	Amended delegation	Addition of Building Surveyor as sub-delegate	Resolution# 160625
23 Jun 2026	Amended delegation	Resolution # 140626	Resolution # 140626

Delegation	**2.1.10 Appointment of Approved Officers and Authorised Officers**
Head of power	02 Building Act 2011 Delegations
Delegator	Local Government
Express power to delegate	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	*Building Regulations 2012:* r.70 Approved officers and authorised officers
Function	1. Authority to appoint an approved officer for the purposes of s.6(a) of the Criminal Procedure Act 2004, in accordance with r. 70(1) and (1A) of the Building Regulations 2012. *NOTE: Only employees delegated under s.5.44(1) of the Local Government Act 1995 with power under s.9.19 or s.9.20 may be appointed as "approved officers".* 2. Authority to appoint an authorised officer for the purposes of s.6(b) of the Criminal Procedure Act 2004, in accordance with r.70(2) of the Building Regulations 2012. *NOTE: Only employees appointed under s.9.10 of the Local Government Act 1995 and authorised for the purpose of performing functions under s.9.16 of that Act may be appointed as "authorised officers" for the purposes of r70(2) of the Building Regulations 2012.*
Delegates	CEO
Conditions	Decisions under this delegated authority should be in accordance with r.5 of the *Building Regulations 2012*.
Express power to subdelegate	*Building Act 2011:* s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Subdelegates	Nil
Subdelegate conditions	Not applicable
Statutory framework	*Building Regulations 2012:* r.70(3) Each authorised officer must be issued a certificate of appointment.
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

03 Bush Fires Act 1954 Delegations

Bush Fires Act 1954 Delegations

Delegation	**3.1.1 Make Request to FES Commissioner - Control of Fire**
Head of power	03 Bush Fires Act 1954 Delegations
Delegator	Local Government
Express power to delegate	*Bush Fires Act 1954:* s.48 Delegation by local government
Express power or duty delegated	*Bush Fires Act 1954:* s.13(4) Duties and powers of bush fire liaison officers
Function	1. Authority to request on behalf of the Shire of York that the FES Commissioner authorise the Bush Fire Liaison Officer or another person to take control of fire operations [s.13 (4)].
Delegates	CEO
Conditions	Nil
Express power to subdelegate	Nil – Sub-delegation is prohibited by s.48(3)
Statutory framework	*Bush Fires Act 1954*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link Attain in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Delegation	**3.1.2 Prohibited Burning Times - Vary**
Head of power	03 Bush Fires Act 1954 Delegations
Delegator	Local Government
Express power to delegate	*Bush Fires Act 1954:* s.48 Delegation by local government s.17(10) Prohibited burning times may be declared by Minister (power of delegation to President and Chief Bush Fire Control Officer for ONLY powers under s.17(7) and (8)).
Express power or duty delegated	*Bush Fires Act 1954:* s.17(7) Prohibited burning times may be declared by Minister *Bush Fire Regulations 1954:* r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times
Function	1. Authority, where seasonal conditions warrant it, to determine a variation of the prohibited burning times, after consultation with an authorised CALM Act officer [s.17 (7)].
Delegates	Chief Bush Fire Control Officer Shire President
Conditions	Shire President and Chief Bush Fire Control Officer to act jointly
Express power to subdelegate	a. Decisions under s.17(7) must be undertaken jointly by both the Chief Executive Officer and the Chief Bush Fire Control Officer and must comply with the procedural requirements of s.17(7B) and (8).
Subdelegate conditions	Nil – Sub-delegation is prohibited by s.48(3)
Statutory framework	*Bush Fires Act 1954* *Bush Fires Regulations 1954* *Conservation and Land Management Act 1984* *Department of Biodiversity, Conservation and Attractions Forest Management Plan 2014-23*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum. Documentation confirming the procedural requirements of s.17(7B) and (8) have been complied with are to be recorded within the Shire's records management system.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
27 Jun 2023	Amended delegation	Replaces DE6-3	Resolution # 140623
25 Jun 2024	Amended delegation	Replacement of Shire President with Chief Executive Officer as a Delegate. Wording in Record Keeping Section modified to improve clarity.	---
23 Jun 2026	Amended delegation	Replacement of Chief Executive Officer with Shire President as a delegate as this function cannot be sub-delegated.	Resolution # 140626

Delegation	**3.1.3 Prohibited Burning Times – Control Activities**
Head of power	03 Bush Fires Act 1954 Delegations
Delegator	Local Government
Express power to delegate	*Bush Fires Act 1954:* s.48 Delegation by local government
Express power or duty delegated	*Bush Fires Act 1954:* s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land *Bush Fire Regulations 1954:* r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times
Function	1. Authority to determine permits to burn during prohibited burning times that have previously been refused by a Bush Fire Control Officer [r.15]. 2. Authority to declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C]. 3. Authority to determine, during a Prohibited Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B(2)]. 4. Authority to issue directions, during a Prohibited Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)]. 5. Authority to prohibit the use of tractors, engines or self-propelled harvester, during a Prohibited Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)]. 6. Authority to recover the cost of measures taken by the Shire of York or Bush Fire Control Officer, to extinguish a fire burning during Prohibited Burning Times, where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire the land they occupy [s.28(4)], including authority to recover expenses in any court of competent jurisdiction [s.28(5)].
Delegates	CEO
Conditions	Nil
Express power to subdelegate	Nil – Sub-delegation is prohibited by s.48(3)
Statutory framework	*Bush Fires Act 1954* *Bush Fire Regulations 1954*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026

Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Delegation	**3.1.4 Restricted Burning Times – Vary and Control Activities**
Head of power	03 Bush Fires Act 1954 Delegations
Delegator	Local Government
Express power to delegate	*Bush Fires Act 1954:* s.48 Delegation by local government
Express power or duty delegated	*Bush Fires Act 1954:* s.18(5), (11) Restricted burning times may be declared by FES Commissioner s.22(6) and (7) Burning on exempt land and land adjoining exempt land s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land *Bush Fire Regulations 1954:* r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.15C Local Government may prohibit burning on certain days r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times
Function	1. Authority, where seasonal conditions warrant it and after consultation with an authorised CALM Act officer, to determine to vary the restricted burning times in respect of that year [s.18(5)]. a. Authority to determine to prohibit burning on Sundays or specified days that are public holidays in the District [r.15C]. 2. Authority, where a permitted burn fire escapes or is out of control in the opinion of the Bush Fire Control Officer or an officer of the Bush Fire Brigade, to determine to recoup bush fire brigade expenses arising from preventing extension of or extinguishing an out of control permitted burn [s.18(11)]. 3. Authority to determine permits to burn during restricted times that have previously been refused by a Bush Fire Control Officer [r.15]. 4. Authority to arrange with the occupier of exempt land, the occupier of land adjoining it and the Bush Fire Brigade to cooperate in burning fire-breaks and require the occupier of adjoining land to provide by the date of the burning, ploughed or cleared fire-breaks parallel to the common boundary [s.22(6) and (7)]. 5. Authority to declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C]. 6. Authority to determine, during a Restricted Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B]. 7. Authority to issue directions, during a Restricted Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)]. 8. Authority to prohibit the use of tractors, engines or self-propelled harvester, during a Restricted Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)]. 9. Authority to recover the cost of measures taken by the Shire of York or Bush Fire Control Officer, to extinguish a fire burning during Restricted Burning Times, where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire the land they occupy [s.28(4)], including authority to recover expenses in any court of competent jurisdiction [s.28(5)].
Delegates	CEO

Conditions	a. The delegation of power granted under Function 4 is only to be exercised where the Chief Bush Fire Control Officer is unable or unwilling to make a determination in this regard OR the decision to refuse a permit to burn has been made by the Chief Bush Fire Control Officer.
Express power to subdelegate	Nil – Sub-delegation is prohibited by s.48(3)
Statutory framework	*Bush Fires Act 1954* *Bush Fire Regulations 1954*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Delegation	**3.1.5 Control of Operations Likely to Create Bush Fire Danger**
Head of power	03 Bush Fires Act 1954 Delegations
Delegator	Local Government
Express power to delegate	*Bush Fires Act 1954:* s.48 Delegation by local government
Express power or duty delegated	*Bush Fires Act 1954:* s.27D Requirements for carriage and deposit of incendiary material *Bush Fires Regulations 1954:* r.39C Welding and cutting apparatus, use of in open air r.39CA Bee smoker devices, use of in restricted or prohibited burning times etc. r.39D Explosives, use of r.39E Fireworks, use of
Function	1. Authority to give directions to a Bush Fire Control Officer regarding matters necessary for the prevention of fire arising from: a. A person operating a bee smoker device during a prescribed period [r.39CA(5)]. b. A person operating welding apparatus, a power operated abrasive cutting disc [r.39C(3)]. c. A person using explosives [r.39D(2)]. d. A person using fireworks [r.39E(3)]. 2. Authority to determine directions or requirements for the carriage and deposit of incendiary materials (hot or burning ash, cinders, hot furnace refuse, or any combustible matter that is burning) [s.27D]. *Note: this authority is also prescribed to a Bush Fire Control Officer, a Bush Fire Liaison Officer or an authorised CALM Act officer.*
Delegates	CEO
Conditions	Nil
Express power to subdelegate	Nil – Sub-delegation is prohibited by s.48(3)
Statutory framework	*Bush Fires Act 1954* *Bush Fire Regulations 1954*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Delegation	**3.1.6 Burning Garden Refuse/Open Air Fires**
Head of power	03 Bush Fires Act 1954 Delegations
Delegator	Local Government
Express power to delegate	*Bush Fires Act 1954:* s.48 Delegation by local government
Express power or duty delegated	*Bush Fires Act 1954:* s.24F Burning garden refuse during limited burning times s.24G Minister or local government may further restrict burning of garden refuse s.25 No fire to be lit in open air unless certain precautions taken s.25A Power of Minister to exempt from provisions of section 25 *Bush Fires Regulations 1954:* r.27(3) Permit, issue of
Function	1. Authority to give written permission, during prohibited times and restricted times, for an incinerator located within 2m of a building or fence, only where satisfied it is not likely to create a fire hazard [s.24F(2)(b)(ii) and (4)]. 2. Authority to prohibit or impose restrictions on the burning of garden refuse that is otherwise permitted under s.24F [s.24G(2)]. a. Authority to issue directions to an authorised officer as to the manner in which or the conditions under which permits to burn plants or plant refuse shall be issued in the District [r.27(3) and r.33(5)]. b. Authority to prohibit (object to) the issuing of a permit for the burning of a proclaimed plan growing upon any land within the District [r.34]. 3. Authority to provide written approval, during prohibited times and restricted times, for fires to be lit for the purposes of: a. Camping or cooking [s.25(1)(a)]. b. Conversion of bush into charcoal or for the production of lime, in consultation with an authorised CALM Act officer [s.25(1)(b)]. 4. Authority to prohibit the lighting of fires in the open are for the purposes of camping or cooking for such period during the prohibited burning times as specified in a note published in the Gazette and newspaper circulating in the District and authority to vary such notice [s.25(1a) and (1b)]. 5. Authority to serve written notice on a person to whom an exemption has been given under s.25 for lighting a fire in open air, prohibiting that person from lighting a fire and to determine conditions on the notice [s.25A(5)].
Delegates	CEO
Conditions	a. Function 1 is only to be exercised where the Chief Executive Officer can be satisfied that approval is not likely to create a fire hazard.
Express power to subdelegate	Nil – Sub-delegation is prohibited by s.48(3)
Statutory framework	*Bush Fires Act 1954* *Bush Fire Regulations 1954*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.

Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Delegation	**3.1.7 Firebreaks**
Head of power	03 Bush Fires Act 1954 Delegations
Delegator	Local Government
Express power to delegate	*Bush Fires Act 1954:* s.48 Delegation by local government
Express power or duty delegated	*Bush Fires Act 1954:* s.33 Local government may require occupier of land to plough or clear firebreaks
Function	1. Authority to give written notice to an owner or occupier of land or all owners or occupiers of land within the District, requiring, to the satisfaction of the Shire of York: a. Clearing of firebreaks as determined necessary and specified in the notice; and b. Act in respect to anything which is on the land and is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire; and c. As a separate or coordinated action with any other person carry out similar actions [s.33(1)]. d. determine that these matters have been acted upon to the satisfaction of the Shire of York. 2. Authority to direct a Bush Fire Control Officer or any other employee to enter onto the land of an owner or occupier to carry out the requisitions of the notice which have not been complied with [s.33(4)]. a. Authority to recover any costs and expenses incurred in doing the acts, matters or things required to carry out the requisitions of the notice [s.33(5)].
Delegates	CEO
Conditions	The Bush Fire Brigades are to be consulted where the notice is intended to be amended.
Express power to subdelegate	Nil – Sub-delegation is prohibited by s.48(3)
Statutory framework	*Bush Fires Act 1954*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---
23 Jun 2026	Amended delegation	Addition of Function 1.d.	Resolution # 140626

Delegation	**3.1.8 Appoint Bush Fire Control Officer/s and Fire Weather Officer**
Head of power	03 Bush Fires Act 1954 Delegations
Delegator	Local Government
Express power to delegate	*Bush Fires Act 1954:* s.48 Delegation by local government
Express power or duty delegated	*Bush Fires Act 1954:* s.38 Local Government may appoint bush fire control officer
Function	1. Authority to appoint persons to be Bush Fire Control Officers for the purposes of the Bush Fires Act 1954; and a. Of those Officers, appoint one as the Chief Bush Fire Control Officer and one as the Deputy Chief Bush Fire Control Officer; and b. Determine the respective seniority of the other Bush Fire Officers so appointed [s.38(1)]. 2. Authority to issue directions to a Bush Fire Control Officer to burn on or at the margins of a road reserve under the care, control and management of the Shire of York [s.38(5A)] 3. Authority to appoint a Fire Weather Officer, selected from senior Bush Fire Control Officers previously appointed and where more than one Fire Weather Officer is appointed, define a part of the District in which each Fire Weather Officer shall have exclusive right to exercise the powers of s.38(17). [s.38(8) and (9)]. 4. Authority to appoint deputy Fire Weather Officer/s as considered necessary and where two or more deputies are appointed, determine seniority [s.38(10)].
Delegates	CEO
Conditions	Nil
Express power to subdelegate	Nil – Sub-delegation is prohibited by s.48(3)
Statutory framework	*Bush Fires Act 1954*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
27 Jun 2023	Amended delegation	Amended – Replaces DE6-20	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Delegation	**3.1.9 Control and Extinguishment of Bush Fires**
Head of power	03 Bush Fires Act 1954 Delegations
Delegator	Local Government
Express power to delegate	*Bush Fires Act 1954:* s.48 Delegation by local government
Express power or duty delegated	*Bush Fires Act 1954:* s.46 Bush fire control officer or forest officer may postpone lighting fire
Function	1. Authority to prohibit or postpone the lighting of a fire, despite a permit having been issued, where in the opinion of the Delegate the lighting of a fire would be or become a source of danger by escaping from the land on which it is proposed to be lit [s.46(1A)]. 2. Where it is proposed that the fire will be lit on land within 3kms of the boundary of forest land, and an authorised CALM Act office is not available or has not exercised the power to prohibit or proposed a fire considered to become a source of danger, then the Delegate may make the decision [s.46(1B)].
Delegates	CEO
Conditions	Nil
Express power to subdelegate	Nil – Sub-delegation is prohibited by s.48(3)
Statutory framework	*Bush Fires Act 1954* *Bush Fires Regulations 1954* *Conservation and Land Management Act 1984* Department of Biodiversity, Conservation and Attractions Forest Management Plan 2014-23
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Delegation	**3.1.10 Recovery of Expenses Incurred through Contraventions of this Act**
Head of power	03 Bush Fires Act 1954 Delegations
Delegator	Local Government
Express power to delegate	*Bush Fires Act 1954:* s.48 Delegation by local government
Express power or duty delegated	*Bush Fires Act 1954:* s.58 General penalty and recovery of expenses incurred
Function	Authority to recover expenses incurred as a result of an offence against the *Bush Fires Act 1954*, being expenses incurred through the fulfilment of a duty or doing anything for which the Act empowered or required the Shire of York or those on behalf of the Shire of York to do [s.58].
Delegates	CEO
Conditions	Nil
Express power to subdelegate	Nil – Sub-delegation is prohibited by s.48(3)
Statutory framework	*Bush Fires Act 1954*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Delegation	**3.1.11 Prosecution of Offences**
Head of power	03 Bush Fires Act 1954 Delegations
Delegator	Local Government
Express power to delegate	*Bush Fires Act 1954:* s.48 Delegation by local government
Express power or duty delegated	*Bush Fires Act 1954:* s.59 Prosecution of offences s.59A(2) Alternative procedure – infringement notices
Function	1. Authority to institute and carry on proceedings against a person for an offence alleged to be committed against this Act [s.59]. 2. Authority to serve an infringement notice for an offence against this Act [s.59A(2)].
Delegates	CEO
Conditions	Nil
Express power to subdelegate	Nil – Sub-delegation is prohibited by s.48(3)
Statutory framework	*Bush Fires Act 1954:* s.65 Proof of certain matters s.66 Proof of ownership or occupancy
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
27 Jun 2023	Amended delegation	Amended - Replaces DE6-5	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

04 Cat Act 2011 Delegations

Cat Act 2011 Delegations

Delegation	**4.1.1 Cat Registrations**
Head of power	04 Cat Act 2011 Delegations
Delegator	Local Government
Express power to delegate	*Cat Act 2011:* s.44 Delegation by local government
Express power or duty delegated	*Cat Act 2011:* s.9 Registration s.10 Cancellation of registration s.11 Registration numbers, certificates and tags *Cat Regulations 2012* Schedule 3, cl.1(4) Fees Payable
Function	1. Authority to grant, or refuse to grant, a cat registration or renewal of a cat registration [s.9(1)]. 2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.9(6)]. 3. Authority to cancel a cat registration [s.10]. 4. Authority to give the cat owner a new registration certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.11(2)]. 5. Authority to reduce or waive a registration or approval to breed fee, in respect of any individual cat or any class of cats within the Shire of York's District [Regs. Sch. 3 cl.1(4)].
Delegates	CEO
Conditions	a. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the *Cat Act 2011*.
Express power to subdelegate	*Cat Act 2011:* s.45 Delegation by CEO of local government
Subdelegates	Executive Manager Infrastructure and Development Services Ranger
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation. b. Function 5 can only be exercised by the Chief Executive Officer.
Statutory framework	*Cat Regulations 2012:* r.11 Application for registration (s.8(2)), prescribes the Form of applications for registration. r.12 Period of registration (s.9(7)) r.11 Changes in registration r.14 Registration certificate (s.11(1)(b)) r.15 Registration tags (s.76(2)) Decisions are subject to Objection and Review by the State Administration Tribunal rights – refer Part 4, Division 5 of the *Cat Act 2011* *Cat Local Law*

Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain)* in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---
23 Jun 2026	Amended delegation	Removal of Manager Development Services as a Subdelegate	Resolution # 140626

Delegation	**4.1.2 Cat Control Notices**
Head of power	04 Cat Act 2011 Delegations
Delegator	Local Government
Express power to delegate	*Cat Act 2011:* s.44 Delegation by local government
Express power or duty delegated	*Cat Act 2011:* s.26 Cat control notice may be given to cat owner
Function	1. Authority to give a cat control notice to a person who is the owner of a cat ordinarily kept within the Shire of York's District [s.26].
Delegates	CEO
Conditions	Nil
Express power to subdelegate	*Cat Act 2011:* s.45 Delegation by CEO of local government
Subdelegates	Executive Manager Infrastructure and Development Services Ranger
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	*Cat Regulations 2012:* r.20 Cat control notice [s.23(3)], prescribes the Form of the notice. *Cat Local Law*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain)* in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---
23 Jun 2026	Amended delegation	Removal of Manager Development Services as a Subdelegate.	Resolution # 140626

Delegation	**4.1.3 Recovery of Costs – Destruction of Cats**
Head of power	04 Cat Act 2011 Delegations
Delegator	Local Government
Express power to delegate	*Cat Act 2011:* s.44 Delegation by local government
Express power or duty delegated	*Cat Act 2011:* s.49(3) Authorised person may cause cat to be destroyed
Function	1. Authority to recover the amount of the costs associated with the destruction and the disposal of a cat [s.49(3)].
Delegates	CEO
Conditions	Nil
Express power to subdelegate	*Cat Act 2011:* s.45 Delegation by CEO of local government
Subdelegates	Executive Manager Infrastructure and Development Services Ranger
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	*Cat Act 2011* *Cat Local Law*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Addition of Manager Development Services as a Subdelegate. Wording in Record Keeping Section modified to improve clarity.	---
23 Jun 2026	Amended delegation	Removal of Manager Development Services as a Subdelegate. Add Ranger as a Subdelegate.	Resolution # 140626

Delegation	**4.1.4 Applications to Keep Additional Cats**
Head of power	04 Cat Act 2011 Delegations
Delegator	Local Government
Express power to delegate	*Cat Act 2011:* s.44 Delegation by local government
Express power or duty delegated	*Cat (Uniform Local Provisions) Regulations 2013:* r.8 Application to keep additional number of cats r.9 Grant of approval to keep additional number of cats
Function	1. Authority to require any document or additional information required to determine an application [r.8(3)] 2. Authority to refuse to consider an application if the applicant does not comply with a requirement to provide any document or information required to determine an application [r.8(4)]. 3. Authority to grant or refuse approval for additional number of cats specified in an application to be kept at the prescribed premises and to determine any condition reasonably necessary to ensure premises are suitable for the additional number of cats [r.9].
Delegates	CEO
Conditions	a. Notices of decisions must include advice as to Review rights in accordance with r.11 of the *Cat (Uniform Local Provisions) Regulations 2013*. b. The limit of delegation is up to four (4) cats. c. The Ranger is to inspect the premises to ensure compliance with the factors relevant to a determination as contained in the Shire of York *Cat Local Law*. d. Surrounding neighbours are to be consulted on an application and where an objection to an application is received, the matter is to be presented to Council for determination.
Express power to subdelegate	*Cat Act 2011:* s.45 Delegation by CEO of local government
Subdelegates	Executive Manager Infrastructure and Development Services Ranger
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	*Cat Act 2011* *Cat Local Law*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Nov 2019	New delegation	New – 25 November 2019	---
22 Dec 2022	Amended delegation	Amended – 22 December 2020	---
27 Jun 2023	Amended delegation	Replaced DE6-19	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---
23 Jun 2026	Amended delegation	Removal of Manager Development Services as a Subdelegate	Resolution # 140626

Delegation	**4.1.5 Approval to Breed Cats**
Head of power	04 Cat Act 2011 Delegations
Delegator	Local Government
Express power to delegate	*Cat Act 2011*: s.44 Delegation by localgovernment
Express power or duty delegated	Cat Act 2011: s.37 Approval to Breed Cats s.38 Cancellation of approval to breedcats s.39 Certificate to be given toapproved cat breeder
Function	1. Authority to grant or refuse to grant approval or renew an approval to breed cats [s.37 (1) and (2)]. 2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.37(4)]. 3. Authority to cancel an approval to breed cats [s.38]. 4. Authority to give an approved breeder a new certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.39(2)].
Delegates	CEO
Conditions	a. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the Cat Act 2011.
Express power to subdelegate	*Cat Act 2011*: s.45Delegation by CEO of local government
Subdelegates	Executive Manager Infrastructure and Development Services Ranger
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	*Cat Regulations 2012*: r.20 Cat control notice [s.23(3)], prescribesthe Form of the notice. *Cat Local Law*
Record keeping	Each instance of this delegation being exercisedis to be recorded in the Register of Exercised Delegations (available in Attainvia the following link *Attain*) inaccordance with r.19 of the *Local Government (Administration) Regulations1996*. This Register is reported to Council in conjunction with the ConceptForum.
Date adopted	28 July 2026
Adoption references	Resolution # 150726
Last reviewed	28 July 2026

Amendments			
Date	**Type**	**Amendment**	**References**
28 Jul 2026	New delegation	NEW	Resolution # 150726

05 Dog Act 1974 Delegations

Dog Act 1974 Delegations

Delegation	**5.1.1 Refuse or Cancel Registration**
Head of power	05 Dog Act 1974 Delegations
Delegator	Local Government
Express power to delegate	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express power or duty delegated	*Dog Act 1976:* s.15(2) and (4A) Registration periods and fees s.16(3) Registration procedure s.17A(2) If no application for registration made s.17(4) and (6) Refusal or cancellation of registration
Function	1. Authority to determine to refuse a dog registration and refund the fee, if any [s.16(2)]. 2. Authority to direct the registration officer to refuse to effect or renew or to cancel the registration of a dog, and to give notice of such decisions, where: a. The applicant, owner or registered owner has been convicted of an offence or paid a modified penalty within the past 3-years in respect of two or more offences against this Act, the *Cat Act 2011* or the *Animal Welfare Act 2002*; or b. The dog is determined to be destructive, unduly mischievous or to be suffering from a contagious or infectious disease or c. The delegate is not satisfied that the dog is or will be effectively confined in or at premises where the dog is ordinarily kept. d. The dog is required to be microchipped but is not microchipped; or e. The dog is a dangerous dog [s.16(3) and s.17A(2)]. 3. Authority to discount or waive a registration fee, including a concessional fee, for any individual dog or any class of dogs within the Shire of York's District [s15(4A)]. 4. Authority to apply to a Justice of the Peace for an order to seize a dog where, following a decision to refuse or cancel a registration and the applicant/owner has not applied to the State Administration Tribunal for the decision to be reviewed. [s.17(4)]. a. Authority, following seizure, to determine to cause the dog to be detained or destroyed or otherwise disposed of as though it had been found in contravention of s.31, s.32 or s.33A and had not been claimed [s.17(6)].
Delegates	CEO
Conditions	a. The Chief Executive Officer is permitted to sub-delegate to employees [s.10AA(3)].
Express power to subdelegate	*Dog Act 1976:* s.10AA(3) Delegation of local government powers and duties. *(NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)*
Subdelegates	Executive Manager Infrastructure and Development Services
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.

Statutory framework	*Dog Act 1976:* s.17A If no application for registration made – procedure for giving notice of decision under s.16(3) Decisions under this delegation may be referred for review by the State Administration Tribunal – s.16A, s.17(4) and (6). *Dogs Local Law*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Delegation	**5.1.2 Recovery of Moneys Due Under this Act**
Head of power	05 Dog Act 1974 Delegations
Delegator	Local Government
Express power to delegate	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express power or duty delegated	*Dog Act 1976:* s.29(5) Power to seize dogs
Function	1. Authority to recover moneys, in a court of competent jurisdiction, due in relation to a dog for which the owner is liable [s.29(5)].
Delegates	CEO
Conditions	a. The Chief Executive Officer is permitted to sub-delegate to employees [s.10AA(3)].
Express power to subdelegate	*Dog Act 1976:* s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
Subdelegates	Nil
Subdelegate conditions	Not applicable
Statutory framework	*Dog Act 1976* *Dog Regulations 2013* Includes recovery of expenses relevant to: s.30A(3) Operator of dog management facility may have dog microchipped at owner's expense s.33M Local government expenses to be recoverable s.47 Veterinary service expenses recoverable from local government r.31 Local government expenses as to dangerous dogs (declared) *Dogs Local Law*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Delegation	**5.1.3 Dispose of or Sell Dogs Liable to be Destroyed**
Head of power	05 Dog Act 1974 Delegations
Delegator	Local Government
Express power to delegate	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express power or duty delegated	*Dog Act 1976:* s.29(11) Power to seize dogs
Function	1. Authority to dispose of or sell a dog which is liable to be destroyed [s.29(11)].
Delegates	CEO
Conditions	a. The Chief Executive Officer is permitted to sub-delegate to employees [s.10AA(3)]. b. Proceeds from the sale of dogs are to be directed into the Municipal Fund.
Express power to subdelegate	*Dog Act 1976:* s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
Subdelegates	Executive Manager Infrastructure and Development Services Ranger
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation. b. The Development Services Coordinator and Ranger are to jointly agree, with evidence retained on file, before use of the delegated authority is exercised.
Statutory framework	*Dog Act 1976* *Dogs Local Law*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain)* in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---
23 Jun 2026	Amended delegation	Removal of Manager Development Services as a Subdelegate.	Resolution # 140626

Delegation	**5.1.4 Declare Dangerous Dog**
Head of power	05 Dog Act 1974 Delegations
Delegator	Local Government
Express power to delegate	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express power or duty delegated	*Dog Act 1976:* s.33E(1) Individual dog may be declared to be dangerous dog (declared)
Function	1. Authority to declare an individual dog to be a dangerous dog [s.33E(1)].
Delegates	CEO
Conditions	a. The Chief Executive Officer is permitted to sub-delegate to employees [s.10AA(3)].
Express power to subdelegate	*Dog Act 1976:* s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation is only permitted where delegation to the CEO expressly authorises sub -delegation)
Subdelegates	Nil
Subdelegate conditions	Not applicable
Statutory framework	Decisions under this delegation may be referred for review by the State Administration Tribunal *Dog Act 1976* *Dogs Local Law*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Delegation	**5.1.5 Dangerous Dog Declared or Seized – Deal with Objections and Determine when to Revoke**
Head of power	05 Dog Act 1974 Delegations
Delegator	Local Government
Express power to delegate	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express power or duty delegated	*Dog Act 1976:* s.33F(6) Owners to be notified of making of declaration s.33G(4) Seizure and destruction s.33H(1) and (2) Local government may revoke declaration or proposal to destroy
Function	1. Authority to consider and determine to either dismiss or uphold an objection to the declaration of a dangerous dog [s.33F(6)]. 2. Authority to consider and determine to either dismiss or uphold an objection to seizure of a dangerous dog [s.33G(4)]. 3. Authority to revoke a declaration of a dangerous dog or revoke notice proposing to cause a dog to be destroyed, only where satisfied that the dog can be kept without likelihood of any contravention of this Act [s.33H(1)] a. Authority to, before dealing with an application to revoke a declaration or notice, require the owner of the dog to attend with the dog a course in behaviour and training or otherwise demonstrate a change in the behaviour of the dog [s.33H(2)].
Delegates	CEO
Conditions	a. The Chief Executive Officer is permitted to sub-delegate to employees [s.10AA(3)].
Express power to subdelegate	*Dog Act 1976:* s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation is only permitted where delegation to the CEO expressly authorises sub-delegation).
Subdelegates	Executive Manager Infrastructure and Development Services
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	Decisions under this delegation may be referred for review by the State Administration Tribunal *Dog Act 1976* *Dogs Local Law*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Delegation	**5.1.6 Deal with Objection to Notice to Revoke Dangerous Dog Declaration or Destruction Notice**
Head of power	05 Dog Act 1974 Delegations
Delegator	Local Government
Express power to delegate	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express power or duty delegated	*Dog Act 1976:* s.33H(5) Local government may revoke declaration or proposal to destroy
Function	1. Authority to consider and determine to either dismiss or uphold an objection to a decision to revoke [s.33H(5)]: a. a notice declaring a dog to be dangerous; or b. a notice proposing to cause a dog to be destroyed.
Delegates	CEO
Conditions	a. The Chief Executive Officer is permitted to sub-delegate to employees [s.10AA(3)].
Express power to subdelegate	*Dog Act 1976:* s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation is only permitted where delegation to the CEO expressly authorises sub -delegation)
Subdelegates	Nil
Subdelegate conditions	Not applicable
Statutory framework	Decisions under this delegation may be referred for review by the State Administration Tribunal *Dog Act 1976* *Dogs Local Law*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Delegation	**5.1.7 Determine Recoverable Expenses for Dangerous Dog Declaration**
Head of power	05 Dog Act 1974 Delegations
Delegator	Local Government
Express power to delegate	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express power or duty delegated	*Dog Act 1976:* s.33M(1)(a) Local Government expenses to be recoverable
Function	1. Authority to determine the reasonable charge to be paid by an owner at the time of payment of the registration fee under s.15, up to the maximum amount prescribed, having regard to expenses incurred by the local government in making inquiries, investigations and inspections concerning the behaviour of a dog declared to be dangerous [s.33H(5)].
Delegates	CEO
Conditions	a. The Chief Executive Officer is permitted to sub-delegate to employees [s.10AA(3)].
Express power to subdelegate	*Dog Act 1976:* s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation is only permitted where delegation to the CEO expressly authorises sub -delegation)
Subdelegates	Executive Manager Infrastructure and Development Services
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	Decisions under this delegation may be referred for review by the State Administration Tribunal *Dog Act 1976* *Dogs Local Law*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Delegation	**5.1.8 Approval to Keep More than Two Dogs**
Head of power	05 Dog Act 1974 Delegations
Delegator	Local Government
Express power to delegate	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express power or duty delegated	*Dog Act 1976:* s.26 Limitation as to numbers
Function	1. Authority to provide an exemption as to the number of dogs able to be kept at a particular premises, allowing the keeping of more dogs than is permitted under the Shire's Dogs Local Law [s.26(3)].
Delegates	CEO
Conditions	a. The Chief Executive Officer is permitted to sub-delegate to employees [s.10AA(3)]. b. Delegates are to adhere to the requirements prescribed in the Shire's Dogs Local Law and Policy C7 – Keeping of Three to Six Dogs. c. Surrounding neighbours are to be consulted on an application and where an objection to an application is received, the matter is to be presented to Council for determination. d. The Ranger must inspect the premises to ensure means exist to effectively confine the dogs within the premises.
Express power to subdelegate	*Dog Act 1976:* s.10AA(3) Delegation of local government powers and duties. (NOTE – sub-delegation is only permitted where delegation to the CEO expressly authorises sub-delegation)
Subdelegates	Executive Manager Infrastructure and Development Services Ranger
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	Decisions under this delegation may be referred for review by the State Administration Tribunal. *Dog Act 1976* *Dogs Local Law*
Policy	*Policy C7 – Keeping of Three to Six Dogs*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain)* in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
24 Oct 2016	New delegation	NEW – 24 October 2016	---
27 Nov 2017	Amended delegation	Amended – 27 November 2017	---
22 Dec 2020	Amended delegation	Amended – 22 December 2020	---
27 Jun 2023	Amended delegation	Replaces DE6-13	Resolution # 140623
25 Jun 2024	Amended delegation	Addition of Manager Development Services as a Subdelegate. Wording in Record Keeping Section modified to improve clarity.	---
23 Jun 2026	Amended delegation	Removal of Manager Development Services as a Subdelegate.	Resolution # 140626

06 Food Act 2008 Delegations

Food Act 2008 Delegations

Delegation	**6.1.1 Prohibition Orders and Certificates of Clearance**
Head of power	06 Food Act 2008 Delegations
Delegator	Local Government
Express power to delegate	*Food Act 2008:* s.118Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express power or duty delegated	*Food Act 2008:* s.65(1) Prohibition orders s.66 Certificate of clearance to be given in certain circumstances s.67(4) Request for re-inspection
Function	1. Authority to serve a prohibition order on the proprietor of a food business in accordance with s.65 of the *Food Act 2008* [s.65(1)]. 2. Authority to give a certificate of clearance, where inspection demonstrates compliance with a prohibition order and any relevant improvement notices [s.66]. 3. Authority to give written notice to proprietor of a food business on whom a prohibition order has been served of the decision not to give a certificate of clearance after an inspection [s.67(4)].
Delegates	CEO Executive Manager Infrastructure and Development Services Principal Environmental Health Officer
Conditions	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.
Express power to subdelegate	Nil – *Food Regulations 2009* do not provide for sub-delegation
Statutory framework	Decisions under this delegation may be referred for review by the State Administration Tribunal. *Food Act 2008*
Policy	*Guide to Regulatory Guideline Number 1: Introduction of Regulatory Auditing in Western Australia*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626

Amendments			
Date	**Type**	**Amendment**	**References**
27 Jun 2023	Amended delegation	Replaces DE6-7	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---
24 Jun 2025	Amended delegation	Change of delegate title to Principal Environmental Health Officer (from Environmental Health Officer)	Resolution# 160625
23 Jun 2026	Amended delegation	Title renaming to include Certificates of Clearance.	Resolution # 140626

Delegation	**6.1.2 Food Business Registrations**
Head of power	06 Food Act 2008 Delegations
Delegator	Local Government
Express power to delegate	*Food Act 2008:* s.118Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express power or duty delegated	*Food Act 2008:* s.110(1) and (5) Registration of food business s.112 Variation of conditions or cancellation of registration of food businesses
Function	1. Authority to consider applications and determine registration of a food business and grant the application with or without conditions or refuse the registration [s.110(1) and (5)]. 2. Authority to vary the conditions or cancel the registration of a food business [s.112].
Delegates	CEO Executive Manager Infrastructure and Development Services Principal Environmental Health Officer
Conditions	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to: i. *Food Act 2008 Regulatory Guideline No.1 Introduction of Regulatory Food Safety Auditing in WA* ii. *Food Unit Fact Sheet 8 – Guide to Regulatory Guideline No. 1* iii. *WA Priority Classification System* iv. *Verification of Food Safety Program Guideline*
Express power to subdelegate	Nil – F*ood Regulations 2009* do not provide for sub-delegation
Statutory framework	Decisions under this delegation may be referred for review by the State Administration Tribunal *Food Act 2008*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
18 Apr 2016	New delegation	Adopted – 18 April 2016	---
27 Nov 2017	Amended delegation	Amended – 27 November 2017	---
27 Jun 2023	Amended delegation	Replaces DE6-7	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---
24 Jun 2025	Amended delegation	Change of delegate title to Principal Environmental Health Officer (from Environmental Health Officer)	Resolution# 160625

Delegation	**6.1.3 Appoint Authorised Officers and Designated Officers**
Head of power	06 Food Act 2008 Delegations
Delegator	Local Government
Express power to delegate	*Food Act 2008:* s.118Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express power or duty delegated	*Food Act 2008:* s.122(1) Appointment of authorised officers s.126(6), (7) and (13) Infringement Officers
Function	1. Authority to appoint a person to be an authorised officer for the purposes of the Food Act 2008 [s.122(2)]. 2. Authority to appoint an Authorised Officer appointed under s.122(2) of this Act or the s.24(1) of the *Public Health Act 2016*, to be a Designated Officer for the purposes of issuing Infringement Notices under the *Food Act 2008* [s.126(13)]. 3. Authority to appoint an Authorised Officer to be a Designated Officer (who is prohibited by s.126(13) from also being a Designated Officer for the purpose of issuing infringements), for the purpose of extending the time for payment of modified penalties [s.126(6)] and determining withdrawal of an infringement notice [s.126(7).
Delegates	CEO
Conditions	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to: i. *Appointment of Authorised Officers as Meat Inspectors* ii. *Appointment of Authorised Officers* iii. *Appointment of Authorised Officers – Designated Officers only* iv. *Appointment of Authorised Officers – Appointment of persons to assist with the discharge of duties of an Authorised Officer*
Express power to subdelegate	Nil – *Food Regulations 2009* do not provide for sub-delegation
Statutory framework	*Food Act 2008:* s.122(3) requires an Enforcement Agency to maintain a list of appointed authorised officers s.123(1) requires an Enforcement Agency to provide each Authorised Officer with a Certificate of Authority as prescribed
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
18 Apr 2016	New delegation	Reviewed & Adopted – 18 April 2016 – Replaces DE-17	---
27 Nov 2017	Amended delegation	Amended – 27 November 2017	---
27 Jun 2023	Amended delegation	Replaces DE6-6	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

07 Graffiti Vandalism Act 2016 Delegations

Graffiti Vandalism Act 2016 Delegations

Delegation	**7.1.1 Give Notice Requiring Obliteration of Graffiti**
Head of power	07 Graffiti Vandalism Act 2016 Delegations
Delegator	Local Government
Express power to delegate	*Graffiti Vandalism Act 2016:* s.16 Delegation by local government
Express power or duty delegated	*Graffiti Vandalism Act 2016:* s.18(2) Notice requiring removal of graffiti s.19(3) & (4) Additional powers when notice is given
Function	1. Authority to give written notice to a person who is an owner or occupier of property on which graffiti is applied, requiring the person to ensure that the graffiti is obliterated in an acceptable manner, within the time set out in the notice [s.18(2)]. 2. Authority, where a person fails to comply with a notice, to do anything considered necessary to obliterate the graffiti in an acceptable manner [s.19(3)] and to take action to recover costs incurred as a debt due from the person who failed to comply with the notice [s.19(4)].
Delegates	CEO
Conditions	Nil
Express power to subdelegate	*Graffiti Vandalism Act 2016:* s.17 Delegation by CEO of local government
Subdelegates	Executive Manager Infrastructure and Development Services
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation. b. Function 2 can only be exercised by the Chief Executive Officer.
Statutory framework	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal. *Graffiti Vandalism Act 2016*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum. Details of how the Shire gave effect to the notice, including photographs of graffiti removed is to be recorded and registered in Altus Records and linked to the property file.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Delegation	**7.1.2 Notices – Deal with Objections and Give Effect to Notices**
Head of power	07 Graffiti Vandalism Act 2016 Delegations
Delegator	Local Government
Express power to delegate	*Graffiti Vandalism Act 2016:* s.16 Delegation by local government
Express power or duty delegated	*Graffiti Vandalism Act 2016:* s.22(3) Objection may be lodged s.24(1)(b) & (3) Suspension of effect of notice
Function	1. Authority to deal with an objection to a notice [s.22(3)]. 2. Authority, where an objection has been lodged, to: a. Determine and take action to give effect to the notice, where it is determined that there are urgent reasons or an endangerment to public safety or likely damage to property or serious nuisance, if action is not taken [s.24(1)(b)] and b. To give notice to the affected person, before taking the necessary actions [s.24 (3)].
Delegates	CEO
Conditions	Nil
Express power to subdelegate	*Graffiti Vandalism Act 2016:* s.17 Delegation by CEO of local government
Subdelegates	Nil
Subdelegate conditions	Not applicable
Statutory framework	Decisions under this delegation may be referred for review by the State Administration Tribunal. *Graffiti Vandalism Act 2016*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Delegation	**7.1.3 Obliterate Graffiti on Private Property**
Head of power	07 Graffiti Vandalism Act 2016 Delegations
Delegator	Local Government
Express power to delegate	*Graffiti Vandalism Act 2016:* s.16 Delegation by local government
Express power or duty delegated	*Graffiti Vandalism Act 2016:* s.25(1) Local government graffiti powers on land not local government property
Function	1. Authority to determine to obliterate graffiti applied without consent of the owner or occupier, even though the land on which it is done is not local government property and the local government does not have consent [s.25(1)].
Delegates	CEO
Conditions	a. Subject to exercising Powers of Entry as specified in Division 4 of the *Graffiti Vandalism Act 2016*
Express power to subdelegate	*Graffiti Vandalism Act 2016:* s.17 Delegation by CEO of local government
Subdelegates	Executive Manager Corporate & Community Services Executive Manager Infrastructure and Development Services
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	*Graffiti Vandalism Act 2016*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Delegation	**7.1.4 Powers of Entry**
Head of power	07 Graffiti Vandalism Act 2016 Delegations
Delegator	Local Government
Express power to delegate	*Graffiti Vandalism Act 2016:* s.16 Delegation by local government
Express power or duty delegated	*Graffiti Vandalism Act 2016:* s.28 Notice of entry s.29 Entry under warrant
Function	1. Authority to give notice of an intended entry to the owner or occupier of land, premises or thing, specifying the purpose for which entry is required [s.28]. 2. Authority to obtain a warrant to enable entry onto any land, premises or thing for the purposes of this Act [s.29].
Delegates	CEO
Conditions	Nil
Express power to subdelegate	*Graffiti Vandalism Act 2016:* s.17 Delegation by CEO of local government
Subdelegates	Nil
Subdelegate conditions	Not applicable
Statutory framework	*Graffiti Vandalism Act 2016*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

08 Health (Miscellaneous Provisions) Act 1911 Delegations

Health (Miscellaneous Provisions) Act 1911 Delegations

Delegation	**8.1.1 Powers of Local Government – Appointment of Deputy**
Head of power	08 Health (Miscellaneous Provisions) Act 1911 Delegations
Delegator	Local Government
Express power to delegate	*Health (Miscellaneous Provisions) Act 1911:* s.26 Powers of local government
Express power or duty delegated	As listed in 'Function'.
Function	Authority to appoint and authorise any person to be the Shire of York's deputy and in that capacity to exercise and discharge all or any of the powers and functions of the local government, including: 1. *Part IV – Division 4 (Sanitary Convenience)* 2. *Part IV – Division 7 (Pollution of Water)* 3. *Part V – Division 1 (House unfit for occupation)* 4. *Part VI – Public Buildings Part VII – Division 1 (Nuisances)* 5. *Health (Air Handling & Water Systems) Regulations 1994* 6. *Health (Aquatic Facilities) Regulations 2007* 7. *Health (Cloth Materials) Regulations 1985* 8. *Construction Camps Regulations 1988* 9. *Health (Construction Work) Regulations 1973* 10. *Health (Garden Soil) Regulations 1998* 11. *Health (Offensive Trade Fees) Regulations 1976* 12. *Health (Pesticides) Regulations 2011* 13. *Health (Prescribed Insect Pests) Regulations 1991* 14. *Health (Public Buildings) Regulations 1992* 15. *Health (Skin Penetration) Procedure Regulations 1998* 16. *Health (Temporary Sanitary Conveniences) Regulations 1997* 17. *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974* 18. *Health Act (Laundries and Bathrooms) Regulations* 19. *Health Act (Sewerage Drainage and Underground Water Supply) Regulations 1974* 20. *Health Act (Underground Water Supply) Regulation 1959* 21. *Fly Eradication Regulations* 22. *Piggeries Regulations 1979* 23. *Shire of York Health Local Law 2007*
Delegates	CEO
Conditions	Nil
Express power to subdelegate	Nil
Subdelegates	Nil
Subdelegate conditions	Not Applicable

Statutory framework	*Health (Miscellaneous Provisions) Act 1911* *Health Local Law 2007*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
24 Oct 2016	New delegation	New – 24 October 2016	---
27 Nov 2017	Amended delegation	Amended – 27 November 2017	---
27 Jun 2023	Amended delegation	Replaces DE6-14	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---
24 Jun 2025	Amended delegation	Update to title of Shire of York Health Local Law	Resolution# 160625

09 Public Health Act 2016 Delegations

Public Health Act 2016 Delegations

Delegation	**9.1.1 Appoint Authorised Officer or Approved Officer (Asbestos Regs)**
Head of power	09 Public Health Act 2016 Delegations
Delegator	Local Government
Express power to delegate	*Health (Asbestos) Regulations 1992:* r.15D(7) Infringement Notices
Express power or duty delegated	*Health (Asbestos) Regulations 1992*: r.15D(5) Infringement Notices
Function	1. Authority to appoint a person or classes of persons as an authorised officer or approved officer for the purposes of the *Criminal Procedure Act 2004* Part 2 [r.15D(5)].
Delegates	CEO
Conditions	a. Subject to each person so appointed being issued with a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices [r.15D (6)].
Express power to subdelegate	Nil – the *Health (Asbestos) Regulations 1992* do not provide a power to sub-delegate
Statutory framework	*Criminal Procedure Act 2004* – Part 2
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Delegation	**9.1.2 Enforcement Agency Reports to the Chief Health Officer**
Head of power	09 Public Health Act 2016 Delegations
Delegator	Enforcement Agency (which means the Local Government vide s.4 definition)
Express power to delegate	Public Health Act 2016: s.21 Enforcement agency may delegate
Express power or duty delegated	*Public Health Act 2016:* s.22 Reports by and about enforcement agencies
Function	1. Authority to prepare and provide to the Chief Health Officer, the local government's report on the performance of its functions under this Act and the performance of functions by persons employed or engaged by the Shire of York [s.22(1)]. 2. Authority to prepare and provide to the Chief Health Officer, a report detailing any proceedings for an offence under this Act [s.22(2)].
Delegates	CEO Principal Environmental Health Officer
Conditions	Nil
Express power to subdelegate	Nil – Unless a Regulation enacted under the *Public Health Act 2016* specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].
Statutory framework	*Public Health Act 2016:* s.20 Conditions on performance of functions by enforcement agencies.
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain)* in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---
24 Jun 2025	Amended delegation	Change in delegate title to Principal Environmental Health Officer (from Environmental Health Officer)	Resolution# 160625

Delegation	**9.1.3 Designate Authorised Officers**
Head of power	09 Public Health Act 2016 Delegations
Delegator	Enforcement Agency (which means the Local Government vide s.4 definition)
Express power to delegate	*Public Health Act 2016:* s.21 Enforcement agency may delegate
Express power or duty delegated	*Public Health Act 2016* s.24(1) and (3) Designation of authorised officers
Function	1. Authority to designate a person or class of persons as authorised officers for the purposes of: a. The *Public Health Act 2016* or other specified Act b. Specified provisions of the *Public Health Act 2016* or other specified Act c. Provisions of the *Public Health Act 2016* or another specified Act, other than the specified provisions of that Act. Including: a. An environmental health officer or environmental health officers as a class; OR b. A person who is not an environmental health officer or a class of persons who are not environmental health officers, OR c. A mixture of the two. [s.24(1) and (3)].
Delegates	CEO
Conditions	a. Subject to each person so appointed being; i. Appropriately qualified and experienced [s.25(1)(a)]; and ii. Issued with a certificate, badge or identity card identifying the authorised officer [s.30 and 31]. b. A Register (list) of authorised officers is to be maintained in accordance with s.27.
Express power to subdelegate	Nil – Unless a Regulation enacted under the *Public Health Act 2016* specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].
Statutory framework	*Public Health Act 2016:* s.20 Conditions on performance of functions by enforcement agencies. s.25 Certain authorised officers required to have qualifications and experience. s.26 Further provisions relating to designations s.27 Lists of authorised officers to be maintained s.28 When designation as authorised officer ceases s.29 Chief Health Officer may issue guidelines about qualifications and experience of authorised officers s.30 Certificates of authority s.31 Issuing and production of certificate of authority for purposes of other written laws s.32 Certificate of authority to be returned. s.136 Authorised officer to produce evidence of authority *Criminal Investigation Act 2006,* Parts 6 and 13 – refer s.245 of the *Public Health Act 2016* *The Criminal Code, Chapter XXVI* – refer s.252 of the *Public Health Act 2016*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.

Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

10 Planning and Development Act 2005 Delegations

Planning and Development Act 2005 Delegations

Delegation	**10.1.1 Town Planning Matters**
Head of power	10 Planning and Development Act 2005 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42(b) Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO s.5.44 CEO maydelegate powers and duties to other employees s.5.45 Other mattersrelevant to delegations under this Division s.5.46 Register of, and records relevant to,delegations to CEO and employees.
Express power or duty delegated	*Planning and Development Act 2005* *Planning and Development (Local Planning Schemes) Regulations 2015 - Schedule 2 (Deemed Provisions)* clauses 82, 83 & 84 *Shire of York Local Planning Scheme No.3*
Function	Council delegates its authority and power to the Chief Executive Officer in accordance with Clauses 82 and 83 in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* as follows: **Advertising Applications for Development Approval** Public advertising of development applications in accordance with Clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 201*5 when specifically required or deemed necessary due to concerns regarding potential impacts, including referrals to adjoining and other nearby landowners, State government agencies and essential service providers. **Consideration and Final Determination of Applications for Development Approval** Approve development applications with a use class permissibility classification of 'P', 'D' and 'A' in Table 1 (i.e. Zoning Table) of the Local Planning Scheme in accordance with Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and impose conditions as required where: 1. the proposed development is compliant with all relevant standards and requirements, including any proposed variations thereto where no substantial impacts are considered likely to occur; and 2. no valid planning objections have been received (if advertised). Where any valid planning objections are received during public advertising of a development application for a single house or any development associated with a single house, excluding development of or associated with a heritage protected place, the Chief Executive Officer shall determine the application as required by Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. Approve an application to amend any aspect of a previously approved development application which, if amended, would not substantially change the development approved as per clause 77 in Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015. Grant an extension of development approval for up to two (2) years with or without changes to any conditions of approval as per clause 77 in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. Refusal of all development applications where:

1. the proposed use is not permitted (i.e. use permissibility classification of 'X' in Table 1 (i.e. Zoning Table) of the Local Planning Scheme;
2. and/or where the development does not comply with a mandatory requirement of the Local Planning Scheme, or with the non-discretionary provisions of the Residential Design Codes.

Cancel a development application where the applicant has, pursuant to clause 65A in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, failed to provide further information or material that the local government reasonably requires to determine the application.

Cancel a development approval previously granted where the owner of the land has submitted an application to do so or the owner has failed to comply with one (1) or more conditions of development approval and the non-compliance has given rise to significant issues and impacts that have resulted in formal, valid complaints to the local government.

Use Not Listed
To determine if a use not specifically listed in the Zoning Table (Table1) of the Local Planning Scheme is consistent, may be consistent or is not consistent with the objectives of the zone and publicly advertise a development application in accordance with Clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015* where the use may be consistent with the objectives of the subject land's relevant zoning classification.

Finally determine development applications for any use not specifically listed in the Zoning Table (Table 1) of the Local Planning Scheme where:

1. the proposed development is compliant with all relevant standards and requirements, including any proposed variations thereto where no substantial impacts are considered likely to occur; and \
2. no valid planning objections have been received during public advertising within the specified time.

Waiving of Development Application Fees
Waive the statutory fee payable for an application for development approval where the applicant and/or owner (as appropriate) is a registered not-for-profit organisation and the proposed development is for community benefit.

Authorisation of Temporary Works and Uses
Authorise any temporary works and/or uses for more than forty-eight (48) hours in any twelve (12) month period pursuant to the exemption to the need for development approval afforded by clause 61(1) and clause 61(2)(f) in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Directions Regarding Unauthorised Development
To give written direction/s in relation to unauthorised development and to authorise any action available to the local government under the *Planning and Development Act 2005* incidental to such written direction, including but not limited to:

1. issuing a notice to remove, pull down, take up, or alter the development and to restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the local government; and/or
2. obtaining legal advice where necessary to assist in the performance of the abovementioned delegations.

These powers shall not be exercised in circumstances where the Chief Executive Officer has received a request from a Councillor that the matter be referred to Council for consideration or determination.

	Appeals Provision of written and oral responses to planning appeals, mediated settlements resulting from appeals, and State Administrative Tribunal's requests for reconsideration when an affected person has applied to the State Administrative Tribunal to review a reviewable determination under the Local Planning Scheme in accordance with Part 14 of the *Planning and Development Act 2005*. **Subdivision Applications** Prepare and submit formal responses to the Western Australian Planning Commission (WAPC) in relation to all strata, survey strata and green title subdivision applications (including amalgamations and/or amendments to previous approvals) with due regard for the WAPC's Model Subdivision Conditions Schedule (as amended) and the standards and requirements of the Local Planning Scheme including any associated local planning policies of relevance, the Residential Design Codes and WAPC Development Control Policy 3.4 - Subdivision of Rural Land (as applicable). Issue formal subdivision clearances where the relevant local government conditions of subdivision approval by the WAPC have been satisfied and all relevant application fees have been paid by the proponent. **Structure Plans** Assessment and processing of applications for structure plans, including any amendments thereto and revocation when required, in accordance with the procedural requirements of Part 4 in Schedule 2 of the of the *Planning and Development (Local Planning Schemes) Regulations 2015*. **Local Development Plans** Assessment and processing of applications for local development plans, including any amendments thereto, in accordance with the procedural requirements of Part 6 in Schedule 2 of the of the *Planning and Development (Local Planning Schemes) Regulations 2015*. **Advertising Extensions for Local Planning Scheme Amendments** To extend the advertising period for local planning scheme amendments where it is considered necessary to provide adequate consultation and/or accommodate specific community consultation exercises (e.g. special electors' meetings, workshops etc.). **Miscellaneous** Formation of any opinion and consideration of any matter in the exercise of these delegated powers that would be required of Council under the Local Planning Scheme, including, but not limited to sufficient information required for the processing of proposals (including development applications, structure plans, local development plans), referral and advertising of such proposals, and interpretation of Local Planning Scheme provisions, relevant Planning Policies and provisions of the Residential Design Codes. The execution of any documents or instruments required to fulfill a condition(s) of subdivision or development approval. no valid planning objections have been received during public advertising within the specified time. **Important Note:** The delegations outlined above do not preclude the Delegate or Sub-Delegate referring the categories of development or legal proceedings outlined above to Council for formal consideration and final determination after having regard to the circumstances of a particular case.
Delegates	CEO
Conditions	All matters determined under delegated authority are to be provided to Council at the first available Concept Forum. Clause 4 – Waiving of Development Application Fee and Clause 5 – Authorisation of Temporary

Works and Uses can only be determined under delegated authority by the Chief Executive Officer. For clarity, the Executive Manager Development Services, Manager Development Services and Planning Officer cannot make determinations on matters regarding those Clauses.

With the exception of single houses or any development associated with a single house, excluding development of or associated with a heritage-protected place, an officer to whom delegated authority is granted to finally determine development applications is not to exercise that authority in the following circumstances and shall refer all applications to a meeting of Council for formal consideration and final determination:

1. Where the Chief Executive Officer has received a request from a Councillor that the matter be referred to Council for consideration or determination;
2. Where the delegated decision would be contrary to the intent of a previous decision made by Council, or any law or regulation;
3. Where any written objection is received from any statutory agency;
4. Where the proposal is inconsistent with the general objectives and/or intent of a Local Planning Policy, approved Structure Plan, approved Local Development Plan, or the discretionary provisions of the Local Planning Scheme;
5. Where notification has been given to adjoining and nearby owners or the general public for comment in accordance with the Local Planning Scheme or any Local Planning Policy and written objections have been received within the time specified, unless in the opinion of the Chief Executive Officer: the objections can be overcome by imposing a condition(s) on the approval, or the development proposal is amended by the applicant in accordance with the local government's requirements; or the objection does not relate to valid planning and development issues associated with the proposal.
6. Where, in the opinion of the Chief Executive Officer:
    1. any of the requirements of this delegation are not satisfied;
    2. or there is insufficient certainty as to whether the application complies with the intent of the Local Planning Scheme, any relevant Local Planning Policy or an approved Local Development Plan;
    3. or it would be in the public interest or consistent with the principles of administrative accountability for Council to determine the application;
    4. or the decision involves a matter of principle which, in the opinion of the Chief Executive Officer, should be made by the Council; or
    5. any condition recommended by a statutory agency is unnecessary or impractical, or unreasonable to be enforced by the Shire of York.

Subdivision applications are required to be presented to Council for consideration where the proposed subdivision will result in the creation of twenty (20) lots or more and/or the application is inconsistent with an approved Structure Plan.
The following compliance and legal matters are required to be referred to Council for determination:

1. Whether to commence prosecution action through the Council's solicitors;
2. Whether to apply for an injunction to the Supreme Court under Section 216 of the *Planning and Development Act 2005*;
3. The obtainment of urgent legal advice where that advice would exceed $5,000 excluding GST and there are no specific funds allocated within the budget or funds allocated by a resolution of Council; and

The determination of a position with respect to any mediation process resulting from an appeal to the State Administrative Tribunal against a decision on a proposal that was previously determined by the Shire.

Structure Plans
Prior to the commencement of advertising of any new structure plan, or amendments thereto,

	elected members must be notified of the proposal in writing advising the dates when the public comment period will start and finish, the means by which the proposal will be advertised and each elected member provided with copies of relevant plans and information relating to the proposal. All new structure plans, or amendments thereto, are to be referred to Council after being advertised for public comment. Any recommendation to the Western Australian Planning Commission pursuant to clause 20(2) in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* as to whether a proposed structure plan, or amendment thereto, may be determined by the Chief Executive Officer after being advertised for public comment provided that: 1. Any objection received does not, in the opinion of the Chief Executive Officer, raise relevant planning considerations; 2. Elected members are notified in writing of the Chief Executive Officer's intention to do so and provided a copy of submissions and Administration's recommendations in respect of those submissions; 3. Elected members are provided with five (5) working days in which to request that the proposal be referred to Council for determination; and 4. The recommendation does not include any significant modifications to the advertised structure plan or amendments thereto. **Local Development Plans** Prior to the commencement of advertising of any new local development plan, or amendments thereto, elected members must be notified of the proposal in writing advising the dates when the public comment period will start and finish, the means by which the proposal will be advertised and each elected member provided with copies of relevant plans and information relating to the proposal. A local development plan, or amendments thereto, may be determined by the Chief Executive Officer, after being advertised for public comment provided that: 1. Any objection received does not, in the opinion of the Chief Executive Officer, raise relevant planning considerations; 2. Elected members are notified in writing of the Chief Executive Officer's intention to do so and provided a copy of submissions and Administration's recommendations in respect of those submissions; 3. Elected members are provided with five (5) working days in which to request that the proposal be referred to Council for determination; 4. The determination will not result in a refusal of or require significant modifications to the advertised local development plan or amendments thereto.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Infrastructure and Development Services
Subdelegate conditions	Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	*Planning and Development Act 2005*
Policy	*Town Planning Policies*

Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	28 July 2026
Adoption references	Resolution# 150726
Last reviewed	28 July 2026

Amendments			
Date	**Type**	**Amendment**	**References**
22 Apr 2003	New delegation	22 April 2003	---
1 May 2004	Amended delegation	Endorsed Reviewed - May 2004	---
1 Jul 2004	Amended delegation	Reviewed & Amended - July 2005	---
19 Jul 2004	Amended delegation	Endorsed - 19 July 2004	---
18 Jul 2005	Amended delegation	Endorsed - 18 July 2005	---
23 Jan 2006	Amended delegation	Amended & Endorsed - 23 January 2006	---
18 Jun 2007	Amended delegation	Endorsed - 18 June 2007	---
24 Oct 2016	Amended delegation	Reviewed – 24 October 2016 (replaces DE5)	---
27 Nov 2017	Amended delegation	Amended – 27 November 2017	---
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---
24 Jun 2025	Amended delegation	Significant rewrite of delegation. Inclusion of Manager Development Services as sub-delegate.	Resolution# 160625
23 Jun 2026	Repealed	Full delegation omitted from Delegation register in annual review.	Resolution # 140626
28 Jul 2026	Amended delegation	Reinstated delegation.	Resolution # 150726

11 Statutory Authorisations and Delegations to Local Government from State Entities

STATUTORY AUTHORISATIONS AND DELEGATIONS TO LOCAL GOVERNMENT FROM STATE GOVERNMENT ENTITIES

Delegation	**11.1.1 Noise Control – Environmental Protection Notices [Reg.65(1)]**
Head of power	11 Statutory Authorisations and Delegations to Local Government from State Entities
Delegator	Environmental Protection Authority
Express power to delegate	Section 20 of the *Environmental Protection Act 1986*
Express power or duty delegated	*Instrument of delegation* — Government Gazette No. 47. pg. 919 - 19 March 2004 All the powers and duties of the Chief Executive Officer, where any noise is being or is likely to be emitted from any premises not being premises licensed under the Act, to serve an environmental protection notice under section 65(1) in respect of those premises, and where an environmental protection notice is so served in such a case, all the powers and duties of the Chief Executive Officer under Part V of the Act in respect of that environmental protection notice. Persons to whom delegation made— This delegation is made to any person for the time being holding or acting in the office of Chief Executive Officer under the *Local Government Act 1995*.
Function	All the powers and duties of the Chief Executive Officer, where any noise is being or is likely to be emitted from any premises not being premises licensed under the Act, to serve an environmental protection notice under section 65(1) in respect of those premises, and where an environmental protection notice is so served in such a case, all the powers and duties of the Chief Executive Officer under Part V of the Act in respect of that environmental protection notice. Persons to whom delegation made— This delegation is made to any person for the time being holding or acting in the office of Chief Executive Officer under the *Local Government Act 1995*.
Delegates	CEO
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Delegation	**11.1.2 Noise Management Plans – Keeping Log Books, Noise Control Notices, Calibration and Approval of Non-Complying Events**
Head of power	11 Statutory Authorisations and Delegations to Local Government from State Entities
Delegator	Environmental Protection Authority
Express power to delegate	Section 20 *Environmental Protection Act 1986*
Express power or duty delegated	*Instrument of delegation* - Government Gazette 232, Delegation No. 112 Pg. 6282 - 20 Dec 2013 Pursuant to section 20 of the Act, delegate to any person for the time being holding or acting in the office of a Chief Executive Officer under the *Local Government Act 1995*, powers and duties under the *Environmental Protection (Noise) Regulations 1997,* other than this power of delegation.
Function	Any person for the time being holding or acting in the office of a Chief Executive Officer under the *Local Government Act 1995,* powers and duties under the Environmental Protection (Noise) Regulations 1997, other than this power of delegation, in relation to— a. waste collection and other works—noise management plans relating to specified works under regulation 14A or 14B; b. bellringing or amplified calls to worship—the keeping of a log of bellringing or amplified calls to worship requested under regulation 15(3)(c)(vi); c. community activities—noise control notices in respect of community noise under regulation 16; d. motor sport venues—noise management plans in relation to motor sport venues under Part 2 Division 3; e. shooting venues—noise management plans in relation to shooting venues under Part 2 Division 4; f. calibration results—requesting, under regulation 23(b), details of calibration results undertaken and obtained under Schedule 4; g. sporting, cultural and entertainment events—approval of events or venues for sporting, cultural and entertainment purposes under Part 2 Division 7, subject to the following limitation— i. Subregulation 18(13)(b) is not delegated.
Delegates	CEO
Conditions	Subregulation 18(13)(b) is not delegated.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Delegation	**11.1.3 Noise Management Plans – Construction Sites**
Head of power	11 Statutory Authorisations and Delegations to Local Government from State Entities
Delegator	Environmental Protection Authority
Express power to delegate	Section 20 *Environmental Protection Act 1986*
Express power or duty delegated	*Instrument of delegation* Government Gazette No 71, 16 May 2014 Delegation No 119 Pg. 1548 Pursuant to section 20 of the Act, delegate to the holder for the time being of the offices of— a. Chief Executive Officer under the *Local Government Act 1995*; and b. to any employee of the local government under the *Local Government Act 1995* who is appointed as an Authorised Person under section 87 of the Act, all powers and duties in relation to noise management plans under regulation 13 of the *Environmental Protection (Noise) Regulations 1997*, other than this power of delegation.
Function	Pursuant to section 20 of the Act, delegate to the holder for the time being of the offices of— a. Chief Executive Officer under the Local Government Act 1995; and b. to any employee of the local government under the *Local Government Act 1995* who is appointed as an Authorised Person under section 87 of the Act, all powers and duties in relation to noise management plans under regulation 13 of the *Environmental Protection (Noise) Regulations 1997*, other than this power of delegation.
Delegates	CEO
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Delegation	**11.2.1 Instrument of Authorisation – Local Government CEOs - Sign Development Applications for Crown Land as Owner**
Head of power	11 Statutory Authorisations and Delegations to Local Government from State Entities
Delegator	Minister for Lands
Express power to delegate	Section 267A *Planning and Development Act 2005*
Express power or duty delegated	*Instrument of delegation* By section 7(1) of the *Land Administration Act 1997* authorise, in respect of each local government established under the *Local Government Act 1995* and listed in Column 2 of the Schedule, the person from time to time holding or acting in the position of Chief Executive Officer of the relevant local government, to perform the powers described in Column 1 of the Schedule subject to the conditions listed in Column 3 of the Schedule.
Function	In respect of each local government established under the *Local Government Act 1995* and listed in Column 2 of the Schedule, the person from time to time holding or acting in the position of Chief Executive Officer of the relevant local government, to perform the powers described in Column 1 of the Schedule subject to the conditions listed in Column 3 of the Schedule.
Delegates	CEO
Conditions	See Column 3 of the *Schedule*
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Delegation	**11.2.2 WA Planning Commission – Powers of Local Governments - s.15 of the Strata Titles Act 1985 (DEL.2020/01)**
Head of power	11 Statutory Authorisations and Delegations to Local Government from State Entities
Delegator	Western Australian Planning Commission
Express power to delegate	Section 16 *Planning and Development Act 2005*
Express power or duty delegated	*Instrument of Delegation* - Government Gazette 29 January 2021 DEL 2020/01 (Pg. 449). The Western Australian Planning Commission (the WAPC) may delegate any function to a local government, a committee established under the *Local Government Act 1995* or an employee of a local government.
Function	A. To delegate to local governments, and to members and officers of those local governments, its powers and functions under section 15 of the *Strata Titles Act 1985* as set out in clause 1 of Schedule 1, within their respective districts, subject to the conditions set out in clause 3 of Schedule 1; B. To delegate to local governments, and to members and officers of those local governments, its powers and functions under sections 21 and 22 of the Strata Titles Act 1985 as set out in clause 2 of Schedule 1, within their respective districts, subject to the conditions set out in clause 3 of Schedule 1; C. To amend "Del 2020/01—Powers of Local Governments" to give effect to its resolution and to publish an updated, consolidated instrument.
Delegates	CEO
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Delegation	**11.3.1 Traffic Management - Events on Roads**
Head of power	11 Statutory Authorisations and Delegations to Local Government from State Entities
Delegator	Commissioner of Main Roads
Express power to delegate	Regulation 297(2) *Road Traffic Code 2000*
Express power or duty delegated	*Instrument of Delegation* - Traffic Management for Events - CODE OF PRACTICE (Pg. 41)
Function	Local Government ("Authorised Body") by itself, its employees, consultants, agents and contractors (together "Representatives") to, from the date indicated [in the Instrument of Authorisation], erect, establish, display, alter or take down such road signs of whatsoever type or class (except for permanent traffic control signals) as may be required for the purpose and duration of any: i. "event" subject to an order from the Commissioner of Police pursuant to Part VA of the *Road Traffic Act 1974*; ii. race meeting or speed test for which the Minister referred to in section 83 of the *Road Traffic Act 1974* has, under that provision, temporarily suspended the operation of any provisions of the *Road Traffic Act 1974* or regulations made under that Act; or iii. public meeting or procession the subject of a permit granted by the Commissioner of Police under the *Public Order in Streets Act 1984;* or as may be required for the purpose of controlling traffic on a road adjacent to, or in the vicinity of, any event or organised activity approved by the Authorised Body under its local laws, on a road (other than a main road or highway) within its jurisdiction.
Delegates	CEO
Conditions	SUBJECT ALWAYS to the following terms and conditions: a. the Authorised Body shall at all times observe, perform and comply with the provisions of the "Traffic Management for Events Code of Practice" (as amended or replaced from time to time in consultation with the Traffic Management for Events Advisory Group) issued by Main Roads Western Australia ("the Code") referring to the version which is current at the time of the event, a copy of which can be obtained from Main Roads Western Australia from www.mainroads.wa.gov.au or by contacting Main Roads by phone; b. the Authorised Body shall develop and implement procedures that will satisfy the Commissioner that traffic management implemented by the Authorised Body, its employees, agents and contractors will in all respects conform to and comply with the requirements of the Code; and c. the Authorised Body shall ensure that its Representatives comply with the terms and conditions identified above at paragraphs (a) and (b) as if they were named in those paragraphs in place of the Authorised Body.
Statutory framework	*Traffic Management for Events CODE OF PRACTICE*
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Delegation	**11.3.2 Traffic Management – Road Works**
Head of power	11 Statutory Authorisations and Delegations to Local Government from State Entities
Delegator	Commissioner of Main Roads
Express power to delegate	Regulation 297(2) of the *Road Traffic Code 2000*
Express power or duty delegated	Instrument of Delegation - *Traffic Management for Works on Roads* - CODE OF PRACTICE (Pg. 77) Local Government ('Authorised Body') by itself, its employees, consultants, agents and contractors (together 'Representatives') to, from the date indicated [in the Instrument of Authorisation], erect, establish, display, alter or take down such traffic signs and traffic control devices of whatsoever type or class (except for permanent traffic control signals) as may be required for the purpose and duration of any works, survey or inspection, associated with the construction, maintenance or repair on a road (other than a main road or highway), any adjoining land or any portion thereof within its jurisdiction.
Function	Erect, establish, display, alter or take down such traffic signs and traffic control devices of whatsoever type or class (except for permanent traffic control signals) as may be required for the purpose and duration of any works, survey or inspection, associated with the construction, maintenance or repair on a road (other than a main road or highway), any adjoining land or any portion thereof within its jurisdiction.
Delegates	CEO
Conditions	SUBJECT ALWAYS to the following terms and conditions: a. the Authorised Body shall at all times observe, perform and comply with the provisions of the 'Traffic Management for Works on Roads Code of Practice' (as amended or replaced from time to time in consultation with the Traffic Management for Roadworks Advisory Group) issued by Main Roads Western Australia ('the Code') referring to the version which is current at the time of the relevant works, a copy of which can be obtained from Main Roads Western Australia from www.mainroads.wa.gov.au or by contacting Main Roads by phone; b. the Authorised Body shall develop and implement procedures that will satisfy the Commissioner that traffic management implemented by the Authorised Body, its employees, agents and contractors will in all respects conform to and comply with the requirements of the Code; and c. the Authorised Body shall ensure that its Representatives comply with the terms and conditions identified above at paragraphs (a) and (b) as if they were named in those paragraphs in place of the Authorised Body.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

Delegation	**11.4.1 Approval for Certain Local Government Vehicles as Special Use Vehicles**
Head of power	11 Statutory Authorisations and Delegations to Local Government from State Entities
Delegator	Department of Transport
Express power to delegate	Pursuant to the *Road Traffic (Vehicles) Regulations 2014*
Express power or duty delegated	Approve vehicles owned by a local government and ordinarily used by persons authorised or appointed by that local government to perform functions on its behalf under: a. the *Local Government Act 1995;* b. regulations made under the *Local Government Act 1995;* c. a local law; d. any other legislation empowering a local government to authorise or appoint persons to perform functions on the behalf of the local government (including but not limited to the *Dog Act 1 976*); or e. any combination of the above paragraphs (a) to (d);
Function	To perform functions on its behalf under: a. the *Local Government Act 1995*; b. regulations made under the *Local Government Act 1995;* c. a local law; d. any other legislation empowering a local government to authorise or appoint persons to perform functions on the behalf of the local government (including but not limited to the *Dog Act 1 976*); or e. any combination of the above paragraphs (a) to (d); As special use vehicles for the purposes of paragraph "f" of the definition of "special use vehicle" in regulation 327(4) of the Regulations, with the effect that those vehicles may be fitted with one or more yellow flashing lights under regulation 327(3)(b) of the Regulations,
Delegates	CEO

Conditions	1. Those lights must emit rotating, flashing yellow coloured light(s) and must not be a strobe light. 2. At least one flashing light shall be mounted on top of the vehicle and when lit, shall be visible in normal daylight up to a distance of not less than 200 metres to vehicles approaching from any direction. 3. No part of the lens of the flashing lights is visible either directly or indirectly to the driver when seated in the normal driving position. 4. If more than one flashing light is fitted, they must be placed symmetrically about the centre line of the vehicle or combination of vehicles. 5. An on/off switch for the flashing lights must be installed so as to be easily operated from the driver's seat. 6. Any additional equipment fitted to the vehicle must not interfere with the overall safe operation of the vehicle. 7. Any vehicle fitted with flashing lights for the purposes of this approval must: a. have words clearly set out on the sides of the vehicle which state the nameof the local government in question together with the words "Ranger", "Ranger Services", or words to similar unambiguous effect; and b. where the vehicle is a station wagon or van, have the words "Ranger'', "Ranger Services", or words to similar unambiguous effect clearly set out on the back of the vehicle. This condition 7 is not intended to prevent the use of additional words on the vehicle.
Date adopted	23 June 2026
Adoption references	Resolution# 140626
Last reviewed	23 June 2026

AMENDMENTS

Delegation	Date	Type	Amendment	References
1.1.1 Compensation - Damage Incurred when Performing Executive Functions	25 Jun 2024	Amended delegation	Wording in Record Keeping Section changed to improve clarity.	Nil
1.1.2 Powers of Entry	27 Jun 2023	Amended delegation	Amended – Replaces DE1.18	Resolution # 140623
1.1.2 Powers of Entry	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
1.1.2 Powers of Entry	23 Jul 2026	Amended delegation	Adjusted to include additional provisions as set out in the WALGA template. Environmental Officer added.	Resolution #140626
1.1.3 Declare Vehicle is Abandoned Vehicle Wreck	27 Jun 2023	Amended delegation	Replaces DE1.10	Resolution # 140623
1.1.3 Declare Vehicle is Abandoned Vehicle Wreck	25 Jun 2024	Amended delegation	Correction to Conditions to refer to Delegation 1.1.4. Addition of Manager Development Services as a Subdelegate. Wording in Record Keeping Section modified to improve clarity.	Nil
1.1.3 Declare Vehicle is Abandoned Vehicle Wreck	23 Jun 2026	Amended delegation	Removal of Manager Development Services as a Subdelegate	Resolution # 140626
1.1.4 Confiscated or Uncollected Goods	27 Jun 2023	Amended delegation	Amended – Replaces DE1.11, DE1.12 and DE1.13	Resolution # 140623
1.1.4 Confiscated or Uncollected Goods	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
1.1.4 Confiscated or Uncollected Goods	23 Jun 2026	Amended delegation	Wording in Conditions modified to include new delegation.	Nil
1.1.5 Disposal of Sick or Injured Animals	27 Jun 2023	Amended delegation	Amended – Replaces DE1.14	Resolution # 140623
1.1.5 Disposal of Sick or Injured Animals	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
1.1.5 Disposal of Sick or Injured Animals	23 Jun 2026	Amended delegation	Authority to recover expenses removed from this delegation. Manager Development Services removed as a Subdelegate.	Resolution # 140626

Delegation	Date	Type	Amendment	References
1.1.6 Close Thoroughfares to Vehicles	24 Oct 2016	Amended delegation	Reviewed – 24 October 2016 – Replaced DE24 in part	Nil
1.1.6 Close Thoroughfares to Vehicles	27 Nov 2017	Amended delegation	Amended – 27 November 2017	Nil
1.1.6 Close Thoroughfares to Vehicles	21 Dec 2021	New delegation	New – 21 December 2021 - replaces DE1.1, DE1.2, DE1.3 and DE1.4	Nil
1.1.6 Close Thoroughfares to Vehicles	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
1.1.6 Close Thoroughfares to Vehicles	23 Jun 2026	Amended delegation	Additional condition added to exclude permanent road closures.	Resolution # 140626
1.1.7 Obstruction of Footpaths and Thoroughfares	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
1.1.8 Gates Across Public Thoroughfares	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
1.1.9 Public Thoroughfare – Dangerous Excavations	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
1.1.10 Crossing – Construction, Repair and Removal	27 Jun 2023	Amended delegation	Amended - replaces DE4-2	Resolution # 140623
1.1.10 Crossing – Construction, Repair and Removal	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
1.1.11 Private Works on, over or under Public Places	18 Apr 2016	New delegation	Adopted – 18 April 2016	Nil
1.1.11 Private Works on, over or under Public Places	27 Nov 2017	Amended delegation	Amended – 27 November 2017	Nil
1.1.11 Private Works on, over or under Public Places	17 Dec 2017	Amended delegation	Amended 17 December 2018	Nil
1.1.11 Private Works on, over or under Public Places	27 Jun 2023	Amended delegation	Amended - Replaces DE4-1	Resolution # 140623

Delegation	Date	Type	Amendment	References
1.1.11 Private Works on, over or under Public Places	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
1.1.12 Expressions of Interest for Goods and Services	27 Jun 2023	Amended delegation	Amended - Replaces DE5-4	Resolution # 140623
1.1.12 Expressions of Interest for Goods and Services	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
1.1.13 Tenders for Goods and Services – Call Tenders	24 Oct 2016	New delegation	New – 24 October 2016	Nil
1.1.13 Tenders for Goods and Services – Call Tenders	27 Nov 2017	Amended delegation	Amended – 27 November 2017	Nil
1.1.13 Tenders for Goods and Services – Call Tenders	27 Jun 2023	Amended delegation	Replaces DE5-5	Resolution # 140623
1.1.13 Tenders for Goods and Services – Call Tenders	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
1.1.14 Tenders for Goods and Services – Accepting and Rejecting Tenders; Varying Contracts; Exercising Contract Extension Options	28 Mar 2023	New delegation	Adopted – 28 March 2023	Resolution 420323
1.1.14 Tenders for Goods and Services – Accepting and Rejecting Tenders; Varying Contracts; Exercising Contract Extension Options	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
1.1.15 Panels of Pre-Qualified Suppliers for Goods and Services	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
1.1.16 Disposing of Property	27 Jun 2023	Amended delegation	Replaces DE1.15 and DE1.16	Resolution # 140623
1.1.16 Disposing of Property	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil

Delegation	Date	Type	Amendment	References
1.1.17 Payments from the Municipal or Trust Funds	18 Apr 2016	New delegation	Adopted 18 April 2016 to replace DE1	Nil
1.1.17 Payments from the Municipal or Trust Funds	24 Oct 2016	Amended delegation	Amended – 24 October 2016	Nil
1.1.17 Payments from the Municipal or Trust Funds	27 Nov 2017	Amended delegation	Amended – 27 November 2017	Nil
1.1.17 Payments from the Municipal or Trust Funds	27 Jun 2023	Amended delegation	Replaces DE3-1	Resolution # 140623
1.1.17 Payments from the Municipal or Trust Funds	25 Jun 2024	Amended delegation	Additional Condition relating to donations. Wording in Record Keeping Section modified to improve clarity.	Nil
1.1.17 Payments from the Municipal or Trust Funds	23 Jun 2026	Amended delegation	Authority to make donations removed as inconsistent with Local Government (Financial Management) Regulations1996: r.12(1)(a). This will be included in a future revision of Policy C8 Funding: Grants and Sponsorship. Updated to reflect the new Department of Local Government, Industry Regulation and Safety	Nil
1.1.18 Defer, Grant Discounts, Waive or Write Off Debts	21 Dec 2012	New delegation	NEW 21 December 2021 Replaces DE3.4, DE3.7 & DE3.12	Nil
1.1.18 Defer, Grant Discounts, Waive or Write Off Debts	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
1.1.18 Defer, Grant Discounts, Waive or Write Off Debts	23 Jun 2026	Amended delegation	Adjusted to include the write-off of small rates balances and Policy F1 and F10.	Resolution # 140626
1.1.19 Power to Invest and Manage Investments	27 Jun 2023	Amended delegation	Replaces DE3-2	Resolution # 140623
1.1.19 Power to Invest and Manage Investments	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil

Delegation	Date	Type	Amendment	References
1.1.19 Power to Invest and Manage Investments	23 Jun 2026	Amended delegation	Sub delegates amended to include Manager Finance.	Resolution # 140626
1.1.20 Rate Record Amendment	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
1.1.20 Rate Record Amendment	23 Jun 2026	Amended delegation	Sub delegates amended to include Manager Finance.	Resolution # 140626
1.1.21 Agreement as to Payment of Rates and Service Charges	24 Oct 2016	New delegation	New – 24 October 2016	Nil
1.1.21 Agreement as to Payment of Rates and Service Charges	27 Nov 2017	Amended delegation	Amended – 27 November 2017	Nil
1.1.21 Agreement as to Payment of Rates and Service Charges	27 Jun 2023	Amended delegation	Replaces DE3-3	Resolution # 140623
1.1.21 Agreement as to Payment of Rates and Service Charges	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
1.1.21 Agreement as to Payment of Rates and Service Charges	28 Jul 2026	Amended delegation	Amended to include Policy F1 – Revenue Collection and increase sub delegation to include EMCCS.	Resolution # 150726
1.1.22 Determine Due Date for Rates or Service Charges	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
1.1.22 Determine Due Date for Rates or Service Charges	28 Jul 2026	Amended delegation	Wording was added to the Conditions to improve the delegation. Subdelegates amended to include EMCCS and Manager Finance.	Resolution # 150726
1.1.23 Recovery of Rates or Service Charges	24 Oct 2016	New delegation	New – 24 October 2016	Nil
1.1.23 Recovery of Rates or Service Charges	27 Nov 2017	Amended delegation	Amended – 27 November 2017	Nil
1.1.23 Recovery of Rates or Service Charges	27 Jun 2023	Amended delegation	Replaces DE3-8	Resolution # 140623
1.1.23 Recovery of Rates or Service Charges	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil

Delegation	Date	Type	Amendment	References
1.1.23 Recovery of Rates or Service Charges	23 Jun 2026	Amended delegation	Subdelegates amended to include EMCCS and Manager Finance.	Resolution # 140626
1.1.24 Recovery of Rates Debts – Require Lessee to Pay Rent	24 Oct 2016	New delegation	New – 24 October 2016	Nil
1.1.24 Recovery of Rates Debts – Require Lessee to Pay Rent	27 Nov 2017	Amended delegation	Amended – 27 November 2017	Nil
1.1.24 Recovery of Rates Debts – Require Lessee to Pay Rent	27 Jun 2023	Amended delegation	Replaces DE3-9	Resolution # 140623
1.1.24 Recovery of Rates Debts – Require Lessee to Pay Rent	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
1.1.24 Recovery of Rates Debts – Require Lessee to Pay Rent	23 Jun 2026	Amended delegation	Subdelegates amended to include Manager Finance.	Resolution # 140626
1.1.25 Rate Record – Objections	24 Oct 2016	New delegation	DE3-5 Adopted 18 April 2016; DE3-6 New 24 October 2016	Nil
1.1.25 Rate Record – Objections	27 Nov 2017	Amended delegation	Amended – 27 November 2017	Nil
1.1.25 Rate Record – Objections	27 Jun 2023	Amended delegation	Replaces DE3-5 and DE3-6	Resolution # 140623
1.1.25 Rate Record – Objections	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
1.1.26 Appoint Persons to Receive and Withdrawal of Complaints	23 Aug 2022	New delegation	NEW	Resolution # 150822
1.1.26 Appoint Persons to Receive and Withdrawal of Complaints	22 Aug 2023	Amended delegation	Aligned with WALGA template, missed in initial adoption of reviewed Delegations Register hence re-presented to Council for adoption	Resolution # 060823
1.1.26 Appoint Persons to Receive and Withdrawal of Complaints	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil

Delegation	Date	Type	Amendment	References
1.1.27 DAP – Engage Consultant to assist in preparing Responsible Authority Report	23 Jun 2026	New delegation	NEW	Resolution # 140626
1.2.1 Issuing of Licences, Approvals & Permits – Local Laws	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
2.1.1 Permit Authority (Local Government)	27 Jun 2023	Amended delegation	Amended - Replaces DE6-1	Resolution # 140623
2.1.1 Permit Authority (Local Government)	25 Jun 2024	Amended delegation	Addition of Executive Manager Infrastructure and Development Services as a Subdelegate. Wording in Record Keeping Section modified to improve clarity.	Nil
2.1.1 Permit Authority (Local Government)	24 Jun 2025	Amended delegation	Addition of Building Surveyor as sub-delegate	Resolution# 160625
2.1.1 Permit Authority (Local Government)	28 Jul 2026	Amended delegation	Wording of title modified to improve clarity. Removal of Manager Development Services and Building Surveyor as Subdelegates.	Resolution # 150726
2.1.2 Demolition Permits	27 Jun 2023	Amended delegation	Amended - Replaces DE6-1	Resolution # 140623
2.1.2 Demolition Permits	25 Jun 2024	Amended delegation	Addition of Executive Manager Infrastructure and Development Services as a Subdelegate. Wording in Record Keeping Section modified to improve clarity.	Nil
2.1.2 Demolition Permits	24 Jun 2025	Amended delegation	Addition of Building Surveyor as sub-delegate	Resolution# 160625
2.1.2 Demolition Permits	23 Jun 2026	Amended delegation	Removal of Manager Development Services and Building Surveyor as Subdelegates.	Resolution # 140626
2.1.3 Occupancy Permits or Building Approval Certificates	27 Jun 2023	Amended delegation	Amended - Replaces DE6-1	Resolution # 140623
2.1.3 Occupancy Permits or Building Approval Certificates	25 Jun 2024	Amended delegation	Addition of Executive Manager Infrastructure and Development Services as a Subdelegate. Wording in Record Keeping Section modified to improve clarity.	Nil

Delegation	Date	Type	Amendment	References
2.1.3 Occupancy Permits or Building Approval Certificates	24 Jun 2025	Amended delegation	Addition of Building Surveyor as sub-delegate	Resolution# 160625
2.1.3 Occupancy Permits or Building Approval Certificates	23 Jun 2026	Amended delegation	Removal of Manager Development Services and Building Surveyor as Subdelegates.	Resolution # 140626
2.1.4 Designate Employees as Authorised Persons	27 Jun 2023	Amended delegation	Amended - Replaces DE6-1	Resolution # 140623
2.1.4 Designate Employees as Authorised Persons	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
2.1.5 Building Orders	27 Jun 2023	Amended delegation	Amended - Replaces DE6-1	Resolution # 140623
2.1.5 Building Orders	25 Jun 2024	Amended delegation	Addition of Executive Manager Infrastructure and Development Services as a Subdelegate. Wording in Record Keeping Section modified to improve clarity.	Nil
2.1.5 Building Orders	24 Jun 2025	Amended delegation	Addition of Building Surveyor as sub-delegate	Resolution# 160625
2.1.5 Building Orders	23 Jun 2026	Amended delegation	Removal of Manager Development Services and Building Surveyor as Subdelegates.	Resolution # 140626
2.1.6 Inspection and Copies of Building Records	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
2.1.6 Inspection and Copies of Building Records	24 Jun 2025	Amended delegation	Addition of Building Surveyor as sub-delegate	Resolution# 160625
2.1.6 Inspection and Copies of Building Records	23 Jun 2026	Amended delegation	Removal of Manager Development Services and Building Surveyor as Subdelegates.	Resolution # 140626
2.1.7 Referrals and Issuing Certificates	27 Jun 2023	Amended delegation	Amended - Replaces DE6-1	Resolution # 140623
2.1.7 Referrals and Issuing Certificates	25 Jun 2024	Amended delegation	Addition of Executive Manager Infrastructure and Development Services as a Subdelegate. Wording in Record Keeping Section modified to improve clarity.	Nil

Delegation	Date	Type	Amendment	References
2.1.7 Referrals and Issuing Certificates	24 Jun 2025	Amended delegation	Addition of Building Surveyor as sub-delegate	Resolution# 160625
2.1.7 Referrals and Issuing Certificates	23 Jun 2026	Amended delegation	Removal of Manager Development Services and Building Surveyor as Subdelegates.	Resolution # 140626
2.1.8 Private Pool Barrier – Alternative and Performance Solutions	25 Jun 2024	Amended delegation	Addition of Executive Manager Infrastructure and Development Services as a Subdelegate. Wording in Record Keeping Section modified to improve clarity.	Nil
2.1.8 Private Pool Barrier – Alternative and Performance Solutions	24 Jun 2025	Amended delegation	Addition of Building Surveyor as sub-delegate	Resolution# 160625
2.1.8 Private Pool Barrier – Alternative and Performance Solutions	23 Jun 2026	Amended delegation	Removal of Manager Development Services and Building Surveyor as Subdelegates.	Resolution # 140626
2.1.9 Smoke Alarms – Alternative Solutions	25 Jun 2024	Amended delegation	Addition of Executive Manager Infrastructure and Development Services as a Subdelegate. Wording in Record Keeping Section modified to improve clarity.	Nil
2.1.9 Smoke Alarms – Alternative Solutions	24 Jun 2025	Amended delegation	Addition of Building Surveyor as sub-delegate	Resolution# 160625
2.1.9 Smoke Alarms – Alternative Solutions	23 Jun 2026	Amended delegation	Resolution # 140626	Resolution # 140626
2.1.10 Appointment of Approved Officers and Authorised Officers	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
3.1.1 Make Request to FES Commissioner - Control of Fire	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
3.1.2 Prohibited Burning Times - Vary	27 Jun 2023	Amended delegation	Replaces DE6-3	Resolution # 140623
3.1.2 Prohibited Burning Times - Vary	25 Jun 2024	Amended delegation	Replacement of Shire President with Chief Executive Officer as a Delegate. Wording in Record Keeping Section modified to improve clarity.	Nil
3.1.2 Prohibited Burning Times - Vary	23 Jun 2026	Amended delegation	Replacement of Chief Executive Officer with Shire President as a delegate as this function cannot be sub-delegated.	Resolution # 140626

Delegation	Date	Type	Amendment	References
3.1.3 Prohibited Burning Times – Control Activities	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
3.1.4 Restricted Burning Times – Vary and Control Activities	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
3.1.5 Control of Operations Likely to Create Bush Fire Danger	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
3.1.6 Burning Garden Refuse/Open Air Fires	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
3.1.7 Firebreaks	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
3.1.7 Firebreaks	23 Jun 2026	Amended delegation	Addition of Function 1.d.	Resolution # 140626
3.1.8 Appoint Bush Fire Control Officer/s and Fire Weather Officer	27 Jun 2023	Amended delegation	Amended – Replaces DE6-20	Resolution # 140623
3.1.8 Appoint Bush Fire Control Officer/s and Fire Weather Officer	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
3.1.9 Control and Extinguishment of Bush Fires	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
3.1.10 Recovery of Expenses Incurred through Contraventions of this Act	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
3.1.11 Prosecution of Offences	27 Jun 2023	Amended delegation	Amended - Replaces DE6-5	Resolution # 140623
3.1.11 Prosecution of Offences	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
4.1.1 Cat Registrations	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
4.1.1 Cat Registrations	23 Jun 2026	Amended delegation	Removal of Manager Development Services as a Subdelegate	Resolution # 140626
4.1.2 Cat Control Notices	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil

Delegation	Date	Type	Amendment	References
4.1.2 Cat Control Notices	23 Jun 2026	Amended delegation	Removal of Manager Development Services as a Subdelegate.	Resolution # 140626
4.1.3 Recovery of Costs – Destruction of Cats	25 Jun 2024	Amended delegation	Addition of Manager Development Services as a Subdelegate. Wording in Record Keeping Section modified to improve clarity.	Nil
4.1.3 Recovery of Costs – Destruction of Cats	23 Jun 2026	Amended delegation	Removal of Manager Development Services as a Subdelegate. Add Ranger as a Subdelegate.	Resolution # 140626
4.1.4 Applications to Keep Additional Cats	25 Nov 2019	New delegation	New – 25 November 2019	Nil
4.1.4 Applications to Keep Additional Cats	22 Dec 2022	Amended delegation	Amended – 22 December 2020	Nil
4.1.4 Applications to Keep Additional Cats	27 Jun 2023	Amended delegation	Replaced DE6-19	Resolution # 140623
4.1.4 Applications to Keep Additional Cats	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
4.1.4 Applications to Keep Additional Cats	23 Jun 2026	Amended delegation	Removal of Manager Development Services as a Subdelegate	Resolution # 140626
4.1.5 Approval to Breed Cats	28 Jul 2026	New delegation	NEW	Resolution # 150726
5.1.1 Refuse or Cancel Registration	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
5.1.2 Recovery of Moneys Due Under this Act	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
5.1.3 Dispose of or Sell Dogs Liable to be Destroyed	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
5.1.3 Dispose of or Sell Dogs Liable to be Destroyed	23 Jun 2026	Amended delegation	Removal of Manager Development Services as a Subdelegate.	Resolution # 140626
5.1.4 Declare Dangerous Dog	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
5.1.5 Dangerous Dog Declared or Seized – Deal with Objections and Determine when to Revoke	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil

Delegation	Date	Type	Amendment	References
5.1.6 Deal with Objection to Notice to Revoke Dangerous Dog Declaration or Destruction Notice	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
5.1.7 Determine Recoverable Expenses for Dangerous Dog Declaration	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
5.1.8 Approval to Keep More than Two Dogs	24 Oct 2016	New delegation	NEW – 24 October 2016	Nil
5.1.8 Approval to Keep More than Two Dogs	27 Nov 2017	Amended delegation	Amended – 27 November 2017	Nil
5.1.8 Approval to Keep More than Two Dogs	22 Dec 2020	Amended delegation	Amended – 22 December 2020	Nil
5.1.8 Approval to Keep More than Two Dogs	27 Jun 2023	Amended delegation	Replaces DE6-13	Resolution # 140623
5.1.8 Approval to Keep More than Two Dogs	25 Jun 2024	Amended delegation	Addition of Manager Development Services as a Subdelegate. Wording in Record Keeping Section modified to improve clarity.	Nil
5.1.8 Approval to Keep More than Two Dogs	23 Jun 2026	Amended delegation	Removal of Manager Development Services as a Subdelegate.	Resolution # 140626
6.1.1 Prohibition Orders and Certificates of Clearance	27 Jun 2023	Amended delegation	Replaces DE6-7	Resolution # 140623
6.1.1 Prohibition Orders and Certificates of Clearance	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
6.1.1 Prohibition Orders and Certificates of Clearance	24 Jun 2025	Amended delegation	Change of delegate title to Principal Environmental Health Officer (from Environmental Health Officer)	Resolution# 160625
6.1.1 Prohibition Orders and Certificates of Clearance	23 Jun 2026	Amended delegation	Title renaming to include Certificates of Clearance.	Resolution # 140626
6.1.2 Food Business Registrations	18 Apr 2016	New delegation	Adopted – 18 April 2016	Nil
6.1.2 Food Business Registrations	27 Nov 2017	Amended delegation	Amended – 27 November 2017	Nil

Delegation	Date	Type	Amendment	References
6.1.2 Food Business Registrations	27 Jun 2023	Amended delegation	Replaces DE6-7	Resolution # 140623
6.1.2 Food Business Registrations	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
6.1.2 Food Business Registrations	24 Jun 2025	Amended delegation	Change of delegate title to Principal Environmental Health Officer (from Environmental Health Officer)	Resolution# 160625
6.1.3 Appoint Authorised Officers and Designated Officers	18 Apr 2016	New delegation	Reviewed & Adopted – 18 April 2016 – Replaces DE-17	Nil
6.1.3 Appoint Authorised Officers and Designated Officers	27 Nov 2017	Amended delegation	Amended – 27 November 2017	Nil
6.1.3 Appoint Authorised Officers and Designated Officers	27 Jun 2023	Amended delegation	Replaces DE6-6	Resolution # 140623
6.1.3 Appoint Authorised Officers and Designated Officers	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
7.1.1 Give Notice Requiring Obliteration of Graffiti	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
7.1.2 Notices – Deal with Objections and Give Effect to Notices	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
7.1.3 Obliterate Graffiti on Private Property	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
7.1.4 Powers of Entry	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
8.1.1 Powers of Local Government – Appointment of Deputy	24 Oct 2016	New delegation	New – 24 October 2016	Nil
8.1.1 Powers of Local Government – Appointment of Deputy	27 Nov 2017	Amended delegation	Amended – 27 November 2017	Nil
8.1.1 Powers of Local Government – Appointment of Deputy	27 Jun 2023	Amended delegation	Replaces DE6-14	Resolution # 140623

Delegation	Date	Type	Amendment	References
8.1.1 Powers of Local Government – Appointment of Deputy	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
8.1.1 Powers of Local Government – Appointment of Deputy	24 Jun 2025	Amended delegation	Update to title of Shire of York Health Local Law	Resolution# 160625
9.1.1 Appoint Authorised Officer or Approved Officer (Asbestos Regs)	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
9.1.2 Enforcement Agency Reports to the Chief Health Officer	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
9.1.2 Enforcement Agency Reports to the Chief Health Officer	24 Jun 2025	Amended delegation	Change in delegate title to Principal Environmental Health Officer (from Environmental Health Officer)	Resolution# 160625
9.1.3 Designate Authorised Officers	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil
10.1.1 Town Planning Matters	22 Apr 2003	New delegation	22 April 2003	Nil
10.1.1 Town Planning Matters	1 May 2004	Amended delegation	Endorsed Reviewed - May 2004	Nil
10.1.1 Town Planning Matters	1 Jul 2004	Amended delegation	Reviewed & Amended - July 2005	Nil
10.1.1 Town Planning Matters	19 Jul 2004	Amended delegation	Endorsed - 19 July 2004	Nil
10.1.1 Town Planning Matters	18 Jul 2005	Amended delegation	Endorsed - 18 July 2005	Nil
10.1.1 Town Planning Matters	23 Jan 2006	Amended delegation	Amended & Endorsed - 23 January 2006	Nil
10.1.1 Town Planning Matters	18 Jun 2007	Amended delegation	Endorsed - 18 June 2007	Nil
10.1.1 Town Planning Matters	24 Oct 2016	Amended delegation	Reviewed – 24 October 2016 (replaces DE5)	Nil
10.1.1 Town Planning Matters	27 Nov 2017	Amended delegation	Amended – 27 November 2017	Nil
10.1.1 Town Planning Matters	25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	Nil

Delegation	Date	Type	Amendment	References
10.1.1 Town Planning Matters	24 Jun 2025	Amended delegation	Significant rewrite of delegation. Inclusion of Manager Development Services as sub-delegate.	Resolution# 160625
10.1.1 Town Planning Matters	23 Jun 2026	Repealed	Full delegation omitted from Delegation register in annual review.	Resolution # 140626
10.1.1 Town Planning Matters	28 Jul 2026	Amended delegation	Reinstated delegation.	Resolution # 150726