



DELEGATIONS REGISTER

(Adopted 18 October 2018)

REVIEW		
Reviewed By	Outcome	Date Approved Date of Adoption /Resolution Number
Council	Review of authority delegated by Council	16 June 2015 73/15
Council	Review of authority delegated by Council	20 September 2016 75/16

ADMINISTRATIVE DELEGATIONS

DELEGATION NUMBER	A-1
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LEGISLATIVE POWER	LGA 1995 Section 5.42
DELEGATION SUBJECT	Disputes, Arbitration and Industrial
DELEGATE	Chief Executive Officer

The Chief Executive Officer is delegated authority to provide Shire's Industrial Relations Service supplier with consent to act on the Shire's behalf in any matter regarding disputes with employees of the Shire of Boddington.

GUIDELINES	Nil
ON DELEGATION	Nil

DELEGATION NUMBER	A-2
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LEGISLATIVE POWER	LGA 1995 Section 5.42
DELEGATION SUBJECT	Legal Advice
DELEGATE	Chief Executive Officer

The Chief Executive Officer is delegated authority to obtain from an appropriate solicitor, such legal advice, assistance and opinions as the Chief Executive Officer deems necessary in the exercise of the management of the Shire of Boddington.

GUIDELINES	This delegation is subject to sufficient provision having been made in the Shire's budget for any expenses to be incurred.
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ON DELEGATION	Nil
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DELEGATION NUMBER	A-3
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LEGISLATIVE POWER	LGA 1995 Section 5.42
DELEGATION SUBJECT	Appointment of Staff
DELEGATE	Chief Executive Officer

The appointment and termination of Shire Employees can only be confirmed by:

<u>Position</u>	<u>Office</u>
Chief Executive Officer	Council
Director Corporate and Community Services	Chief Executive Officer on recommendation to Council

GUIDELINES	All appointments and resignations will be advised to Council at the first opportunity.
ON DELEGATION	Nil

ADMINISTRATIVE DELEGATIONS

DELEGATION	A-4
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LEGISLATIVE POWER	LGA 1995 Section 5.42
DELEGATION SUBJECT	Authorisation to Appoint Acting Chief Executive Officer
DELEGATE	Chief Executive Officer

That the Chief Executive Officer be authorised to appoint any of the Senior Executive Managers to be Acting Chief Executive Officer during the absence of the Chief Executive Officer as and when required subject to the Council being provided with prior notice when possible, or as soon as practicable.

GUIDELINES	In the event that the Chief Executive Officer cannot delegate the appointment of the Acting Chief Executive Officer position, Council will authorise the appointment.
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The appointment by the Chief Executive Officer or Council is to be in writing.

ON DELEGATION	Nil
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DELEGATION	A-5
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LEGISLATIVE POWER	LGA 1995 Section 5.42, Section 9.10
DELEGATION SUBJECT	Enforcement and Legal Proceedings
DELEGATE	Chief Executive Officer

The Chief Executive Officer is delegated authority to:

1. Appoint persons to initiate prosecutions on behalf of Council under the:
 - Building Regulations (1989);
 - Bush Fires Act 1954;
 - Caravan Parks and Camping Grounds Act (1995);
 - Council's Local Laws;
 - Dog Act 1976;
 - Cat Act 2011;
 - Health Act (1911) and regulations promulgated thereunder;
 - Food Standards Code;
 - Local Government Act (1995); and
 - Local Government (Miscellaneous Provisions) Act (1960);
2. Appoint persons or classes of persons to be authorised for the purposes of performing particular functions as specified by the Chief Executive Officer. The appointments being those referred to in Section 9.10 of the Local Government Act 1995.

GUIDELINES	Nil
ON DELEGATION	Nil

ADMINISTRATIVE DELEGATIONS

DELEGATION NUMBER	A-6
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LEGISLATIVE POWER	LGA 1995 Section 5.42
DELEGATION SUBJECT	Signing Documents
DELEGATE	Chief Executive Officer

The Chief Executive Officer is delegated authority to:

1. Execute a document on behalf of the Shire where there is a requirement for the document to be executed as a deed, pursuant to s9.49A (5) of the Act.
2. Affix the Council's Common Seal to documents, pursuant to s9.49A(2) of the Act; and
3. Sign documents on behalf of the local government for all matters arising under delegated authority given by the Council under s5.42 and s9.49A(4) of the Act and generally as is necessary or appropriate in reasonably carrying out his or her function under the Act or under any written law.

GUIDELINES Nil.

ON DELEGATION In accordance with Section 5.43(ha) of the Act the Chief Executive Officer, or Acting Chief Executive Officer, appointed in writing, is NOT authorised to delegate this function.

DELEGATION	A-7
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LEGISLATIVE POWER	LGA 1995 Section 5.42, Section 3.39 -3.48
DELEGATION SUBJECT	Impounding Goods
DELEGATE	Chief Executive Officer

The Chief Executive Officer is delegated authority to exercise all of the powers and duties of the local government in respect to the powers contained in Section 3.39 to 3.48 inclusive of the Local Government Act 1995.

GUIDELINES Nil

ON DELEGATION Director Corporate and Community Services,
Principal Environmental Health Officer/
Building Surveyor, Works Manager and
Ranger

BUILDING DELEGATIONS

DELEGATION NUMBER	B-1
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LEGISLATIVE POWER	Building Act 2011 Sections 20, 22, 127
DELEGATION SUBJECT	Building Permit
DELEGATE	Chief Executive Officer

The Chief Executive Officer is delegated authority to approve or refuse plans and specifications submitted under Section 20 of the Building Act.

GUIDELINES	Nil
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ON DELEGATION	Principal	Environmental	Health
	Officer/Building Surveyor		

DELEGATION NUMBER	B-2
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LEGISLATIVE POWER	Building Act 2011 Sections 110, 117, 127
DELEGATION SUBJECT	Building Orders
DELEGATE	Chief Executive Officer

The Chief Executive Officer is delegated authority to:

1. Make building orders pursuant to Section 110 of the Building Act 2011 in relation to:
 - a. Building work;
 - b. Demolition work; or
 - c. An existing building or incidental structure; and
2. revoke building orders pursuant to Section 117 of the Building Act 2011

GUIDELINES	Nil
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ON DELEGATION	Principal	Environmental	Health
	Officer/Building Surveyor		

DELEGATION NUMBER	B-3
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LEGISLATIVE POWER	Building Act 2011 Sections 65, 127
DELEGATION SUBJECT	Extension of Period of Duration of Occupancy Permit or Building Approval Certificate
DELEGATE	Chief Executive Officer

The Chief Executive Officer is delegated authority to approve or refuse to approve applications submitted under Section 65 of the Building Act.

GUIDELINES	Nil
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ON DELEGATION	Principal	Environmental	Health
	Officer/Building Surveyor		

BUILDING DELEGATIONS

DELEGATION NUMBER	B-4
LEGISLATIVE POWER	Building Act 2011 Sections 58, 127
DELEGATION SUBJECT	Grant of Occupancy Permit, Building Approval Certificate
DELEGATE	Chief Executive Officer
The Chief Executive Officer is delegated authority to approve or refuse plans and specifications submitted under Section 58 of the Building Act 2011.	
GUIDELINES	Nil
ON DELEGATION	Principal Environmental Health Officer/Building Surveyor

DELEGATION NUMBER	B-5
LEGISLATIVE POWER	LGA 1995 Section 5.42
DELEGATION SUBJECT	Residing in Existing Dwelling
DELEGATE	Chief Executive Officer
That the Chief Executive Officer is delegated power to approve the construction of a new dwelling on the same lot as an existing dwelling while the applicant resides in the existing dwelling subject to:	
<ol style="list-style-type: none">1. the existing dwelling being completely demolished within three months upon completion of the new dwelling; and2. the applicants signing a statutory declaration to this effect which is to be lodged with the Shire when applying for a building permit.	
GUIDELINES	Nil
ON DELEGATION	Principal Environmental Health Officer/Building Surveyor

BUSHFIRE DELEGATIONS

DELEGATION NUMBER	BF-1
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LEGISLATIVE POWER	Bush Fires Act 1954 Sections 17 and 18
DELEGATION SUBJECT	Burning, Prohibited and Restricted Times (Variations)
DELEGATE	Chief Executive Officer

The Chief Executive Officer is delegated authority to vary the prohibited and restricted burning periods as permitted by the Bush Fires Act 1954.

GUIDELINES	The approval of the Shire of Boddington's Chief Bush Fire Control Officer should be obtained prior to the exercising of any aspect of this delegation.
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ON DELEGATION	Nil
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The Bush Fires Act does not permit this delegation to be delegated to anyone other than the Chief Executive Officer or on-delegated by the Chief Executive Officer.

DELEGATION NUMBER	BF-2
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LEGISLATIVE POWER	Bush Fires Act 1954 Sections 13(4)
DELEGATION SUBJECT	Transfer of Control of Bushfires to Department of Fire and Emergency Services (DFES)
DELEGATE	Chief Executive Officer

Under provisions of the Bush Fires Act (1954) Council delegates the Chief Executive Officer, where Shire volunteer bush fire brigades believe they cannot effectively or safely manage a bush fire incident to transfer control of that incident to DFES. The Shire will support DFES's management of any incident with:

- at least one and preferably more, senior Shire bushfire control officers will be a member of the Incident Management Team to provide local knowledge and facilitate effective liaison with local firefighting resources.
- Shire bush firefighting resources, including appliances and volunteers, remain at the incident and assist in suppression activities as determined by the Incident Controller.

GUIDELINES	Nil
ON DELEGATION	Nil

The Bush Fires Act does not permit this delegation to be delegated to anyone other than the Chief Executive Officer or on-delegated by the Chief Executive Officer.

BUSHFIRE DELEGATIONS

DELEGATION NUMBER	BF-3
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LEGISLATIVE POWER
DELEGATION SUBJECT
DELEGATE

Bush Fires Act 1954 Sections
Exemptions for Bush Fires Act
Chief Executive Officer

The Chief Executive Officer is delegated authority for providing Local Government approval or refusal to exemptions sought through Department of Fire and Emergency Services (DFES) by local residents, businesses and property owners under the Bush Fires Act 1954.

This delegation of this authority also includes:

1. Requesting to DFES that additional conditions be included in any exemption being sought from DFES; or
2. Requesting to DFES that proposed conditions be excluded from any exemption being sought from DFES;

prior to the exercising of this delegated authority.

Despite other indications in this delegation, where the proposed exemption is considered by the Chief Executive Officer to be of a contentious nature, a decision on a proposed exemption is to be determined by the Council.

GUIDELINES

The approval of the Shire of Boddington Chief Bush Fire Control Officer should be obtained prior to exercising of any aspect of this delegation.

The local volunteer bush fire brigade, relevant to the locality where the exemption being sought is to provide comment on any exemption prior to the exercising of this delegation.

ON DELEGATION

Nil

FINANCE DELEGATIONS

DELEGATION NUMBER	F-1
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LEGISLATIVE POWER	LGA 1995 Section 6.10; Financial Management Regulation 12 and 13
DELEGATION SUBJECT	Payment Creditors and Financial Transfers
DELEGATE	Chief Executive Officer

The Chief Executive Officer is delegated authority to make payments from all of the Shire's Bank accounts.

GUIDELINES	<p>Each payment is to be authorised by two members of staff including:</p> <ul style="list-style-type: none">• one or both of the Chief Executive Officer, Director Corporate and Community Services, Manager Financial Services or/and• Principal Environmental Health Officer/Building Surveyor <p>Each payment from the Municipal Fund or the Trust Fund is to be noted on a list compiled for each month showing –</p> <ol style="list-style-type: none">a) the payee's name;b) the amount of the payment;c) the date of the payment; andd) sufficient information to identify the transaction.
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ON DELEGATION	Director Corporate and Community Services, Manager Finance, Principal Environmental Health Officer/Building Surveyor
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DELEGATION NUMBER	F-2
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LEGISLATIVE POWER	LGA 1995 Section 5.42
DELEGATION SUBJECT	Rate Book
DELEGATE	Chief Executive Officer

The Chief Executive Officer is hereby delegated the performance of the following functions of the Shire.

1. Compile the necessary rate records as specified in Sections 6.39(1) and 6.39(2) of the Local Government Act 1995 and reassess rates payable in accordance with Section 6.40.
2. The service of Notice of Valuation and Rates referred to in Section 6.41 of the Local Government Act 1995.
3. Determine the date that a rate or service charge becomes due and payable in accordance with Section 6.50 of the Local Government Act 1995.
4. The exercise of discretion in regard to granting of any extension of time for service of objections to the Rate Book 6.76(4) of the Local Government Act 1995.
5. The recovery of rates and service charges pursuant to the provisions of Sections 6.54 to 6.62 of the Local Government Act 1995.
6. Entering into a written agreement in accordance with 6.49 of the Local Government Act 1995 for the payment of rates and service charges.

FINANCE DELEGATIONS

7. Lodge caveats on land where the rates are in arrears and it is considered that the interests of the Council should be protected and the subsequent withdrawal of caveats once arrears of rates have been settled in accordance with 6.64(3) of the Local Government Act 1995.
8. Allow or disallow in accordance with Section 6.76(5) any objection to the rate record lodged under Section 6.76(1) and to serve notice of the decision and a statement of reasons for the decision upon the person lodging the objection in accordance with Section 6.76(6).
9. Extend the period of time for receipt of a notice under Section 6.77 and to refer notices received under Sections 6.77 and 6.78 to the State Administrative (Section 6.79).

GUIDELINES Nil

ON DELEGATION Nil

DELEGATION NUMBER	F-3
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LEGISLATIVE POWER	LGA 1995 Section 5.42
DELEGATION SUBJECT	Insurance – Public Liability Claims
DELEGATE	Chief Executive Officer

The Chief Executive Officer is delegated authority to consider claims against the Shire for property damage that does not exceed the insurance policy excess levels, and to accept or deny liability on behalf of the Shire.

GUIDELINES In cases where liability is accepted, payment may only be made up to the value of Council's relevant insurance excess amount and then only upon receipt of a release form.

ON DELEGATION Nil

DELEGATION NUMBER	F-4
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LEGISLATIVE POWER	LGA 1995 Section 5.42
DELEGATION SUBJECT	Disposal of Surplus Equipment, Materials, Tools
DELEGATE	Chief Executive Officer

The Chief Executive Officer is delegated authority to sell by holding of a surplus goods sale at Depot or any other fair means, items of surplus equipment, materials, tools which are no longer required, are outmoded, or are no longer serviceable. This delegation applies only to items with an estimated value less than \$2,000.

GUIDELINES Nil

ON DELEGATION Nil

FINANCE DELEGATIONS

DELEGATION NUMBER	F-5
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LEGISLATIVE POWER	LGA 1995 Section 5.42
DELEGATION SUBJECT	Recovery of Fees & Charges
DELEGATE	Chief Executive Officer

For the purposes of Section 5.42 of the Local Government Act 1995, the Chief Executive Officer is delegated the power to recover those fees and charges payable and in arrears, in accordance with Council Policy.

GUIDELINES Nil

ON DELEGATION Nil

DELEGATION NUMBER	F-6
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LEGISLATIVE POWER	LGA 1995 Section 5.42
DELEGATION SUBJECT	Issuing Purchase Orders
DELEGATE	Chief Executive Officer

The Chief Executive Officer is delegated authority to issue Purchase Orders for goods or services on behalf of the Shire of Boddington.

GUIDELINES Issuing of a Shire Order is only permitted where sufficient funds have been allocated in Council's budget and the mode of purchase is in accordance with Council's Purchasing Policies.

ON DELEGATION To the following officers in the following manner:
Director Corporate and Community Services
Unrestricted
Principal Environmental Health
Officer/Building Surveyor \$10,000
Manager Works and Services \$10,000
Manager Financial Services \$10,000

DELEGATION NUMBER	F-7
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LEGISLATIVE POWER	LGA 1995 Section 5.42, 3.57(1), Local Government (Functions and General) Regulations reg.14
DELEGATION SUBJECT	Authorisation to call Tenders
DELEGATE	Chief Executive Officer

The Chief Executive Officer is authorised to call tenders on the Shire's behalf for all budgeted expenditure. The Chief Executive Officer is authorised to exercise all of the powers and duties of the local government in respect to the powers contained in Regulation 14 of the Local Government (Functions and General) Regulations.

GUIDELINES Nil

ON DELEGATION Nil

FINANCE DELEGATIONS

DELEGATION NUMBER

F-8

LEGISLATIVE POWER

LGA 1995 Section 5.42

DELEGATION SUBJECT

Disposal of Impounded and Abandoned Vehicles

DELEGATE

Chief Executive Officer

The Chief Executive Officer is delegated authority to sell impounded or abandoned vehicles with an estimated value less than \$20,000.

GUIDELINES

The sale of the vehicles impounded or abandoned will be conducted in the following manner.

Estimated Mark Value	Method of Advertising	Action
\$1 - \$500	Notices seeking offers for purchases shall be displayed on the Shire of Boddington's notice boards and on website	Any vehicle not purchased will be disposed of at Boddington Refuse Tip
\$501 - \$5,000	Notice seeking offers for purchases shall be advertised with local public notice and displayed on the Shire of Boddington's notice boards and on the website	Any vehicle not purchased will be disposed of at Boddington Refuse Tip
\$5,001 +	Items shall be tendered as per the requirements of Section 5.42 of the Local Government Act 1995	Any vehicle not purchased will be disposed of at Boddington Refuse Tip

All tenders/offers received shall be opened in accordance with approved tender opening procedures.

The Acceptance of Tenders/Offers by the Chief Executive Officer will be according to:

1. The highest tender/offer shall be accepted for any item.
2. Where two or more tenders/offer shall be determined by a lottery.
3. If for any reason it is deemed necessary to vary from (a) or (b), then the matter must be referred to Council for its consideration.

ON DELEGATION

Nil

FINANCE DELEGATIONS

DELEGATION NUMBER F-9	
LEGISLATIVE POWER	LGA 1995 Section 5.42, 6.12
DELEGATION SUBJECT	Waiver and Write-offs
DELEGATE	Chief Executive Officer
<p>The Chief Executive Officer is authorised to exercise all of the powers and duties of the local government in respect to the powers contained in Section 6.12 of the Local Government Act 1995.</p>	
GUIDELINES	Not exceed the value of \$20 in any one instance.
ON DELEGATION	Nil

DELEGATION NUMBER F-10	
LEGISLATIVE POWER	LGA 1995 Section 5.42, 6.14
DELEGATION SUBJECT	Investment of Surplus Funds
DELEGATE	Chief Executive Officer
<p>The Chief Executive Officer is authorised to exercise all of the powers and duties of the local government in respect to the powers contained in Section 6.14 of the Local Government Act 1995.</p>	
GUIDELINES	Investments must be made in accordance with Council's Investment Policy
ON DELEGATION	Nil

DELEGATION NUMBER F-11	
LEGISLATIVE POWER	Local Government Act Section 5.42
DELEGATION SUBJECT	Donations
DELEGATE	Chief Executive Officer
<p>The Chief Executive Officer is delegated authority to make donations on behalf of Council to not-for-profit organisations from the Boddington Community which hire Council facilities.</p>	
<p>Despite other indications in this delegation, where the proposed donation is considered by the Chief Executive Officer to be of a contentious nature, a decision on a proposed donation is to be determined by the Council.</p>	
GUIDELINES	Nil
RESTRICTIONS	This delegation only applies where a Boddington not-for-profit hires a council facility and pays the hire fee.
ON DELEGATION	Nil

HEALTH DELEGATIONS

DELEGATION NUMBER	H-1
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LEGISLATIVE POWER	Health Act 1911
DELEGATION SUBJECT	Notices and Directions
DELEGATE	Chief Executive Officer

Chief Executive Officer is delegated authority to issue notices, serve direction and take actions on behalf of the Shire, which is authorised by the Health Act 1911 or its subordinate legislation, and is conditional upon such action being reported to Council at its next held full meeting.

GUIDELINES	Nil
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ON DELEGATION	Principal Environmental Health Officer/ Building Surveyor
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DELEGATION NUMBER	H-2
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LEGISLATIVE POWER	Health Act 1911 Section 107(2)(a)
DELEGATION SUBJECT	Approval of Apparatus for the Treatment of Sewage and Disposal of Effluent and Liquid Waste
DELEGATE	Chief Executive Officer

That the Chief Executive Officer is delegated authority to approve septic tanks and other apparatus for the treatment of sewage and disposal of effluent and liquid waste.

GUIDELINES	Nil
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ON DELEGATION	Principal Environmental Health Officer/ Building Surveyor
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LAND DELEGATIONS

DELEGATION NUMBER	L-1
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LEGISLATIVE POWER	LGA 1995 Sections 3.24 -3.27
DELEGATION SUBJECT	Certain Provisions about Land
DELEGATE	Chief Executive Officer

The Chief Executive Officer is delegated authority to exercise all of the powers and duties of the local government in respect to the powers contained in Section 3.24 to 3.27 inclusive of the Local Government Act 1995.

GUIDELINES	Nil
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ON DELEGATION	Nil
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DELEGATION NUMBER	L-2
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LEGISLATIVE POWER	LGA 1995 Section 5.42
DELEGATION SUBJECT	Clearing Permits
DELEGATE	Chief Executive Officer

That the Chief Executive Officer be delegated authority to grant approval for Applications for a Clearing Permit by local mining companies, other than reserves over which Council has a Management Order, providing the area for clearance is five hectares or less.

GUIDELINES	Nil
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ON DELEGATION	Nil
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DELEGATION NUMBER	L-3
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LEGISLATIVE POWER	LGA 1995 Section 3.24
DELEGATION SUBJECT	Clearing Permits
DELEGATE	Chief Executive Officer

That the Chief Executive Officer be delegated authority to grant approval for Applications for a Clearing Permit by local landowners seeking to construct a fence between the Shire's reserves and their property.

GUIDELINES	Such approval will only be permitted to the extent permitted by Land Clearing Regulations.
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ON DELEGATION	Nil
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LAND DELEGATIONS

DELEGATION NUMBER	L-4
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LEGISLATIVE POWER	LGA 1995 Sections 3.28 TO 3.36
DELEGATION SUBJECT	Power to Entry
DELEGATE	Chief Executive Officer

The Chief Executive Officer is delegated authority to exercise all of the powers and duties of the local government in respect to the powers of entry upon land as contained in Section 3.28 to 3.36 inclusive of the Local Government Act 1995.

GUIDELINES	Nil
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ON DELEGATION	Principal Environmental Health Officer/ Building Surveyor and Ranger
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DELEGATION NUMBER	L-5
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LEGISLATIVE POWER	Caravan Parks and Camping Grounds Regulations, Regulation 11
DELEGATION SUBJECT	Camping on Land
DELEGATE	Chief Executive Officer

The Chief Executive Officer is delegated authority to approve camping on land for as per requirements of Regulation 11 of the Caravan Parks and Camping Grounds Regulations 1997, in accordance with Council Policy.

GUIDELINES	Nil
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DELEGATE	Chief Executive Officer
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ON DELEGATION	Principal Environmental Health Officer/ Building Surveyor
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PLANNING DELEGATIONS

DELEGATION NUMBER	P-1
LEGISLATIVE POWER	LGA 1995 Section 5.42 AND Planning and Development Act 2005 Section 72
DELEGATION SUBJECT	Town Planning
DELEGATE	Chief Executive Officer

The Chief Executive Officer is delegated authority for:

1. Requirements for Public Notice

- 1.1 Making a determination on the form or forms of public notice to be given of a proposed development, scheme amendment, road closure or other proposal where the local Planning Scheme or other legislation requires that such public notice be given and give such notice.
- 1.2 Making a determination to require that public notice of a development to be given in accordance with Local Planning Scheme where such notice is considered to be in the public interest.

2. Approval of Permitted "P", Discretionary "AA" and Incidental "IP" Uses

Making a determination on all "P", "AA" and "IP" uses where a proposed development is generally in accordance with the Local Planning Scheme, Local Planning Strategy, Local Planning Policies and is consistent with guiding precedent approvals.

3. Residential Design Code Matters

Making a determination on any matter required to be determined under the Residential Design Codes including where an exercise of discretion is required, provided that appropriate notice of the proposed development is given to adjoining properties where it is required or is considered to have the potential to adversely affect the amenity of an adjoining property.

4. Planning Approval where Public Notice has been given

Making a determination of "SA" uses in accordance with the Local Planning Scheme, Local Planning Strategy, Local Planning Policies and established precedent on any Planning Application that has been the subject of Public Notice. This includes determining applications involving:

- (A) The variation of Scheme provisions, Local Planning Policy or provisions of the Residential Design Codes; or
- (B) The exercise of discretion under the Scheme, Local Planning Policy or the Residential Design Codes.

The above is provided the application has not been the subject of objection or if the matter has become contentious in any way.

5. Minor Modification of Planning Determinations

Making modifications to planning approvals where:

- (A) The modification conforms to the relevant Local Planning Scheme objectives and Local Planning Policies;

PLANNING DELEGATIONS

- (B) The modification does not have a detrimental effect on the amenity of the locality;
and
- (C) The extension to a development approval is to a maximum of 2 years

NOTES:

- Where consent of abutting landowners was required for the original application, then the modification should also be referred to abutting landowners for comment where the modification requires a substantial variation from the original application.
- Where the original application was required to be the subject of public notice under the relevant Local Planning Scheme or the Residential Design Codes, the (if the modification is considered substantial) the modification will need a new public notice readvertised in accordance with the Local Planning Scheme or the Residential Design Codes,

6. Signs

Approval of applications where consistent with Local Planning Policy No. 14 Signs and Advertisements.

7. Dealing with Subdivisions

Making recommendations to the Western Australian Planning Commission in respect of applications or other matters relating to Subdivision, Boundary Adjustment, Amalgamation and Strata Titling where such matters are in accordance with the Local Planning Scheme, Local Planning Strategy, Local Planning Policies and established precedent, including minor variation to approved subdivisions and clearance of conditions provided appropriate Consultation with other Shire administration officer's is carried out.

8. Dealing with Scheme Amendments

- 8.1 Requiring modifications to Local Planning Scheme Amendment documents to ensure that all documents are maintained at a consistent high quality and the information contained within the document addresses all issues considered relevant and will enable the public and referral agencies to fully understand the Amendment.
- 8.2 Accepting modifications to Local Planning Scheme Amendment documents required by the Western Australian Planning Commission or the Minister for Planning at any stage throughout the Scheme Amendment process.
- 8.3 Respond in writing to scheme amendment request. Based on Council resolution, the CEO to set out that support for scheme amendment request should cover multiple lots or a precinct compared to an individual lot, unless the site subject to the scheme amendment request is a considerable area or the applicant provides suitable justification for the proposal to the satisfaction of the Council.

9. Legal Proceedings

- 9.1 Taking all necessary action against owners or occupiers of properties to cease illegal uses, comply with the Local Planning Scheme and/or comply with conditions of Development Approval, including instituting prosecution proceedings under the Planning and Development Act, in the Court in its summary jurisdiction.
- 9.2 Represent Council, or appoint appropriate representatives, where necessary at prosecutions, rights of review and enquiries pertaining to the enforcement of the provisions of the Planning and Development Act and the implementation of Council's Local Planning Scheme.

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10. Miscellaneous Matters

- 10.1 Electing to return or defer consideration of incomplete and unsatisfactory applications for planning consent.
- 10.2 Granting variations to relevant Local Planning Policies and provisions of the Residential Design Codes on Building Permit applications (where the application is exempt from the requirement to gain planning approval under the residential Design Codes and/or the Local Planning Scheme).
- 10.3 Approve the use of street names where an approved street names list exists.
- 10.4 Provision of written and verbal responses to rights of review, mediated settlements resulting from rights of review and Western Australian Planning Commission requests for reconsideration.
- 10.5 Prepare submissions and correspondence to government agencies and other organisations where consistent with the Local Planning Scheme, Local Planning Strategy, Local Planning Policies and guiding precedent approvals.
- 10.6 Respond to referrals and correspondence from State Government agencies, servicing agencies and other organisations on matters including planning, land management, natural resource management and servicing where consistent with the Local Planning Scheme, Local Planning Strategy, Local Planning Policies and Council adopted documents.

11. Right to have matter heard by Council

Where an applicant disputes or has issue with a planning determination made in accordance with this delegation, it will be a matter of right for the applicant to request that the matter be reconsidered by Council, provided the exercise of such right does limit any other right of appeal that exist in Law.

12. Matters that may be of significant financial interest to Council

Despite other indications in this delegation, it is required that any planning matter that may have significant impact on Council infrastructure is to be determined by the Council.

GUIDELINES

Nil

ON DELEGATION

Principal Environmental Health Officer/
Building Surveyor for Residential Design Code
Matters

RECREATION DELEGATIONS

DELEGATION NUMBER	R-1
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LEGISLATIVE POWER	Liquor Control Act 1988 Section 59(1)
DELEGATION SUBJECT	Liquor, Sale on Council Property
DELEGATE	Chief Executive Officer

The Chief Executive Officer is delegated authority to approve applications;

1. For the sale of liquor from property under the care, control and management of the Shire; and
2. To consume liquor on property under the care, control and management of the Shire

GUIDELINES	Nil
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ON DELEGATION	Director Corporate and Community Services
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DELEGATION NUMBER	R-2
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LEGISLATIVE POWER	Shire of Boddington – Property Local Law 3.3
DELEGATION SUBJECT	Permission to Conduct Activities on Council Property
DELEGATE	Chief Executive Officer

The Chief Executive Officer is delegated authority to grant permission to conduct activities on Shire property.

GUIDELINES	Applications must be in writing addressed to the Chief Executive Officer at least seven (7) days prior to the proposed function, event etc and comply with all statutory and other requirements. Applications that require Council approval should be submitted prior to the Council meeting preceding the activity.
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The application should detail all relevant information as to date, place, time, responsible organisation/person, control measures, public liability insurance cover, etc.

ON DELEGATION	Director Corporate and Community Services
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RECREATION DELEGATIONS

DELEGATION NUMBER

T-1

LEGISLATIVE POWER
DELEGATION SUBJECT
DELEGATE

LGA 1995 Section 5.42
Street Appeals
Chief Executive Officer

The Chief Executive Officer is delegated authority to determine all applications for street appeals.

GUIDELINES

The Chief Executive Officer shall have regard to any Council Policy relating to street appeals.

ON DELEGATION

Nil

DELEGATION NUMBER

T-2

LEGISLATIVE POWER
DELEGATION SUBJECT
DELEGATE

LGA 1995 Section 5.42 AND Planning and
Development Act 2005 Section 72
Town Planning
Chief Executive Officer

The Chief Executive Officer is delegated authority (Executive Function S3.18) to temporarily close a street or a portion of a street to traffic generally or traffic of any particular class for a period not exceeding 28 days if the Chief Executive Officer is of the opinion that conditions require such.

GUIDELINES

Nil

ON DELEGATION

Nil

DELEGATION NUMBER

T-3

LEGISLATIVE POWER
DELEGATION SUBJECT
DELEGATE

LGA 1995 Section 5.42
Events on Roads
Chief Executive Officer

The Chief Executive Officer is delegated authority to determine application for the temporary closure of roads for the purpose of conducting events in accordance with the Road Traffic (Events on Roads) Regulation 1991.

GUIDELINES

The Chief Executive Officer shall have regard to Section 3.50 of the LGA 1995

ON DELEGATION

Nil

RECREATION DELEGATIONS

DELEGATION NUMBER	T-4
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LEGISLATIVE POWER
DELEGATION SUBJECT
DELEGATE

LGA 1995 Section 5.42
Access for Restricted Access Vehicles
Chief Executive Officer

The Chief Executive Officer is delegated authority to provide Shire approval for access of Restricted Access Vehicles to roads within the Shire of Boddington.

GUIDELINES

Council Policy 10.5 – Permits for Restricted Access

ON DELEGATION

Manager Works and Services

DELEGATION NUMBER	T-5
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LEGISLATIVE POWER
DELEGATION SUBJECT
DELEGATE

LGA 1995 Section 3.50 -3.52
Closing certain thoroughfares to vehicles
Chief Executive Officer

The Chief Executive Officer is delegated authority to exercise all of the powers and duties of the local government in respect to the powers contained in Section 3.50 to 3.52 inclusive of the Local Government Act 1995.

GUIDELINES

Nil

ON DELEGATION

Director Corporate and Community Services, Principal Environmental Health Officer/
Building Surveyor,
Manager Works and Services