



DELEGATIONS REGISTER – CEO TO OFFICERS

City of Busselton 2023

General

Delegations and authorisations are the means by which decision making bodies provide or refer powers to undertake certain statutory functions.

A delegation is a conferral of the ability to exercise a power or duty to a person or body from a person or a body that is vested with the responsibility to exercise that power or duty.

Delegations to the Chief Executive Officer

The *Local Government Act 1995* (the Act) allows for a local government to delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the Act, with the exception of limitations as listed under section 5.43 of the Act.

The following areas are decisions that cannot be delegated to the Chief Executive Officer:

- Any power or duty that requires a decision of an absolute majority or 75% majority of the local government;
- Accepting a tender which exceeds an amount determined by the local government;
- Appointing an auditor;
- Acquiring or disposing of any property valued at an amount determined by the local government;
- Any of the local governments powers under Sections 5.98, 5.99 and 5.100 of the Act;
- Borrowing money on behalf of the local government;
- Hearing or determining an objection of a kind referred to in Section 9.5;
- Any power of duty that requires the approval of the Minister or Governor; or
- Such other duties or powers that may be prescribed by the Act.

Delegations by the Chief Executive Officer to Employees

The Act allows for the Chief Executive officer to delegate any of his powers to another employee and this must be done in writing.

The Act allows for the Chief Executive Officer to place conditions on any delegations.

Standard Conditions of Delegations

All delegations provided to the Chief Executive Officer are subject to the following *Standard Conditions*:

- In exercising a delegation, the Chief Executive Officer is to comply with any and all laws and regulations in force in Western Australia and the requirements of any and all laws and policies of the City of Busselton;
- In exercising a delegation the Chief Executive Officer is to act in accordance with any budget authority where applicable;

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- Delegated authority cannot be exercised where a financial interest or interest affecting impartiality is evident;
- Pursuant to section 5.46 of the *Local Government Act 1995* and Regulation 19 of the *Local Government (Administration) Regulations 1996*, the Office of the Chief Executive Officer is to keep records of exercising the delegation on any and all occasions that the delegation is exercised.

Delegations provided from the Chief Executive Officer to Employees may be subject to supplementary conditions. These will be detailed within individual delegations.

Record keeping requirements for delegations in Local Government

Section 5.46 of the Act and Regulation 19 of the *Local Government (Administration) Regulations* requires a person who is delegated a power or duty to keep records in relation to the exercise of the power or discharge of the duty. The written record is to contain:

- How the person exercised the delegation;
- When the person exercised the delegation; and
- The persons or classes of persons, other than Council or Committee Members or employees of the local.

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Document Control

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Rev No	Date	Revision Details	Author	Approver
1.	April 2021	Updated CEO to Officer Delegations – following adoption of the Annual Statutory Review of Delegations (C2101/010)	Governance Services	CEO
2.	July 2021	Change of title – Manager Environmental Services to Manager Regulatory Services	Governance Services	Governance Coordinator
3.	October 2021	Updated CEO to Officer Delegations – following adoption of the Annual Statutory Review of Delegations (C2110/057)	Governance Services	CEO
4.	December 2021	Amendments to S7 1B-F	Governance Services	CEO
5.	October 2022	Addition of S1-31	Governance Services	CEO
6.	March 2023	Removed Signing Delegations: S1 – 24A, S1 – 24B, S1 – 24C, S1 – 24D, S1 – 24E (<i>Adoption of Council policy: Execution of Documents</i>)	Governance Services	Council Resolution (2303/025)
7.	April 2023	Review of Sub Delegations (<i>CEO Memo Approval of Changes GOVN016 ECM Doc Set ID 5107328</i>)	Governance Services	CEO
8.	May 2023	Review of Sub Delegations (<i>CEO Memo Approval of Changes GOVN016 ECM Doc Set ID 5111243</i>)	Governance Services	CEO

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Delegation by the Chief Executive Officer to Employees

LOCAL GOVERNMENT ACT 1995	
S1 – 03	Abandoned vehicle wreck

POWER TO SUB DELEGATE	<i>Local Government Act 1995</i> s.5.44 Chief Executive Officer may delegate some powers and duties to other employees
POWER DELEGATED	<i>Local Government Act 1995</i> s.3.40
FUNCTION	s.3.40 the power to declare that the vehicle is an abandoned vehicle wreck
CEO DELEGATION TO	Director Planning and Development Manager Regulatory Services Ranger and Emergency Services Coordinator
SUPPLEMENTARY CONDITIONS	Disposal of a declared abandoned vehicle wreck is to be undertaken in accordance with the Delegation DA1 - 04 Confiscated or Uncollected Goods
HEAD DELEGATION	DA 1 – 03 Abandoned vehicle wreck

RECORD KEEPING	GOVN16 – Instrument of Sub-Delegation from CEO to Officers Action taken must be recorded in ECM under the appropriate file structure to meet legislation requirements.
RECENT ALTERATIONS	May 2023
PREVIOUS DELEGATION REFERENCE	3F(S1) Power to Remove and Impound; Abandoned Vehicle Wrecks may be taken

VERIFICATION	Tony Nottle, Chief Executive Officer – 3 May 2023
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S1 – 04	Confiscated or Uncollected Goods
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POWER TO SUB DELEGATE	<i>Local Government Act 1995</i> s.5.44 Chief Executive Officer may delegate some powers and duties to other employees
POWER DELEGATED	<i>Local Government Act 1995</i> s.3.46, s.3.47, s.3.48
FUNCTION	<p>s.3.46(1) The power to refuse to allow impounded goods to be collected until costs are paid</p> <p>s.3.46(2) The power to refuse to allow removed goods to be collected until costs are paid</p> <p>s.3.47(1) The power to sell or otherwise dispose of goods under s.3.43</p> <p>s.3.47(2) The power to sell or otherwise dispose of any vehicle</p> <p>s.3.47(2a) The power to sell or otherwise dispose of impounded goods</p> <p>s.3.48 The power to recover impounding expenses</p>
CEO DELEGATION TO	Director Planning and Development Manager Regulatory Services Ranger and Emergency Services Coordinator
SUPPLEMENTARY CONDITIONS	Conditions of DA 1 – 04 apply
HEAD DELEGATION	<u>DA 1 – 04 Confiscated or Uncollected Goods</u>

RECORD KEEPING	GOVN16 – Instrument of Sub-Delegation from CEO to Officers Action taken must be recorded in ECM under the appropriate file structure to meet legislation requirements.
RECENT ALTERATIONS	May 2023
PREVIOUS DELEGATION REFERENCE	3G(S1) Disposing of Uncollected Goods

VERIFICATION	Tony Nottle, Chief Executive Officer – 3 May 2023
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S1 – 05	Closure of Thoroughfares
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POWER TO SUB DELEGATE	<i>Local Government Act 1995</i> s.5.44 Chief Executive Officer may delegate some powers and duties to other employees
CEO DELEGATION TO	Director Engineering and Works Services
SUPPLEMENTARY CONDITIONS	Conditions of DA 1 – 05 apply
HEAD DELEGATION	DA 1 – 05 Closure of Thoroughfares

RECORD KEEPING	GOVN16 – Instrument of Sub-Delegation from CEO to Officers Action taken must be recorded in ECM under the appropriate file structure to meet legislation requirements.
RECENT ALTERATIONS	22 October 2018
PREVIOUS DELEGATION REFERENCE	3H(S1) Closing Certain Thoroughfares to Vehicles and Partial Closure of Thoroughfares for Repairs or Maintenance

VERIFICATION	CURRENTLY UNDER REVIEW <i>Initial Verification: Mike Archer, Chief Executive Officer – 30 June 2011</i>
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S1 – 07

Inviting Tenders

POWER TO SUB DELEGATE	<i>Local Government Act 1995</i> s.5.44 Chief Executive Officer may delegate some powers and duties to other employees
POWER DELEGATED	<i>Local Government Act 1995</i> s.3.57 <i>Local Government (Functions and General) Regulations 1996</i> Regulations 11, 13, 14, 18
FUNCTION	<p>s.3.57 Tenders for providing goods and services</p> <p>Regulation 11(1) The power to determine when tenders have to be publicly invited</p> <p>Regulation 11(2) The power to determine that a relevant exemption applies</p> <p>Regulation 13 Requirements when local government invites tender when not required to do so</p> <p>Regulation 14(2a) The power to determine in writing, before tenders are called, the criteria for acceptance of tenders</p> <p>Regulation 14(4)(a) The power to determine the information that is to be disclosed</p> <p>Regulation 14(5) The power to vary tender information after public notice and provide notice of variation to information</p> <p>Regulation 18(4) The power to evaluate tenders, by written evaluation, and decide which is most advantageous</p> <p>Regulation 18(4a) The power to seek clarification from tenders in relation to information contained in their tender submission</p>
CEO DELEGATION TO	Director Finance and Corporate Services Director Planning and Development Services Director Engineering and Works Services Director Community and Commercial Services
SUPPLEMENTARY CONDITIONS	In addition to the conditions of DA1-07 'Inviting, Rejecting and Accepting Tenders', this delegation is subject to: <ul style="list-style-type: none"> (a) Legal Services having signed off on the procurement process aspects as compliant; (b) complying with the requirements of the City of Busselton's Purchasing Policy as it relates to tendering; (c) authority to invite a tender extends only to each Directors budgeted authority; and (d) following any applicable operational procedures.
HEAD DELEGATION	DA 1 – 07 Inviting, Rejecting and Accepting Tenders

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RECORD KEEPING	GOVN16 – Instrument of Sub-Delegation from CEO to Officers Action taken must be recorded in ECM under the appropriate file structure to meet legislation requirements.
RECENT ALTERATIONS	April 2023
PREVIOUS DELEGATION REFERENCE	LG3J(S1) Inviting Tenders and Rejecting and Accepting Tenders

VERIFICATION	Tony Nottle, Chief Executive Officer – 28 April 2023
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S1 – 11	Amendments to the Consolidated Parking Scheme
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POWER TO SUB DELEGATE	<i>Local Government Act 1995</i> s.5.44 Chief Executive Officer may delegate some powers and duties to other employees
POWER DELEGATED	<i>City of Busselton Parking Local Law 2020</i> Section 1.10
FUNCTION	s.1.10 Powers of Council
CEO DELEGATION TO	Director, Planning and Development Services
SUPPLEMENTARY CONDITIONS	This delegation is limited in respect to the call in and referral provisions of DA1 - 11
HEAD DELEGATION	<u>DA 1 – 11 Amendments to the Consolidated Parking Scheme</u>

RECORD KEEPING	GOVN16 – Instrument of Sub-Delegation from CEO to Officers Action taken must be recorded in ECM under the appropriate file structure to meet legislation requirements.
RECENT ALTERATIONS	May 2023
PREVIOUS DELEGATION REFERENCE	3N Amendments to the Consolidated Parking Scheme

VERIFICATION	Tony Nottle, Chief Executive Officer – 3 May 2023
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S1 – 13A Authority to destroy an impounded sick or injured animal

POWER TO SUB DELEGATE	<i>Local Government Act 1995</i> s.5.44 Chief Executive Officer may delegate some powers and duties to other employees
POWER DELEGATED	<i>Local Government Act 1995</i> s.3.47A
FUNCTION	s.3.47A The power to humanely destroy an animal and dispose of the carcass
CEO DELEGATION TO	Director Planning and Development Manager Regulatory Services Ranger and Emergency Services Coordinator
SUPPLEMENTARY CONDITIONS	Conditions of DA 1 – 13 apply
HEAD DELEGATON	DA 1 – 13 Authority to destroy an impounded sick or injured animal

RECORD KEEPING	GOVN16 – Instrument of Sub-Delegation from CEO to Officers Action taken must be recorded in ECM under the appropriate file structure to meet legislation requirements.
RECENT ALTERATIONS	May 2023
PREVIOUS DELEGATION REFERENCE	3Q(S1) Authority to Destroy and impounded sick or injured animal

VERIFICATION	Tony Nottle, Chief Executive Officer – 3 May 2023
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S1 – 13B Authority to destroy an impounded sick or injured animal

POWER TO SUB DELEGATE	<i>Local Government Act 1995</i> s.5.44 Chief Executive Officer may delegate some powers and duties to other employees
POWER DELEGATED	<i>Local Government Act 1995</i> s.3.47A
FUNCTION	s.3.47A The power to humanely destroy an animal and dispose of the carcass
CEO DELEGATION TO	Senior Rangers Rangers
SUPPLEMENTARY CONDITIONS	Rangers and Senior Rangers are authorised under this delegation only for the purposes of s.3.47A (2)(a) of the <i>Local Government Act 1995</i> .
HEAD DELEGATON	DA 1 – 13 Authority to destroy an impounded sick or injured animal

RECORD KEEPING	GOVN16 – Instrument of Sub-Delegation from CEO to Officers Action taken must be recorded in ECM under the appropriate file structure to meet legislation requirements.
RECENT ALTERATIONS	May 2023
PREVIOUS DELEGATION REFERENCE	3Q(S1) Authority to Destroy and impounded sick or injured animal

VERIFICATION	Tony Nottle, Chief Executive Officer – 3 May 2023
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S1 – 14A

Power to Defer, Grant Discounts, Waive or Write-Off Debts

<p>POWER TO SUB DELEGATE</p>	<p><i>Local Government Act 1995</i> s.5.44 Chief Executive Officer may delegate some powers and duties to other employees</p>
<p>CEO DELEGATION TO</p>	<p>See Supplementary Conditions</p>
<p>SUPPLEMENTARY CONDITIONS</p>	<p>Delegate: Director, Finance and Corporate Services Conditions: 1. Any waiver or granting of concession shall only be up to \$1,000 and considered solely on its merits; and any debt write-off approved shall be less than \$1,000; any waiver, granting of concessions or debt write-off must relate only to the Director of Finance and Corporate Services budgeted areas of responsibility.</p> <p>2. Any waiver or granting of concessions as it applies to any Financial Hardship application, shall only be up to \$2,000 and considered solely on its merits; and any Financial Hardship application for debt write-off shall be less than \$2,000 and will take into account the Financial Hardship Policy.</p> <p>Delegate: Director, Community and Commercial Services Conditions: 1. Any waiver or granting of concession shall only be up to \$1,000 and considered solely on its merits; and any debt write-off approved shall be less than \$1,000; any waiver, granting of concessions or debt write-off must relate only to the Director of Community and Commercial Services budgeted areas of responsibility.</p> <p>2. Community Hire Policy: Additional subsidies and waiver of hire fees under Council Policy: Community Hire of City Property are limited to \$2000 per application in accordance with the endorsed City of Busselton Annual Budget and Fees and Charges</p> <p>Delegate: Director, Planning and Development Services Conditions: Any waiver or granting of concession shall only be up to \$1,000 and considered solely on its merits; and any debt write-off approved shall be less than \$1,000; any waiver, granting of concessions or debt write-off must relate only to the Director of Planning and Development Services budgeted areas of responsibility.</p> <p>Delegate: Director, Engineering and Works Services Conditions: Any waiver or granting of concession shall only be up to \$1,000 and considered solely on its merits; and any debt write-off approved shall be less than \$1,000; any waiver, granting of concessions or debt write-off must relate only to the Director of</p>

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	Engineering and Works Services budgeted areas of responsibility.
HEAD DELEGATION	DA 1 -14 Power to Defer, Grant Discounts, Waive or Write-Off Debts

RECORD KEEPING	GOVN16 – Instrument of Sub-Delegation from CEO to Officers Action taken must be recorded in ECM under the appropriate file structure to meet legislation requirements.
RECENT ALTERATIONS	April 2023
PREVIOUS DELEGATION REFERENCE	6B(S1) Power to Defer, Grant Discounts, Waive or Write-Off Debts

VERIFICATION	Tony Nottle, Chief Executive Officer – 28 April 2023
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S1 – 14B

Power to Defer, Grant Discounts, Waive or Write-Off Debts

POWER TO SUB DELEGATE	<i>Local Government Act 1995</i> s.5.44 Chief Executive Officer may delegate some powers and duties to other employees
POWER DELEGATED	<i>Local Government Act 1995</i> s.6.12
FUNCTION	<p>s.6.12(1)(b) The power to waive or grant concessions in relation to any amount of money</p> <p>s.6.12(1)(c) The power to write off any amount of money</p> <p>s.6.12(3) The power to determine conditions imposed on the granting of a concession</p>
CEO DELEGATION TO	Director, Planning and Development Services Manager, Regulatory Services Ranger and Emergency Services Coordinator
SUPPLEMENTARY CONDITIONS	<p>The powers are to be exercised in relation to the following types of fees only –</p> <ul style="list-style-type: none"> a. Impound and sustenance fees for dogs and cats; b. Surrender fees for dogs and cats; and c. Impound fees for vehicles. <p>Any waiver or granting of concession shall only be up to \$1,000 and considered solely on its merits; and any debt write-off approved shall be less than \$1,000.</p>
HEAD DELEGATION	DA 1 – 14 Power to Defer, Grant Discounts, Waive or Write-Off Debts

RECORD KEEPING	GOVN16 – Instrument of Sub-Delegation from CEO to Officers Action taken must be recorded in ECM under the appropriate file structure to meet legislation requirements.
RECENT ALTERATIONS	May 2023
PREVIOUS DELEGATION REFERENCE	6B(S1) Power to Defer, Grant Discounts, Waive or Write-Off Debts

VERIFICATION	Tony Nottle, Chief Executive Officer – 3 May 2023
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City of Busselton

S1 – 14C

Power to Defer, Grant Discounts, Waive or Write-Off Debts

POWER TO SUB DELEGATE	<i>Local Government Act 1995</i> s.5.44 Chief Executive Officer may delegate some powers and duties to other employees
CEO DELEGATION TO	See Supplementary Conditions
SUPPLEMENTARY CONDITIONS	<p>Delegate: Manager Financial Services Conditions: Any debt write-off approved shall be less than \$50; any debt write-off must relate only to Rates and Service Charges.</p> <p>Delegate: Rates Coordinator Conditions: Any debt write-off approved shall be less than \$50; any debt write-off must relate only to Rates and Service Charges.</p> <p>The use of this delegation is limited to the following conditions:</p> <ol style="list-style-type: none"> 1. The rates write-off request must be received from the property owner or their agent and provide acceptable reasoning as to why rates were not paid as required; 2. The rate payment history since ownership of the property needs to be good or better with rates being paid via the allowed options on, or within a month, of the due dates; 3. No prior rates write-off approvals are to have occurred since ownership of the property and any approved rate write-off approvals under the sub-delegation are to be a once-off only; and 4. Overdue rates paid in full or being paid via the latest payment options or under a special arrangement. 5. At the end of each month, a report is to be prepared and presented to the Director, Finance and Corporate Services for confirmation of the rates write-off approved. The report is to contain the following details: <ol style="list-style-type: none"> a. Property and ownership details; b. Payment history and overall ranking; c. Summary of the property owners/agents write-off request, together with the reason why the write-off request was approved and; d. Any other pertinent information that is considered relevant to the write-off request being approved.
HEAD DELEGATION	DA 1 -14 Power to Defer, Grant Discounts, Waive or Write-Off Debts

RECORD KEEPING	GOVN16 – Instrument of Sub-Delegation from CEO to Officers Action taken must be recorded in ECM under the appropriate file structure to meet legislation requirements.
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RECENT ALTERATIONS	April 2023
PREVIOUS DELEGATION REFERENCE	6B(\$1) Power to Defer, Grant Discounts, Waive or Write-Off Debts

VERIFICATION	Tony Nottle, Chief Executive Officer – 28 April 2023
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S1 – 15	Rates and Service Charges
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POWER TO SUB DELEGATE	<i>Local Government Act 1995</i> s.5.44 Chief Executive Officer may delegate some powers and duties to other employees
CEO DELEGATION TO	Director Finance and Corporate Services Manager, Financial Services Rates Coordinator
POWER / DUTY DELEGATED	<i>Local Government Act 1995</i> s.6.49, s.6.56, s.6.60, s.6.64, s.6.69 s.6.76
FUNCTION	<p>s.6.49 <u>The power to enter into an agreement for the payment of rates and service charges</u></p> <p>s.6.56 <u>The power to recover, in court, rates or service charges due</u></p> <p>s.6.60(4) <u>The power to recover the amount of the rate or service charge as a debt from the lessee if the rent is not paid in accordance with a notice</u></p> <p>s.6.69(2) <u>The power to agree to the terms and conditions between parties and accept payment of the outstanding rates or service charges</u></p> <p>s.6.76(4) <u>The power to extend the time for a person to make an objection to a rate records</u></p> <p>s.6.76(5) <u>The power to consider any objection and disallow or allow it, wholly or in part</u></p>
SUPPLEMENTARY CONDITIONS	Nil
HEAD DELEGATION	DA 1 – 15 Rates and Service Charges

RECORD KEEPING	GOVN16 – Instrument of Sub-Delegation from CEO to Officers Action taken must be recorded in ECM under the appropriate file structure to meet legislation requirements.
RECENT ALTERATIONS	April 2023
PREVIOUS DELEGATION REFERENCE	6C(S1) Rates and Service Charges

VERIFICATION	Tony Nottle, Chief Executive Officer – 28 April 2023
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S1 – 18

Appointment of Authorised Persons

POWER TO SUB DELEGATE	<i>Local Government Act 1995</i> s.5.44 Chief Executive Officer may delegate some powers and duties to other employees
POWER / DUTY DELEGATED	<i>Local Government Act 1995</i> s.9.10 Appointment of Authorised Persons <i>Building Regulations 2012</i> Regulation 70(2) <i>Criminal Procedure Act 2004</i> s.6(b)
FUNCTION	<ol style="list-style-type: none"> 1. Authority to appoint persons or classes of persons as authorised persons for the purposes of fulfilling functions of an authorised person prescribed in the following legislation inclusive of subsidiary legislation made under each Act: <ol style="list-style-type: none"> (a) <i>Local Government Act 1995</i> and its subsidiary legislation, including Local Government Regulations, the <i>Local Government (Miscellaneous Provisions) Act 1960</i> and Local Laws made under the <i>Local Government Act 1995</i>. (b) <u><i>Caravan Parks and Camping Grounds Act 1995</i></u> (c) <i>Cat Act 2011</i>; (d) <i>Cemeteries Act 1986</i>; (e) <i>Control of Vehicles (Off-road Areas) Act 1978</i>; (f) <i>Dog Act 1976</i>; (g) <i>Graffiti Vandalism Act 2016</i> (s.15); and (h) Any other legislation prescribed for the purpose of s.9.10 of the <i>Local Government Act 1995</i>. 2. Authority to appoint authorised persons for the purposes of section 9.16 of the <i>Local Government Act 1995</i> as a precondition for appointment as authorised officers in accordance with Regulation 70(2) of the <i>Building Regulations 2012</i> and section 6(b) of the <i>Criminal Procedure Act 2004</i>.
CEO DELEGATION TO	Director Engineering and Works Services Director Planning and Development Director Community and Commercial Services Director Finance and Corporate Services
SUPPLEMENTARY CONDITIONS	Nil
HEAD DELEGATION	NA

RECORD KEEPING	GOVN16 – Instrument of Sub-Delegation from CEO to Officers Action taken must be recorded in ECM under the appropriate file structure to meet legislation requirements.
RECENT ALTERATIONS	November 2020 – Amendment to s.9.10 of the Local Government Act 1995 resulted in the removal of DA1 – 18 Appointment of Authorised Persons

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PREVIOUS DELEGATION REFERENCE	9A(S1) Appointment of Authorised Persons
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VERIFICATION	CURRENTLY UNDER REIEW <i>Initial Verification: Mike Archer, Chief Executive Officer – 18 December 2018</i>
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HEAD DELEGATION	DA 1 – 20 Administer Local Laws
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RECORD KEEPING	GOVN16 – Instrument of Sub-Delegation from CEO to Officers Action taken must be recorded in ECM under the appropriate file structure to meet legislation requirements.
RECENT ALTERATIONS	April 2023
PREVIOUS DELEGATION REFERENCE	3A(S1) Executive Function – All functions as provided for the local government pursuant to the Holiday Homes Local Law 2012 3A(S3) Executive Function – All functions as provided for the local government pursuant to the Activities in Thoroughfares and Public Places and Trading Local Law 2015 3A(S4) Executive Function – Determining Applications and Issuing Permits under the Jetties Local Law 3A(S5) Executive Function – All functions as provided for the local government pursuant to the Property Local Law 2010 LG3B(b)(S1) – Executive Function – Determining Applications for the Serving of Alcohol on City Property

VERIFICATION	Tony Nottle, Chief Executive Officer – 28 April 2023
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S1 – 21	Acquisition of Property
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POWER TO SUB DELEGATE	<i>Local Government Act 1995</i> s.5.44 Chief Executive Officer may delegate some powers and duties to other employees
CEO DELEGATION TO	Director, Finance and Corporate Services Director, Engineering and Works Services
SUPPLEMENTARY CONDITIONS	For property which is land, land be acquired it is required in relation to any approved works contained in the budget and the value up to \$20,000 and the purchase is approved by the Director, Finance and Corporate Services and Director, Engineering and Works Services. For all other property, either Director may acquire the property where the value of the property does not exceed \$100,000 and where funds have been provided for in the budget.
HEAD DELEGATION	DA 1 – 21 Acquisition of Property

RECORD KEEPING	GOVN16 – Instrument of Sub-Delegation from CEO to Officers Action taken must be recorded in ECM under the appropriate file structure to meet legislation requirements.
RECENT ALTERATIONS	April 2023
PREVIOUS DELEGATION REFERENCE	LG3B(a)(S1) Acquisition of Property

VERIFICATION	Tony Nottle, Chief Executive Officer – 28 April 2023
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S1 – 22A	Disposition of Property: Other than by Lease
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POWER TO SUB DELEGATE	<i>Local Government Act 1995</i> s.5.44 Chief Executive Officer may delegate some powers and duties to other employees
POWER DELEGATED	<i>Local Government Act 1995</i> s.3.58
FUNCTION	s.3.58(2) The power to dispose of property at a public auction or by public tender 3.58(3) The power to dispose of property by private treaty
CEO DELEGATION TO	Director, Finance and Corporate Services Director, Engineering and Works Services
SUPPLEMENTARY CONDITIONS	Nil
HEAD DELEGATION	DA 1 – 22A Disposition of Property: Other than by Lease

RECORD KEEPING	GOVN16 – Instrument of Sub-Delegation from CEO to Officers Action taken must be recorded in ECM under the appropriate file structure to meet legislation requirements.
RECENT ALTERATIONS	April 2023
PREVIOUS DELEGATION REFERENCE	LG3C(S1) Disposing of Property

VERIFICATION	Tony Nottle, Chief Executive Officer – 28 April 2023
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City of Busselton

S1 – 22B

Disposition of Property: Leasing and Licensing of Land and Buildings

POWER TO SUB DELEGATE	<i>Local Government Act 1995</i> s.5.44 Chief Executive Officer may delegate some powers and duties to other employees
POWER DELEGATED	<i>Local Government Act 1995</i> s.3.18, s.3.58
FUNCTION	s.3.18 The power to perform executive functions s.3.58(2) The power to dispose of property at a public auction or by public tender 3.58(3) The power to dispose of property by private treaty
CEO DELEGATION TO	Director, Finance and Corporate Services Director, Community and Commercial Services Manager Legal and Property Services Manager Economic and Business Development Services Manager Community and Recreation Services
SUPPLEMENTARY CONDITIONS	Conditions of DA 1 – 22B apply
HEAD DELEGATION	DA 1 – 22B Disposition of Property: Leasing and Licensing of Land and Buildings

RECORD KEEPING	GOVN16 – Instrument of Sub-Delegation from CEO to Officers Action taken must be recorded in ECM under the appropriate file structure to meet legislation requirements.
RECENT ALTERATIONS	April 2023
PREVIOUS DELEGATION REFERENCE	LG3C(S1) Disposing of Property

VERIFICATION	Tony Nottle, Chief Executive Officer – 28 April 2023
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City of Busselton

S1 – 25	Extension of Time; Withdrawal of notice
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POWER TO SUB DELEGATE	<i>Local Government Act 1995</i> s.5.44 Chief Executive Officer may delegate some powers and duties to other employees
POWER/DUTY DELEGATED	<i>Local Government Act 1995</i> s.9.19 , s.9.20
FUNCTION	s.9.19 Extension of time s.9.20 Withdrawal of notice
CEO DELEGATION TO	Director, Planning and Development Service Manager, Regulatory Services Ranger and Emergency Services Coordinator
SUPPLEMENTARY CONDITIONS	The determination to withdraw an infringement notice is to be made in accordance with: <ol style="list-style-type: none"> 1. Council Policy – Rangers and Emergency Services Approach to Regulatory Functions; and 2. Operational Practice – Approach to Enforcement, Reviews and Appeals.
HEAD DELEGATION	Not applicable – CEO power under <i>Local Government Act 1995</i>

RECORD KEEPING	GOVN16 – Instrument of Sub-Delegation from CEO to Officers Action taken must be recorded in ECM under the appropriate file structure to meet legislation requirements.
RECENT ALTERATIONS	May 2023
PREVIOUS DELEGATION REFERENCE	3R(S1) Grant an extension within which a modified penalty may be paid; Withdraw an infringement notice

VERIFICATION	Tony Nottle, Chief Executive Officer – 3 May 2023
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City of Busselton

S1 – 26	Committee Elections
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POWER TO SUB DELEGATE	<i>Local Government Act 1995</i> s.5.44 Chief Executive Officer may delegate some powers and duties to other employees
POWER/DUTY DELEGATED	<i>Local Government Act</i> s.5.8 – Establishment of committees Schedule 2.3, Division 1 – Mayors and presidents Schedule 2.3, Division 2 – Deputy mayors and deputy presidents
CEO DELEGATION TO	Director, Community and Commercial Services Director, Finance and Corporate Services Director, Planning and Development Services Director, Engineering and Works Services Manager, Governances and Corporate Services
SUPPLEMENTARY CONDITIONS	This delegation is qualified by the notation that it does not extend to Council Meetings and can only be exercised at Committee Meetings.
HEAD DELEGATION	Not applicable – CEO power under LGA 1995

RECORD KEEPING	GOVN16 – Instrument of Sub-Delegation from CEO to Officers Action taken must be recorded in ECM under the appropriate file structure to meet legislation requirements.
RECENT ALTERATIONS	April 2023
PREVIOUS DELEGATION REFERENCE	LGCEO5 – Committee Elections

VERIFICATION	Tony Nottle, Chief Executive Officer – 28 April 2023
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City of Busselton

S1 – 27	Waiver of Purchasing Policy Requirements
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POWER TO SUB DELEGATE	<i>Local Government Act 1995</i> s.5.44 Chief Executive Officer may delegate some powers and duties to other employees
POWER/DUTY DELEGATED	<i>Local Government (Functions and General) Regulations 1996</i> Regulation.11A
FUNCTION	r.11A Purchasing policies for local governments
CEO DELEGATION TO	Director, Finance and Corporate Services Manager, Legal and Property Services Commercial and Contracts Advisor
SUPPLEMENTARY CONDITIONS	Waiver of Purchasing Policy form to be completed documenting justification for departure from the Policy.
HEAD DELEGATION	NA

RECORD KEEPING	GOVN16 – Instrument of Sub-Delegation from CEO to Officers Action taken must be recorded in ECM under the appropriate file structure to meet legislation requirements.
RECENT ALTERATIONS	April 2023
PREVIOUS DELEGATION REFERENCE	LGCEO6 – Waiver of Purchasing Policy Requirements

VERIFICATION	Tony Nottle, Chief Executive Officer – 28 April 2023
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City of Busselton

S1 – 28	Electoral Rolls and Eligibility for Enrolment
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POWER TO SUB DELEGATE	<i>Local Government Act 1995</i> s.5.44 Chief Executive Officer may delegate some powers and duties to other employees
POWER/DUTY DELEGATED	<i>Local Government Act 1995</i> s.4.41 – Owners and occupiers roll s.4.32 – Eligibility to enrol under s.4.30, how to claim
CEO DELEGATION TO	Director Finance and Corporate Services Manager Governance and Corporate Services
SUPPLEMENTARY CONDITIONS	Nil
HEAD DELEGATION	NA

RECORD KEEPING	GOVN16 – Instrument of Sub-Delegation from CEO to Officers Action taken must be recorded in ECM under the appropriate file structure to meet legislation requirements.
RECENT ALTERATIONS	April 2023
PREVIOUS DELEGATION REFERENCE	LGCEO7 – Electoral Rolls and Eligibility for Enrolment

VERIFICATION	Tony Nottle, Chief Executive Office – 28 April 2023
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City of Busselton

S1 – 29	Destruction of Records of Elections
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POWER TO SUB DELEGATE	<i>Local Government Act 1995</i> s.5.44 Chief Executive Officer may delegate some powers and duties to other employees
POWER/DUTY DELEGATED	<i>Local Government (Elections) Regulations 1997</i> Regulation 82(4) – Keeping election papers (s4.84(a))
CEO DELEGATION TO	Director, Finance and Corporate Services Manager Governance and Corporate Services
SUPPLEMENTARY CONDITIONS	<ol style="list-style-type: none"> 1. There having passed the necessary statutory timeframe before the destruction is undertaken; and 2. The authority only being exercise in the presence of two other City of Busselton employees.
HEAD DELEGATION	NA

RECORD KEEPING	GOVN16 – Instrument of Sub-Delegation from CEO to Officers Action taken must be recorded in ECM under the appropriate file structure to meet legislation requirements.
RECENT ALTERATIONS	April 2023
PREVIOUS DELEGATION REFERENCE	LGCEO8 – Destruction of Records of Elections

VERIFICATION	Tony Nottle, Chief Executive Officer – 28 April 2023
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City of Busselton

S1 – 30	Complaints Officer – Code of Conduct for Council Members, Committee Members and Candidates
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POWER TO SUB DELEGATE	<i>Local Government Act 1995</i> Chief Executive Officer may delegate some powers and duties to other employees
POWER/DUTY DELEGATED	<i>Council Resolution C2102/032:</i> <ol style="list-style-type: none"> 1. The Chief Executive Officer is authorised for the purposes of receiving complaints and withdrawal of complaints in accordance with Schedule 1, Clause 11(3) of the <i>Local Government (Model Code of Conduct) Regulations 2021</i>. 2. Delegate to the Chief Executive Officer the power to appoint one or more persons to receive complaints and withdrawals of complaints in accordance with Schedule 1, Clause 11(3) of the <i>Local Government (Model Code of Conduct) Regulations 2021</i>.
CEO DELEGATION TO	Director, Finance and Corporate Services
SUPPLEMENTARY CONDITIONS	In accordance with Council Policy: Investigation of Complaints of Alleged Breaches of Behaviour, the City’s complaints officer must inform, and keep informed, the Chief Executive Officer regarding any complaints lodged in relation to Part 3 (Behaviours) of the City’s Code of Conduct for Council Members, Committee Members and Candidates.
HEAD DELEGATION	Council Resolution C2102/032
REFERENCE DOCUMENTS	City of Busselton Code of Conduct for Council Members, Committee Members and Candidates
POLICY	Council Policy: Investigation of Complaints of Alleged Breaches of Behaviour

RECORD KEEPING	GOVN16 – Instrument of Sub-Delegation from CEO to Officers Action taken must be recorded in ECM under the appropriate file structure to meet legislation requirements.
RECENT ALTERATIONS	April 2023
PREVIOUS DELEGATION REFERENCE	NA

VERIFICATION	Tony Nottle, Chief Executive Officer – 28 April 2023
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BUILDING ACT 2011

S2 – 01 Building Act 2011, Powers of the

<p>POWER TO SUB DELEGATE</p>	<p><i>Local Government Act 1995</i> s.5.44 Chief Executive Officer may delegate some powers and duties to other employees</p>
<p>CEO DELEGATION TO</p>	<p>See Supplementary Conditions</p>
<p>SUPPLEMENTARY CONDITIONS</p>	<p>Delegation: s.19 - Determine a Certificate of Design Compliance is in an approved form Delegates: Building Services Coordinator Senior Building Surveyor Building Surveyor Conditions: Nil</p> <p>Delegation: s.20, s.25 - Determine - Granting of a Building or Demolition Permit, including conditions, on satisfaction of items in s.20 of the Act Delegates: Building Services Coordinator Senior Building Surveyor Building Surveyor Building Officer Planning and Building Assistant Conditions: Nil</p> <p>Delegation: s.21, s.25, s.27 - Determine – Granting of a Demolition Permit, including conditions, on satisfaction of items in s.21 Delegates: Building Services Coordinator Senior Building Surveyor Building Surveyor Conditions: 1. An item of significance or public interest should be referred to the Director, Planning and Development Services before determination. 2. A demolition permit, to relocate a building within the City, should be referred back to the Director, Planning and Development Services before determination</p> <p>Delegation: s.22, s.24, s.27 - Determine – decline to grant a Building or Demolition Permit Delegates: Director, Planning and Development Services</p>

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<p>Manager, Development Services Building Services Coordinator Senior Building Surveyor</p> <p>Conditions:</p> <ol style="list-style-type: none">1. An item of significance or public interest should be referred to the Director, Planning and Development Services before determination. <p>Delegation: s.25(3(h)), s.25(4(f)) - Determine inspection requirements</p> <p>Delegates: Director, Planning and Development Services Manager, Development Services Building Services Coordinator Senior Building Surveyor Building Surveyor Building Officer</p> <p>Conditions: Nil</p> <p>Delegation: s.39 - Make an application to the Building Commissioner to vary standards</p> <p>Delegates: Director, Planning and Development Services Manager, Development Services Building Services Coordinator Senior Building Surveyor</p> <p>Conditions: Nil</p> <p>Delegation: s.56 - Determine a Certificate of Construction Compliance</p> <p>Delegates: Building Services Coordinator Senior Building Surveyor Building Surveyor</p> <p>Conditions:</p> <ol style="list-style-type: none">1. An item of significance or public interest should be referred to the Director, Planning and Development Services before determination. <p>Delegation: s.57 - Determine a Certificate of Building Compliance</p> <p>Delegates: Building Services Coordinator Senior Building Surveyor Building Surveyor</p> <p>Conditions:</p> <ol style="list-style-type: none">1. An item of significance or public interest should be referred to the Director, Planning and Development Services before determination. <p>Delegation: s.58, s.60, s.62, s.65 - Determine – grant, or with condition, Occupancy Permit, Building Approval Certificate or extend approval</p> <p>Delegates:</p>
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City of Busselton

	<p>Director, Planning and Development Services Manager, Development Services Building Services Coordinator Senior Building Surveyor Building Surveyor Building Officer</p> <p>Conditions:</p> <ol style="list-style-type: none"> 1. An item of significance or public interest should be referred to the Director, Planning and Development Services before determination. <p>Delegation: s.58, s.60, s.62, s.65 - Determine – decline Occupancy Permit, Building Approval Certificate or extend approval</p> <p>Delegates: Director, Planning and Development Services Manager, Development Services Building Services Coordinator Senior Building Surveyor</p> <p>Conditions:</p> <ol style="list-style-type: none"> 1. An item of significance or public interest should be referred to the Director, Planning and Development Services before determination. <p>Delegation: s.133 - Commence prosecution for an offence against this Act</p> <p>Delegates: Director, Planning and Development Services Manager, Development Services Building Services Coordinator</p> <p>Conditions:</p> <ol style="list-style-type: none"> 1. An item of significance or public interest should be referred to the Director, Planning and Development Services before determination. <p>Delegation: s.138, s.140 - The serving of forms and the collection of evidence</p> <p>Delegates: Director, Planning and Development Services Manager, Development Services Building Services Coordinator Compliance Officer (Planning)</p> <p>Conditions:</p> <ol style="list-style-type: none"> 1. An item of significance or public interest should be referred to the Director, Planning and Development Services before determination.
<p>HEAD DELEGATION</p>	<p><u>DA 2 – 01 The Powers and Duties of the Local Government pursuant to the Building Act 2011</u></p>

<p>RECORD KEEPING</p>	<p>GOVN16 – Instrument of Sub-Delegation from CEO to Officers Action taken must be recorded in ECM under the appropriate file structure to meet legislation requirements.</p>
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RECENT ALTERATIONS	12 May 2021 – Inclusion of Planning and Building Assistant
PREVIOUS DELEGATION REFERENCE	BA1(S1) Building Act 2011; Building Regulations 2012

VERIFICATION	CURRENTLY UNDER REVIEW <i>Initial Verification: Mike Archer, Chief Executive Officer – 25 September 2014</i>
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City of Busselton

S2 – 02

Building Regulations 2012, Powers of the

<p>POWER TO SUB DELEGATE</p>	<p><i>Local Government Act 1995</i> s.5.44 Chief Executive Officer may delegate some powers and duties to other employees</p>
<p>CEO DELEGATION TO</p>	<p>See Supplementary Conditions</p>
<p>SUPPLEMENTARY CONDITIONS</p>	<p>Delegation: r.53 - Inspection of pool enclosures Delegates: Director, Planning and Development Services Manager, Development Services Building Services Coordinator Compliance Officer (Planning) Compliance Officer (Building) Conditions: Nil</p> <p>Delegation: r.6 - Assign building classification Delegates: Building Services Coordinator Senior Building Surveyor Building Surveyor Conditions: Nil</p> <p>Delegation: r.31 - Determine – applicable building standard Delegates: Building Services Coordinator Senior Building Surveyor Building Surveyor Conditions: Nil</p> <p>Delegation: Vary requirement for swimming pools within the intent of AS1926.1 Delegates: Director, Planning and Development Services Manager, Development Services Building Services Coordinator Senior Building Surveyor Conditions: Nil</p> <p>Delegation: r.53 - Inspection and approval of pool enclosures Delegates: Director, Planning and Development Services Manager, Development Services Building Services Coordinator</p>

City of Busselton

	<p>Senior Building Surveyor Building Surveyor Building Officer Compliance Officer (Planning) Compliance Officer (Building)</p> <p>Conditions: Nil</p> <p>Delegation: r.61 - Approve battery powered smoke alarms</p> <p>Delegates: Director, Planning and Development Services Manager, Development Services Building Services Coordinator Senior Building Surveyor Building Surveyor</p> <p>Conditions: Nil</p>
HEAD DELEGATION	<u>DA 2 – 01 The Powers and Duties of the Local Government pursuant to the Building Act 2011</u>

RECORD KEEPING	GOVN16 – Instrument of Sub-Delegation from CEO to Officers Action taken must be recorded in ECM under the appropriate file structure to meet legislation requirements.
RECENT ALTERATIONS	25 September 2014 (Implementation)
PREVIOUS DELEGATION REFERENCE	BA1(S1) Building Act 2011; Building Regulations 2012

VERIFICATION	CURRENTLY UNDER REVIEW <i>Initial Verification: Mike Archer, Chief Executive Officer – 25 September 2014</i>
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PLANNING AND DEVELOPMENT ACT 2005

S7 – 01A Local Planning Scheme Regulations 2015 – Schedule 2

<p>POWER TO SUB DELEGATE</p>	<p><i>Planning and Development Act 2005</i> s.162 <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2</p>
<p>CEO DELEGATION TO</p>	<p>Planning and Building Assistant</p>
<p>SUPPLEMENTARY CONDITIONS</p>	<p>Determine to approve, or approve with conditions, an application, having regard to matters listed in cl.67 Schedule 2 of the Regulations and cl.4.1 of the Scheme – but excluding the following matters:</p> <ol style="list-style-type: none"> 1. Any exclusions of Delegation DA 7 – 01, and if conditional approval has been delegated to the CEO, then only after the satisfaction of the terms of the condition/s. 2. Applications assessed as warranting a refusal are to be referred to the appropriate delegate. 3. Applications for reconsideration as defined in Delegation DA 7 – 01 and c.76 and cl.77 of the Regulations are excluded from this delegation. 4. An application which the CEO considers should be referred to Council for its decision. <p>This delegation is limited to:</p> <ol style="list-style-type: none"> a. Development of a Single House (including associated outbuildings and incidental development), where: <ol style="list-style-type: none"> (i) the R-Codes apply to the development; and (ii) the site is not included on the State Register of Heritage Places or the City’s Heritage List; and (iii) the site is not located within a Bushfire Prone Area; and (iv) the site is not located within a Special Control Area; and (v) the development complies with any relevant Local Planning Policy; and (vi) advertising of the application is not required. b. Development of a Holiday Home (Single House), where: <ol style="list-style-type: none"> (i) the site is not included on the State Register of Heritage Places or the City’s Heritage List; and (ii) the site is not located within a Bushfire Prone Area; and (iii) the site is not located within a Special Control Area; and (iv) the development complies with any relevant Local Planning Policy; and (v) advertising of the application is not required. c. Change of use to a Holiday Home (Single House), where: <ol style="list-style-type: none"> (i) the site is not included on the State Register of Heritage Places or the City’s Heritage List; and (ii) the site is not located within a Bushfire Prone Area; and

City of Busselton

	<ul style="list-style-type: none"> (iii) the development complies with any relevant Local Planning Policy; and (iv) advertising of the application is not required.
HEAD DELEGATION	<u>DA 7 – 01 Development Control</u>

RECORD KEEPING	GOVN16 – Instrument of Sub-Delegation from CEO to Officers Action taken must be recorded in ECM under the appropriate file structure to meet legislation requirements.
RECENT ALTERATIONS	Implementation 12 August 2020
PREVIOUS DELEGATION REFERENCE	NA

VERIFICATION	<p>CURRENTLY UNDER REVIEW</p> <p><i>Initial Verification: Mike Archer, Chief Executive Officer – 12 August 2020</i></p>
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City of Busselton

S7 – 01B

PDR1 Local Planning Scheme Regulations 2015 – Schedule 2

<p>POWER TO SUB DELEGATE</p>	<p><i>Planning and Development Act 2005</i> s.162 <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2</p>
<p>CEO DELEGATION TO</p>	<p>Planning Officer</p>
<p>SUPPLEMENTARY CONDITIONS</p>	<p>Determine to approve, or approve with conditions, an application, having regard to matters listed in cl.67 Schedule 2 of the Regulations and cl.4.1 of the Scheme – but excluding the following matters:</p> <ol style="list-style-type: none"> 1. Any exclusions of Delegation DA 7 – 01, and if conditional approval has been delegated to the CEO, then only after the satisfaction of the terms of the condition/s. 2. Applications assessed as warranting a refusal are to be referred to the appropriate delegate. 3. Applications for reconsideration as defined in Delegation DA 7 – 01 and c.76 and cl.77 of the Regulations are excluded from this delegation. 4. An application which the CEO considers should be referred to Council for its decision. <p>This delegation applies to the land uses listed as “P”, “A” and “D” in Table 1, Scheme 21 but excluding with that group:</p> <ol style="list-style-type: none"> 1. “P” land uses whose works, including car parking provision, is not consistent with the Scheme or local planning policy. 2. “A” and “D” land uses where representation from advertising is received. 3. Development involving a Category 1 listed building/place on the City of Busselton Heritage List or an item listed on the State Heritage Register 4. Development that incorporates a shipping container, a relocatable or transportable dwelling, railway carriage. 5. Development on Scheme Reserves and Crown land. 6. Development greater than 800sqm (Gross Floor Area). 7. Development greater than \$1million dollars in construction value excluding single houses. 8. Development where the wall height or apex of a building is more than 20% higher than prescribed in Local Planning Policy and Scheme. 9. Multiple dwellings. 10. Extractive industry. 11. Mineral Resource Development. 12. Development in the Coastal Management Area that is not infill development as described in State Planning Policy 2.6. 13. Development in a floodway or flood prone land. 14. Development with in a declared Bushfire Prone area where a building construction requirement would be greater than BAL – 29 (AS 3959 – 2009).

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HEAD DELEGATION	<u>DA 7 – 01 Development Control</u>
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RECORD KEEPING	GOVN16 – Instrument of Sub-Delegation from CEO to Officers Action taken must be recorded in ECM under the appropriate file structure to meet legislation requirements.
RECENT ALTERATIONS	November 2021
PREVIOUS DELEGATION REFERENCE	PDR1 (S1.1) – Planning and Development (Local Planning Schemes) Regulations 2015 – Schedule 2; City of Busselton Local (Town) Planning Scheme 21

VERIFICATION	CURRENTLY UNDER REVIEW <i>Initial Verification: Mike Archer, Chief Executive Officer – 8 November 2021</i>
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City of Busselton

S7 – 01C

PDR2 Local Planning Schemes Regulations 2015 – Schedule 2

<p>POWER TO SUB DELEGATE</p>	<p><i>Planning and Development Act 2005</i> s.162 <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2</p>
<p>CEO DELEGATION TO</p>	<p>Building Service Coordinator Senior Building Surveyor</p>
<p>SUPPLEMENTARY CONDITIONS</p>	<p>This delegation only applies to matters listed in Part 5 of the R-Codes:</p> <ol style="list-style-type: none"> 1. Any exclusions of Delegation DA 7 – 01, and if conditional approval has been delegated to the CEO, then only after the satisfaction of the terms of the condition/s. 2. Applications assessed as warranting a refusal are to be referred to the appropriate delegate. 3. Applications for reconsideration as defined in Delegation DA 7 – 01 and c.76 and cl.77 of the Regulations are excluded from this delegation. 4. An application which the CEO considers should be referred to Council for its decision. <p>This delegation applies to the power/duty to:</p> <ol style="list-style-type: none"> 1. Determine an application that complies with the Deemed to Comply criteria in Part 5 of the R-Codes, for a ‘single house’ and ‘incidental development’. 2. Determine an application by Design Principles for a single house and incidental development having regard to matters listed in Part 5 of the R-Codes and the comments receive from neighbour consultation, other than if the proposal has: <ol style="list-style-type: none"> 3. a front setback that is forward of the dwellings on the adjacent properties; 4. a minimum ‘total of open space’ that is less that prescribed in Table 1; 5. an outbuilding with a wall height exceeding 3.1m or an apex of 4.8m; 6. a boundary wall in Code areas R2-R-15, or a wall built on more than one boundary; 7. a boundary wall exceeding the wall length and wall height requirements, in Table 2 by more than 10%; 8. a maximum building height that is greater than prescribed in Table 3; 9. privacy elements other than described as ‘Deemed to Comply’. 10. This delegation excluded development in a Special Control Area, or in a Bush Fire Prone Area, where the site has a BAL greater than 29. 11. This delegation excludes development that incorporates a shipping container, a relocatable or transportable dwelling or a railway carriage.

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	<p>12. Determine an application for a ‘single house’ and ‘incidental development’ in the Special Control Area – Landscape Value Area, where the single house or incidental development would otherwise be permitted by the Scheme, and is in accordance with cl.6.4 of the Scheme. Specifically the building is wholly located within the building envelope, clearing of vegetation is no greater than that require to achieve BAL 29, and the building finishes are of dark tones/colouring and of low reflective nature.</p>
HEAD DELEGATION	<u>DA 7 – 01 Development Control</u>

RECORD KEEPING	GOVN16 – Instrument of Sub-Delegation from CEO to Officers Action taken must be recorded in ECM under the appropriate file structure to meet legislation requirements.
RECENT ALTERATIONS	November 2021
PREVIOUS DELEGATION REFERENCE	PDR1 (S1.2) – Planning and Development (Local Planning Schemes) Regulations 2015 – Schedule 2; City of Busselton Local (Town) Planning Scheme 21

VERIFICATION	CURRENTLY UNDER REVIEW <i>Initial Verification: Mike Archer, Chief Executive Officer – 8 November 2021</i>
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City of Busselton

S7 – 01D

PDR3 Local Planning Schemes Regulations 2015 – Schedule 2

<p>POWER TO SUB DELEGATE</p>	<p><i>Planning and Development Act 2005</i> s.162 <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2</p>
<p>CEO DELEGATION TO</p>	<p>Senior Development Planner Senior Development Planner – Policy Statutory Planning Coordinator</p>
<p>SUPPLEMENTARY CONDITIONS</p>	<p>Determine to approve, or approve with conditions, an application, having regard to matters listed in cl.67 Schedule 2 of the Regulations and cl.4.1 of the Scheme – but excluding the following matters:</p> <ol style="list-style-type: none"> 1. Any exclusions of Delegation DA 7 – 01, and if conditional approval has been delegated to the CEO, then only after the satisfaction of the terms of the condition/s. 2. Applications assessed as warranting a refusal are to be referred to the appropriate delegate. 3. Applications for reconsideration as defined in Delegation DA 7 – 01 and c.76 and cl.77 of the Regulations are excluded from this delegation. 4. An application which the CEO considers should be referred to Council for its decision. <p>This delegation applies to land uses listed as “P”, “A” and “D” in Table 1 Scheme 21 but excluding with that group any of the following:</p> <ol style="list-style-type: none"> 1. Development involving a Category 1 listed building/place on the City of Busselton Heritage List or an item listed on the State Heritage Register; 2. Development that incorporates a shipping container, relocatable or transportable dwelling, or a railway carriage; 3. New development on Scheme Reserves and Crown Land, including parcels adjoin or contiguous with that adjoin the coast; 4. Development in the Business and Restricted Business Zones proposing less car parking than prescribed in Local Planning Policy 8 – Car Parking Provisions; 5. Development greater than 2000sqm (Gross Floor Area); 6. Development greater than \$2million in construction value excluding single houses; 7. Development in Coastal Management Area that is not infill development as described in State Planning Policy 2.6; 8. Development in Floodway or Floor prone land; 9. Development within a declared Bush Fire Prone Areas where a building construction requirement would be greater than BAL – 40 (AS 3959 – 2009).
<p>HEAD DELEGATION</p>	<p><u>DA 7 – 01 Development Control</u></p>

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RECORD KEEPING	GOVN16 – Instrument of Sub-Delegation from CEO to Officers Action taken must be recorded in ECM under the appropriate file structure to meet legislation requirements.
RECENT ALTERATIONS	November 2021
PREVIOUS DELEGATION REFERENCE	PDR1 (S1.3) – Planning and Development (Local Planning Schemes) Regulations 2015 – Schedule 2; City of Busselton Local (Town) Planning Scheme 21

VERIFICATION	CURRENTLY UNDER REVIEW <i>Initial Verification: Mike Archer, Chief Executive Officer – 8 November 2021</i>
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City of Busselton

S7 – 01E

PDR4 Local Planning Schemes Regulations 2015 – Schedule 2

<p>POWER TO SUB DELEGATE</p>	<p><i>Planning and Development Act 2005</i> s.162 <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2</p>
<p>CEO DELEGATION TO</p>	<p>Manager Development Services</p>
<p>SUPPLEMENTARY CONDITIONS</p>	<p>To decide on all matters pursuant to Scheme as delegated by the CEO (cl.83), but excluding the following matters:</p> <ol style="list-style-type: none"> 1. Any exclusions of Delegation DA 7 – 01, and if conditional approval has been delegated to the CEO, then only after the satisfaction of the terms of the condition/s. 2. Applications for reconsideration as defined in Delegation DA 7 – 01 and c.76 and cl.77 of the Regulations are excluded from this delegation. 3. An application which the CEO considers should be referred to Council for its decision. <p>Scope:</p> <ol style="list-style-type: none"> 1. Determine to approve or amend a Local Development Plan; 2. Determination of an application, having regard to listed matters in cl.67, to approval or approve with conditions; 3. Determine an application, having regard to listed matters in cl.68 (2) (c) to refuse to grant approval; 4. Determine to agree to cancel an approval; 5. Determine applications for development on a Reserve or Crown Land; 6. Determine to extend the term of commencement approval; 7. Determine to extend time for assessment; 8. Review (SAT) – upon being invited by the Tribunal, to determine either to affirm, vary or substitute a new decision, but only where the decision was made under delegation; 9. Determine routine agreements with an owner affected by the provisions of the Scheme in respect of any matter pertaining to the Scheme. 10. Determine to require the repair of an advertisement. <p>Notes: Routine agreements are only those that are contemplated within normal operations and do not adversely affect the annual budget or the long term financial plan and present a Low Risk (Risk Management Framework). Examples of routine agreements include but are not limited to the furtherance of conditions of subdivision approval or strata subdivision approval issued by the Western Australian Planning Commission (which may include easements, restrictive covenants, or section 70A notification) or in furtherance of any condition of planning approval of an application determined by the City.</p>
<p>HEAD DELEGATION</p>	<p>DA 7 – 01 Development Control</p>

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RECORD KEEPING	GOVN16 – Instrument of Sub-Delegation from CEO to Officers Action taken must be recorded in ECM under the appropriate file structure to meet legislation requirements.
RECENT ALTERATIONS	November 2021
PREVIOUS DELEGATION REFERENCE	PDR1 (S1.4) – Planning and Development (Local Planning Schemes) Regulations 2015 – Schedule 2; City of Busselton Local (Town) Planning Scheme 21

VERIFICATION	CURRENTLY UNDER REVIEW <i>Initial Verification: Mike Archer, Chief Executive Officer – 8 November 2021</i>
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S7 – 01F

PDR5 Local Planning Schemes Regulations 2015 – Schedule 2

<p>POWER TO SUB DELEGATE</p>	<p><i>Planning and Development Act 2005</i> s.162 <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2</p>
<p>CEO DELEGATION TO</p>	<p>Director, Planning and Development Services</p>
<p>SUPPLEMENTARY CONDITIONS</p>	<p>To decide on all matters pursuant to Scheme as delegated by the CEO (cl.83), but excluding the following matters:</p> <ol style="list-style-type: none"> 1. Any exclusions of delegation DA7 – 01 and if conditional approval has been delegated to the CEO, then only after the satisfaction of the terms of the condition. 2. Application which the CEO considers should be referred to Council for decision. <p>Scope:</p> <ol style="list-style-type: none"> a. Determine to amend a Structure Plan and if it affects subdivision, to forward it to WAPC for endorsement; b. Determine to amend an Activity Centre Plan and if it affects subdivision, to forward it to WAPC for endorsement; c. Determine to approve or amend a Local Development Plan; d. Determine an application, having regard to listed matters in cl.67, to approval or approve with conditions; e. Determine an application, having regard to listed matters in cl.68 (2) (c) to refuse to grant approval; f. Review of Decisions (Reconsideration); g. Determine to cancel an approval; h. Determine applications for development on Reserve or Crown Land; i. Determine to extend the term of commencement approval; j. Determine to extend time for assessment; k. Review (SAT) upon being invited by the Tribunal, to determine either to affirm, vary or substitute a new decision; but only where the decision was made under delegation, otherwise refer to condition (3) below’; l. Determine routine agreements with an owner affected by the provisions of the Scheme in respect of any matter pertaining to the Scheme; m. Determine to require the repair of an advertisement. <p>Conditions:</p> <ol style="list-style-type: none"> 1. Prior to determining an application for ‘Reconsideration’ a copy of the application, together with an officers assessment report, is circulated to Councillors, for a period of not less than 14 days; 2. Where an application has been determined by Council and appealed to SAT, and where SAT has made an Order inviting reconsideration, that prior to determining an application for reconsideration, an officers assessment report is to be

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	<p>circulated to all Councillors for a period of not less than 14 days.</p> <p>Notes:</p> <p>Routine agreements are only those that are contemplated within normal operations and do not adversely affect the annual budget or the long term financial plan and present a Low Risk (Risk Management Framework).</p> <p>Examples of routine agreements include but are not limited to the furtherance of conditions of subdivision approval or strata subdivision approval issued by the Western Australian Planning Commission (which may include easements, restrictive covenants, or section 70A notification) or in furtherance of any condition of planning approval of an application determined by the City.</p>
HEAD DELEGATION	<u>DA 7 – 01 Development Control</u>

RECORD KEEPING	GOVN16 – Instrument of Sub-Delegation from CEO to Officers Action taken must be recorded in ECM under the appropriate file structure to meet legislation requirements.
RECENT ALTERATIONS	November 2021
PREVIOUS DELEGATION REFERENCE	PDR1 (S1.5) – Planning and Development (Local Planning Schemes) Regulations 2015 – Schedule 2; City of Busselton Local (Town) Planning Scheme 21

VERIFICATION	<p>CURRENTLY UNDER REVIEW</p> <p><i>Initial Verification: Mike Archer, Chief Executive Officer – 8 November 2021</i></p>
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S7 – 02	Unauthorised Development
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POWER TO SUB DELEGATE	<i>Local Government Act 1995</i> s.5.44 Chief Executive Officer may delegate some powers and duties to other employees <i>Planning and Development Act 2005</i> s.214(2), s.214(3) and s.214(5)
CEO DELEGATION TO	Director, Planning and Development Services
SUPPLEMENTARY CONDITIONS	To be undertaken in consultation with the City of Busselton Legal Services Business Unit
HEAD DELEGATION	DA 7 – 02 Unauthorised Development

RECORD KEEPING	GOVN16 – Instrument of Sub-Delegation from CEO to Officers Action taken must be recorded in ECM under the appropriate file structure to meet legislation requirements.
RECENT ALTERATIONS	15 June 2015 (addition of condition)
PREVIOUS DELEGATION REFERENCE	5B(S1)

VERIFICATION	CURRENTLY UNDER REVIEW <i>Initial Verification: Mike Archer, Chief Executive Officer – 30 June 2011</i>
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STRATA TITLES ACT 1985

S8 – 01 **Certificate of Approval**

POWER TO SUB DELEGATE	<i>Local Government Act 1995</i> s.5.44 Chief Executive Officer may delegate some powers and duties to other employees <i>Strata Titles Act 1985</i> s.25
CEO DELEGATION TO	Director, Planning and Development Services Manager Development Services Statutory Planning Coordinator Senior Development Planner Senior Development Planner - Policy
SUPPLEMENTARY CONDITIONS	Conditions of DA 8 - 01 apply
HEAD DELEGATION	<u>DA8 – 01 Certificate of Approval pursuant to the Strata Titles Act 1985</u>

RECORD KEEPING	GOVN16 – Instrument of Sub-Delegation from CEO to Officers Action taken must be recorded in ECM under the appropriate file structure to meet legislation requirements.
RECENT ALTERATIONS	25 September 2014
PREVIOUS DELEGATION REFERENCE	STA1 (S1) Certificate of Approval

VERIFICATION	CURRENTLY UNDER REVIEW <i>Initial Verification: Mike Archer, Chief Executive Officer – 25 September 2014</i>
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Delegations by Position

<p>Director Community and Commercial Services</p>	<p>S1 – 07 Inviting Tenders S1 – 14A Power to Defer, Grant Discounts, Waive or Write-Off Debt S1 – 18 Appointment of Authorised Persons S1 – 20 Administer Local Laws S1 – 22B Disposition of Property: Leasing and Licensing of Land and Buildings S1 – 26 Committee Elections</p>
<p>Director Engineering and Works Services</p>	<p>S1 – 05 Closure of Thoroughfares S1 – 07 Inviting Tenders S1 – 14A Power to Defer, Grant Discounts, Waive or Write-Off Debt S1 – 18 Appointment of Authorised Persons S1 – 21 Acquisition of Property S1 – 22A Disposition of Property: Other than by Lease S1 – 26 Committee Elections</p>
<p>Director Finance and Corporate Services</p>	<p>S1 – 07 Inviting Tenders S1 – 14A Power to Defer, Grant Discounts, Waive or Write-Off Debts S1 – 15 Rates and Service Charges S1 – 18 Appointment of Authorised Persons S1 – 20 Administer Local Laws S1 – 21 Acquisition of Property S1 – 22A Disposition of Property: Other than by Lease S1 – 22B Disposition of Property: Leasing and Licensing of Land and Buildings S1 – 26 Committee Elections S1 – 27 Waiver of Purchasing Policy Requirements S1 – 28 Electoral Rolls and Eligibility for Enrolment S1 – 29 Destruction of Records of Elections S1 – 30 Complaints Officer – Code of Conduct for Council Members, Committee Members and Candidates</p>
<p>Director Planning and Development Services</p>	<p>S1 – 03 Abandoned vehicle wreck S1 – 04 Confiscated or Uncollected Goods S1 – 07 Inviting Tenders S1 – 11 Amendments to the Consolidated Parking Scheme S1 – 13A Authority to destroy an impounded sick or injured animal S1 – 14A Power to Defer, Grant Discounts, Waive or Write-Off Debt S1 – 14B Power to Defer, Grant Discounts, Waiver or Write-Off Debts S1 – 18 Appointment of Authorised Persons S1 – 20 Administer Local Laws S1 – 25 Extension of Time; Withdrawal of notice S1 – 26 Committee Elections S2 – 01 Building Act 2011, Powers of the S2 – 02 Building Regulations 2012, Powers of S7 – 01F PDR5 Local Planning Scheme Regulations 2015 S7 – 02 Unauthorised Development S8 – 01 Certificate of Approval</p>

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Manager, Community and Recreation Services	S1 – 20 Administer Local Laws S1 – 22B Disposition of Property: Leasing and Licensing of Land and Buildings
Manager, Economic and Business Development Services	S1 – 20 Administer Local Laws S1 – 22B Disposition of Property: Leasing and Licensing of Land and Buildings
Manager, Development Services	S1 – 20 Administer Local Laws S2 – 01 Building Act 2011, Powers of the S2 – 02 Building Regulations 2012, Powers of S7 – 01E PDR4 Local Planning Scheme Regulations 2015 S8 – 01 Certificate of Approval
Manager, Regulatory Services	S1 – 03 Abandoned vehicle wreck S1 – 04 Confiscated or Uncollected Goods S1 – 13A Authority to destroy an impounded sick or injured animal S1 – 14B Power to Defer, Grant Discounts, Waiver or Write-Off Debts S1 – 20 Administer Local Laws S1 – 25 Extension of Time; Withdrawal of notice
Manager, Financial Services	S1 – 14C Power to Defer, Grant Discounts, Waive or Write-Off Debts S1 – 15 Rates and Service Charges
Manager, Governance and Corporate Services	S1 – 20 Administer Local Laws S1 – 26 Committee Elections S1 – 28 Electoral Rolls and Eligibility for Enrolment S1 – 29 Destruction of Records of Elections
Manager, Information Services	S1 – 20 Administer Local Laws
Manager, Legal and Property Services	S1 – 22B Disposition of Property: Leasing and Licensing of Land and Buildings S1 – 27 Waiver of Purchasing Policy Requirements
Building Services Coordinator	S1 – 20 Administer Local Laws S2 – 01 Building Act 2011, Powers of the S2 – 02 Building Regulations 2012, Powers of S7 – 01C PDR2 Local Planning Scheme Regulations 2015
Environmental Health Coordinator	S1 – 20 Administer Local Laws
Events Coordinator	S1 – 20 Administer Local Laws
Commercial and Contracts Advisor	S1 – 27 Waiver of Purchasing Policy Requirements
Statutory Planning Coordinator	S7 – 01D PDR3 Local Planning Scheme Regulations 2015 – Schedule 2 S8 – 01 Certificate of Approval
Senior Building Surveyor	S2 – 01 Building Act 2011, Powers of the S2 – 02 Building Regulations 2012, Powers of S7 – 01C PDR2 Local Planning Scheme Regulations 2015

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Senior Development Planner	S7 – 01D PDR3 Local Planning Scheme Regulations 2015 – Schedule 2 S8 – 01 Certificate of Approval
Senior Development Planner – Policy	S7 – 01D PDR3 Local Planning Scheme Regulations 2015 – Schedule 2 S8 – 01 Certificate of Approval
Ranger and Emergency Services Coordinator	S1 – 03 Abandoned vehicle wreck S1 – 04 Confiscated or Uncollected Goods S1 – 13A Authority to destroy an impounded sick or injured animal S1 – 14B Power to Defer, Grant Discounts, Waiver or Write-Off Debts S1 – 25 Extension of Time; Withdrawal of notice
Rates Coordinator	S1 – 14C Power to Defer, Grant Discounts, Waive or Write-Off Debts S1 – 15 Rates and Service Charges
Compliance Officer (Building)	S2 – 02 Building Regulations 2012, Powers of
Compliance Officer (Planning)	S2 – 01 Building Act 2011, Powers of the S2 – 02 Building Regulations 2012, Powers of
Building Officer	S2 – 01 Building Act 2011, Powers of the S2 – 02 Building Regulations 2012, Powers of
Building Surveyor	S2 – 01 Building Act 2011, Powers of the S2 – 02 Building Regulations 2012, Powers of
Planning Officer	S7 – 01B PDR1 Local Planning Scheme Regulations 2015 – Schedule 2
Planning and Building Assistant	S2 – 01 Building Act 2011, Powers of the S7 – 01A Local Planning Scheme Regulations 2015 - Schedule 2
Senior Ranger	S1 – 13B Authority to destroy an impounded sick or injured animal
Rangers	S1 – 13B Authority to destroy an impounded sick or injured animal