



**SHIRE OF IRWIN**  
DONGARA-PORT DENISON

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A BRILLIANT BLEND

**Shire of Irwin**

**Register of Delegations - Council to CEO**

May 2019

## Document Control

Document No.	Date Originated	Previous Version	
Revision No.	Date Reviewed	Adopted by Council - Date	Adopted by Council – Minute Ref
		27 May 2008	CEO.356
		28 April 2009	CEO.414
		27 April 2010	CEO.446
		28 June 2011	CEO.462
		26 June 2012	CEO.476
		25 June 2013	130613
		27 May 2014	130514
		23 June 2015	090615
		28 June 2016	110616
		27 June 2017	130617
		26 June 2018	070618
Rev0		28 May 2019	050519

## Amendments

Details of amendments	Reviewed/Amended Date	Reference
Review of Delegations Register – Council to CEO	May 2019	NCR198741

## Table of Contents

CEO1 – To Call Tenders	3
CEO2 – Firebreaks & Restricted Burning Dates	4
CEO3 – Payment Authorisation	5
CEO4 – Strata Title Approvals	6
CEO5 – Temporary Road Closure	7
CEO6 – Home Occupation Renewals	8
CEO7 – Subdivision Clearance Approvals	9
CEO8 – Approval / Refusal of Development Application	10
CEO9 – Power of Entry in an Emergency	11
CEO11 – Subdivision Referrals from WAPC	12
CEO12 – Authority to Invest	13
CEO13 – Writing Off Minor Outstanding Amounts	14
CEO14 – Authority to Appoint an Acting Chief Executive Officer	15
CEO15 – Appointment of Authorised Persons	16
CEO16 – Administration of Local Laws	18
CEO17 – Powers Under the Dog Act	19
CEO18 – Powers Under the Cat Act	20
CEO19 – Powers Under the Bush Fire Act	21
CEO20 – Trust Fund	22
CEO21 – Food Business Registrations	23
CEO22 – Appoint Authorised Officers and Designated Officers (Food Act 2008)	24
STAFF1 – Powers and Duties (Health Act 2016)	25
DELEGATIONS FROM COUNCIL MEETINGS (ONE-OFF)	26

## **CEO1 – To Call Tenders**

### **OBJECTIVE**

To expedite the calling of Tenders.

### **DELEGATION**

**That Council delegates authority to the Chief Executive Officer the power to call Tenders of a kind prescribed within the Tender Regulations under which another person is to supply goods and/or services.**

### **AUTHORITY**

#### ***Local Government Act 1995:***

s.3.57 Tenders for providing goods or services

#### ***Local Government (Functions and General) Regulations 1996:***

r.11 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

### **SUPPORTING DOCUMENTS**

F1 Local Purchasing Policy

F2 Purchasing Policy

Tender Checklist

<i>Date of Adoption – 28 June 2016</i>	<i>Minute No 110616</i>
<i>Reviewed 28/06/18</i>	<i>No amendments</i>
<i>Last reviewed 28/05/19</i>	<i>No amendments</i>

## **CEO2 – Firebreaks & Restricted Burning Dates**

### **OBJECTIVE**

To assist with the prevention and control of bushfires.

### **DELEGATION**

**That Council delegates authority to the Chief Executive Officer the power to vary the requirements for the construction of firebreaks, the restricted burning period, and the issue of permits for burning on land within the Shire of Irwin.**

### **AUTHORITY**

#### ***Bush Fires Act 1954:***

s.48 Delegation by local government

<i>Date of Adoption – 28 June 2016</i>	<i>Minute No 110616</i>
<i>Reviewed 28/06/18</i>	<i>No amendments</i>
<i>Last reviewed 28/05/19</i>	<i>No amendments</i>

## **CEO3 – Payment Authorisation**

### **OBJECTIVE**

To ensure continuity of payments and to streamline the financial control process.

### **DELEGATION**

**That Council delegates its authority and power to the Chief Executive Officer to make payments from the Municipal Fund and Trust Fund provided:**

- 1. Authority to make payments is subject to annual budget limitations.**
- 2. A list of payments made is presented to Council, in accordance with Financial Management Regulation 13.**
- 3. All payments are signed by two authorised signatories.**
- 4. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.**

### **AUTHORITY**

***Local Government (Financial Management) Regulations 1996:***

r.12(1)(a) Payments from municipal fund or trust fund, restrictions on making

### **SUPPORTING DOCUMENTS**

Payment Authority and Limits

### **CEO DELEGATION TO OTHER STAFF**

ON9 Payment Authorisation

*Date of Last Amendment/Adoption - 26 February 2019*  
*Reviewed 26/06/18*  
*Last amendment/adoption 28/06/16*  
*Last reviewed 28/05/19*

*Minute No 090219*  
*Included Coordinator Finance as per NFM187837*  
*Minute No 110616*  
*No amendments*

## **CEO4 – Strata Title Approvals**

### **OBJECTIVE**

To expedite the issue of Titles.

### **DELEGATION**

**The Chief Executive Officer is authorised to approve strata applications for strata titles, and to sign the strata title certificates.**

### **AUTHORITY**

#### ***Strata Titles Act:***

s.25 - Certificate of Commission

<i>Date of Adoption – 28 June 2016</i>	<i>Minute No 110616</i>
<i>Reviewed 26/06/18</i>	<i>No amendments</i>
<i>Last reviewed 28/05/19</i>	<i>No amendments</i>

## CEO5 – Temporary Road Closure

### OBJECTIVE

To minimise damage to roads.

### DELEGATION

The Chief Executive Officer is delegated authority;

- a) To temporarily close a road or thoroughfare to vehicles;
  - i) In cases of emergency;
  - ii) Where, in the opinion of the CEO that, due to adverse weather conditions it is likely that a thoroughfare could 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; and
  - iv) Where the local government is undertaking repair and maintenance works to a thoroughfare,

Subject to having regard for the requirements of sections 3.50 and 3.50A of the Local Government Act 1995 and for clauses 4, 5 and 6 of the Local Government (Functions and General) Regulations 1996.

- b) To revoke an order to close a road or thoroughfare subject to the provisions of section 3.50(6) of the Local Government Act 1995.

### AUTHORITY

#### **Local Government Act 1995:**

s.3.50 Closing certain thoroughfares to vehicles

s.3.50A Partial closure of thoroughfare for repairs or maintenance

### CEO DELEGATION TO OTHER STAFF

ON1 Temporary Road Closure

*Date of Adoption – 28 June 2016*

*Reviewed 26/06/18*

*Last reviewed 28/05/19*

*Minute No 110616*

*No amendments*

*No amendments*



## **CEO6 – Home Occupation Renewals**

### **OBJECTIVE**

To expedite the issue of Home Occupation Renewals.

### **DELEGATION**

**The Chief Executive Officer is delegated authority to approve Home Occupation Renewals, at an existing address, where no complaints have been raised against the operation of such during the preceding twelve (12) month period.**

### **AUTHORITY**

#### ***Shire of Irwin Local Planning Scheme 5 c11.3.1***

The local government may delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the Scheme, other than this power of delegation.

### **CEO DELEGATION TO OTHER STAFF**

ON2 Home Occupation Renewals

<i>Date of Adoption – 28 June 2016</i>	<i>Minute No 110616</i>
<i>Reviewed 26/06/18</i>	<i>No amendments</i>
<i>Last reviewed 28/05/19</i>	<i>No amendments</i>

## **CEO7 – Subdivision Clearance Approvals**

### **OBJECTIVE**

To expedite the issue of Subdivision Clearance Approvals to enable applicants to finalise their land subdivision.

### **DELEGATION**

**The Chief Executive Officer is delegated authority to issue Subdivision Clearance Approvals where all conditions of the Subdivision Approval have been completed in compliance with the Local Planning Scheme, Council Policy and Local Laws.**

### **AUTHORITY**

#### ***Shire of Irwin Local Planning Scheme 5 c11.3.1***

The local government may delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the Scheme, other than this power of delegation.

### **CEO DELEGATION TO OTHER STAFF**

ON3 Subdivision Clearance Approvals

*Date of Adoption – 28 June 2016  
Reviewed 26/06/18  
Last reviewed 28/05/19*

*Minute No 110616  
No amendments  
No amendments*

## CEO8 – Approval / Refusal of Development Application

### OBJECTIVE

To streamline the procedure for processing Development Applications.

### DELEGATION

In the case of development applications involving use which is classified as “P” or “D” use in the Local Planning Scheme text, the Chief Executive Officer has delegated authority in accordance with Clause 11.3 of Local Planning Scheme No 5 to approve such applications subject to relevant conditions if necessary, providing they are not considered contentious.

In the case of development applications involving a use which is classified as “A” use in the Scheme text, the Chief Executive Officer has delegated authority to approve each application subject to the application being advertised in accordance with the Scheme, no substantive objections being received and where it is not considered contentious in doing so.

The Chief Executive Officer has delegated authority to refuse development applications in cases where such applications do not comply with the provisions of the Scheme and could not comply without significantly altering the proposal.

The Chief Executive Officer has delegated authority to consider and determine applications for patios, pergolas, verandas, car ports, shade structures and/or other minor additions in all zones provided that, where appropriate, advertising/consultation with likely affected adjoining landowners has been undertaken and submissions adequately addressed.

All approvals and refusals processed shall be submitted to Council for information.

### AUTHORITY

#### *Shire of Irwin Local Planning Scheme 5, s11.3*

The local government may delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the Scheme, other than this power of delegation.

### CEO DELEGATION TO OTHER STAFF

ON4 Approval / Refusal of Development Applications

ON8 Approval of Development Applications for Single Houses and Outbuildings

*Date of Adoption – 28 June 2016  
Reviewed 26/06/18  
Last reviewed 28/05/19*

*Minute No 110616  
No amendments  
Amended to better reflect the current development application process under Local Planning Scheme No 5.*

## **CEO9 – Power of Entry in an Emergency**

### **OBJECTIVE**

To provide authority for the CEO to deal with emergency situations.

### **DELEGATION**

**That Council delegates to the Chief Executive Officer its authority and power to use reasonable force to enter any land, premises, or thing immediately and without notice and to perform any of the Council’s functions as they consider to be appropriate to deal with any determined emergency.**

### **AUTHORITY**

***Local Government Act 1995:***

s.3.34 Entry in an emergency

*Date of Adoption – 28 June 2016*

*Reviewed 26/06/18*

*Last reviewed 28/05/19*

*Minute No 110616*

*No amendments*

*No amendments*

## CEO11 – Subdivision Referrals from WAPC

### OBJECTIVE

To provide authority for the CEO to deal with basic subdivision referrals from the WA Planning Commission.

### DELEGATION

That Council delegates authority to the CEO to respond to applications for subdivision/amalgamation/strata title referred by the Western Australian Planning Commission which are for five lots or less and satisfy the following:

1. The application is in accordance with the provisions of the Local Planning Scheme.
2. Where the application is subject to a Structure Plan or Overall Development Plan endorsed by Council, is generally in accordance with that plan.
3. The application will not have adverse impacts on adjoining landowners and is in accordance with the orderly and proper planning of the area.
4. The application is for an amended proposal where the previous conditions still apply.
5. Any proposed conditions of approval are of a standard nature and are not considered contentious.

Any application for subdivision/amalgamation/strata title which is not recommended to be supported, shall be reported to Council.

### AUTHORITY

#### *Shire of Irwin Local Planning Scheme 5, s11.3*

The local government may delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the Scheme, other than this power of delegation.

### CEO DELEGATION TO OTHER STAFF

ON5 Subdivision Referrals from WAPC

*Date of Adoption – 28 June 2016  
Reviewed 26/06/18  
Last reviewed 28/05/19*

*Minute No 110616  
No Amendments  
Amendment: increased number of lots from three to five.*

## **CEO12 – Authority to Invest**

### **OBJECTIVE**

To maximise the return on the investment of Council funds.

### **DELEGATION**

**That Council delegates authority to invest Council funds, in accordance with policy *Management of Investments*, on behalf of the Council.**

### **AUTHORITY**

#### ***Local Government Act 1995:***

s.6.14 Power to invest

#### ***Local Government (Financial Management) Regulations 1996:***

r.19 Investments, control procedures for

### **SUPPORTING DOCUMENTS**

F4 Management of Investments Policy

### **CEO DELEGATION TO OTHER STAFF**

[ON7 Authority to Invest](#)

*Date of Adoption – 28 June 2016*  
*Reviewed 26/06/18*  
*Last reviewed 28/05/19*

*Minute No 110616*  
*No Amendments*  
*No Amendments*

## **CEO13 – Writing Off Minor Outstanding Amounts**

### **OBJECTIVE**

To provide authority to the Chief Executive Officer to write off minor amounts in the course of ordinary business.

### **DELEGATION**

**That Council delegates authority to the Chief Executive Officer to write off outstanding amounts up to the value of \$300.**

### **AUTHORITY**

Local Government Act 1995 s5.42

*Date of Adoption – 28 June 2016*

*Reviewed 26/06/18*

*Last reviewed 28/05/19*

*Minute No 110616*

*No Amendments*

*No Amendments*

## **CEO14 – Authority to Appoint an Acting Chief Executive Officer**

### **OBJECTIVE**

To delegate authority to the Chief Executive Officer to be able to make appointments to the position of Acting Chief Executive Officer during periods of absence not exceeding thirty-five (35) days.

### **DELEGATION**

**That Council delegates authority to the Chief Executive Officer the power to make appointments to the position of Acting Chief Executive Officer based on:**

- a) The Shire employee that is designated a ‘Senior Employee’ by the Local Government Act 1995; and**
- b) Appointments being for no longer than thirty-five (35) days, with all other appointments to the position of Acting Chief Executive Officer referred to the Council for determination.**

### **AUTHORITY**

#### ***Local Government Act 1995***

s5.36, 5.37, 5.39, 5.42 and 5.43

*Date of Adoption – 28 June 2016*

*Reviewed 26/06/18*

*Last reviewed 28/05/19*

*Minute No 110616*

*Removed reference to ‘Director’*

*No Amendments*



## **CEO15 – Appointment of Authorised Persons**

### **OBJECTIVE**

To delegate Council's authority and power to the Chief Executive Officer to appoint authorised persons.

### **DELEGATION**

**That Council delegates any of its powers or the discharge of any of its duties under the Local Government Act 1995 and any other relevant Acts or Regulations that can legally be delegated to the Chief Executive Officer, subject to a Schedule of Authorised Persons being submitted to Council for annual review.**

### **AUTHORITY**

#### ***Local Government Act 1995 and related Regulations***

5.42. Delegation of some powers and duties to CEO

#### ***Building Act 2011 and Building Regulations 2012***

96. Authorised persons

#### ***Bushfires Act 1954***

59. Prosecution of offences

#### ***Cat Act 2011 and Cat Regulations 2012***

48. Authorised persons

#### ***Caravan Park and Camping Grounds Act 1995***

17. Appointment of authorised person

#### ***Control of Vehicles (Off-road Areas) Act 1978***

38. Authorised officers, who are, functions of etc.

#### ***Dog Act 1976 and Dog Regulations 2013***

10AA. Delegation of local government powers and duties

#### ***Food Act 2008 and Food Regulations 2009***

122. Appointment of authorised officers

#### ***Fines Penalties and Infringement Notices and Enforcement Act 1994***

13. Approved prosecuting authorities and officers

#### ***Freedom of Information Act 1992 and Freedom of Information Regulations 1993***

#### ***Public Health Act 2016***

16. Powers of local government

#### ***Liquor Control Act 1988***

39. Certificate of local government as to whether premises comply with laws

## **SUPPORTING DOCUMENTS**

### Schedule of Authorised Persons

*Date of Adoption – 28 June 2016*  
*Reviewed 26/06/18*  
*Last reviewed 28/05/19*

*Minute No 110616*  
*Updated version to Public Health Act 2016*  
*No amendments*

## **CEO16 – Administration of Local Laws**

### **OBJECTIVE**

To delegate Council’s authority and power to the Chief Executive Officer to administer its Local Laws, subject to regard being taken of sections 9.1(1) and 9.4 of the Local Government Act 1995.

### **DELEGATION**

**That Council delegates its powers to the Chief Executive Officer of the Shire of Irwin to administer its Local Laws, subject to regard being taken of sections 9.1(1) and 9.4 of the Local Government Act 1995.**

### **AUTHORITY**

#### ***Local Government Act 1995***

3.18. Performing executive functions

*Date of Adoption – 28 June 2016*

*Reviewed 26/06/18*

*Last reviewed 28/05/19*

*Minute No 110616*

*No amendments*

*No amendments*

## **CEO17 – Powers Under the Dog Act**

### **OBJECTIVE**

To delegate any of council's powers and any of its duties under any provision of the Dog Act 1976 and Dog Regulations 2013.

### **DELEGATION**

**That Council resolves to delegate any of Council's powers or the discharge of any of its duties under any provision of the Dog Act 1976 and Dog Regulations 2013 to the Chief Executive Officer of the Shire of Irwin, including the appointment of authorised persons for the purposes of this Act.**

### **AUTHORITY**

#### ***Dog Act 1976***

10AA. Delegation of local government powers and duties

### **SUPPORTING DOCUMENTS**

Schedule of Authorised Persons

*Date of Adoption – 28 June 2016*  
*Reviewed 26/06/18*  
*Last reviewed 28/05/19*

*Minute No 110616*  
*No amendments*  
*No amendments*

## **CEO18 – Powers Under the Cat Act**

### **OBJECTIVE**

To delegate any of council's powers and any of its duties under any provision of the Cat Act 2011 and Cat Regulations 2012.

### **DELEGATION**

**That Council resolves to delegate any of Council's powers or the discharge of any of its duties under any provision of the Cat Act 2011 and Cat Regulations 2012 to the Chief Executive Officer of the Shire of Irwin, including the appointment of authorised persons for the purposes of this Act.**

### **AUTHORITY**

#### ***Cat Act 2011***

s44 Delegation by local government

### **SUPPORTING DOCUMENTS**

Schedule of Authorised Persons

*Date of Adoption – 28 June 2016*

*Reviewed 26/06/18*

*Last reviewed 28/05/19*

*Minute No 110616*

*No amendments*

*No amendments*

## **CEO19 – Powers Under the Bush Fire Act**

### **OBJECTIVE**

To delegate any of council's powers and any of its duties under any provision of the Bush Fires Act 1954 and Bush Fires Regulations 1954.

### **DELEGATION**

**That Council resolves to delegate any of Council's powers or the discharge of any of its duties under any provision of the Bush Fires Act 1954 and Bush Fires Regulations 1954 to the Chief Executive Officer of the Shire of Irwin, including the appointment of authorised persons for the purposes of this Act.**

### **AUTHORITY**

#### ***Bush Fires Act 1954***

s48 Delegation by local government

### **SUPPORTING DOCUMENTS**

Schedule of Authorised Persons

<i>Date of Original Adoption – 28 June 2016</i>	<i>Minute No 110616</i>
<i>Reviewed 26/06/18</i>	<i>No amendments</i>
<i>Last reviewed 28/05/19</i>	<i>No amendments</i>

Delegation	
<b>CEO20 – Trust Fund</b>	
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> Section 6.9(4) Trust fund
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	(4) Where money has been held in the trust fund for 10 years it may be transferred by the local government to the municipal fund but the local government is required to repay the money, together with any interest earned from its investment, from that fund to a person claiming and establishing a right to the repayment.
<b>Council Conditions on this Delegation:</b>	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Refer to Register of Delegation – CEO to Employees

<b>Date of Adoption:</b>		<b>Adoption Ref:</b>	
<b>Date of Review:</b>			
<b>Responsible Directorate:</b>	Council		
<b>Legislation:</b>	Local Government Act 1995		
<b>Related Local Laws, Policies and/or Procedure:</b>	Local Government (Administration) Regulations 1996 – regulation 19		

Delegation	
<b>CEO21 – Food Business Registrations</b>	
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express Power or Duty Delegated:</b>	<i>Food Act 2008:</i> s.110(1) and (5) Registration of food business s.112 Variation of conditions or cancellation of registration of food businesses
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>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)].</li> <li>2. Authority to vary the conditions or cancel the registration of a food business [s.112].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to: <ul style="list-style-type: none"> <li>• Food Act 2008 Regulatory Guideline No.1 Introduction of Regulatory Food Safety Auditing in WA</li> <li>• Food Unit Fact Sheet 8 – Guide to Regulatory Guideline No.1</li> <li>• WA Priority Classification System</li> <li>• Verification of Food Safety Program Guideline</li> </ul> </li> <li>b. This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.</li> </ol>

<b>Express Power to Sub-Delegate:</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.
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<b>Date of Adoption:</b>		<b>Adoption Ref:</b>	
<b>Date of Review:</b>			
<b>Responsible Directorate:</b>	Council		
<b>Legislation:</b>	Local Government Act 1995, Food Act 2008		
<b>Related Local Laws, Policies and/or Procedure:</b>			



Delegation	
<b>CEO22 – Appoint Authorised Officers and Designated Officers</b>	
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express Power or Duty Delegated:</b>	<i>Food Act 2008:</i> s.122(1) Appointment of authorised officers s.126(6), (7) and (13) Infringement Officers
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to appoint a person to be an authorised officer for the purposes of the Food Act 2008 [s.122(2)].</li> <li>2. Authority to appoint an Authorised Officer appointed under s.122(2) of this Act or the s.24(1) of the <i>Public Health Act 2016</i>, to be a Designated Officer for the purposes of issuing Infringement Notices under the <i>Food Act 2008</i> [s.126(13)].</li> <li>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)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to: <ul style="list-style-type: none"> <li>• Appointment of Authorised Officers as Meat Inspectors</li> <li>• Appointment of Authorised Officers</li> <li>• Appointment of Authorised Officers – Designated Officers only</li> <li>• Appointment of Authorised Officers – Appointment of persons to assist with the discharge of duties of an Authorised Officer</li> </ul> </li> <li>b. This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.</li> </ol>

<b>Express Power to Sub-Delegate:</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.
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<b>Date of Adoption:</b>		<b>Adoption Ref:</b>	
<b>Date of Review:</b>			
<b>Responsible Directorate:</b>	Council		
<b>Legislation:</b>	Local Government Act 1995, Food Act 2008		
<b>Related Local Laws, Policies and/or Procedure:</b>			

## STAFF1 – Powers and Duties (Health Act 2016)

### OBJECTIVE

To authorise the Manager Regulatory Services and Environmental Health Officer to implement provisions of the Public Health Act 2016.

### DELEGATION

**That Council delegates its authority and powers to the Manager Regulatory Services and Environmental Health Officer the capacity to be its deputy, and in the capacity to exercise and discharge all or any of the powers and functions of the local government.**

### AUTHORITY

Public Health Act 2016

*Please note that s.21 of the Public Health Act 2016 provides that powers may only be delegated to the CEO **OR** an Authorised Officer designated under s.24.*

*Date of Amendment/Adoption – 28 June 2016  
Reviewed 26/06/18  
Last reviewed 28/05/19*

*Minute No 110616  
Updated version to 'Public Health Act 2016'  
Added note under Authority.*

**DELEGATIONS FROM COUNCIL MEETINGS (ONE-OFF)**

DATE	DELEGATION DETAILS	MINUTE / RECORD #
20/10/2015	Shire President delegates authority to Darren Simmons, CEO to speak on behalf of and represent the views of the Council to the media and other third parties as appropriate – expires 19 October 2017 (in accordance with section 5.42(f) LGA)	NCR153048
25/10/2016	Determination in regards to development application P102-10/16 Proposed Single Dwelling, Outbuilding (shed), retaining walls and site works (fill), 45 Seahorse Loop	051016
26/02/2019	CEO3 – Amendment to Payment Authorisation Delegation	090219