



DELEGATIONS REGISTER

As presented to Council 26 April 2022

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INTRODUCTION

Purpose of Delegating Authority

The aim of delegated authority is to assist with improving the time taken to make decisions within the constraints allowed by the relevant legislation. This is consistent with the Shire of Wagin's commitment to a strong customer service focus.

The Delegated Authority Register details the head of power for each delegation, including legislation and Council policies, to enable easier cross-referencing. The Register will be reviewed on an annual basis in accordance with the requirements of s. 5.46 (2) of the *Local Government Act 1995*, with the coordination of the review to be performed by the Chief Executive Officer.

Legislation

The *Local Government Act 1995* allows for a local government to delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the *Local Government Act 1995*, except for those listed in s. 5.43.

All delegations made by the Council must be by Absolute Majority [s. 5.42(1)].

Apart from the *Local Government Act 1995*, its regulations and the Shire of Wagin local laws created under the Act, a number of other pieces of legislation.

DELEGATED AUTHORITY REGISTER

Delegation by the Chief Executive Officer

Many of the pieces of legislation (including the *Local Government Act 1995*) which provide for delegation of authority by Council to the Chief Executive Officer also allow the Chief Executive Officer to further delegate a particular power or powers to another employee.

It should be noted that the "On Delegations" referred to in this register may only have the status as guidelines for the CEO.

Usually, this delegation must be made in writing, and must include any conditions or limitations placed by Council on the original delegation. The Chief Executive Officer may usually also place additional conditions or limitations on the delegation as he or she considers necessary.

The Chief Executive Officer may also delegate the exercise of any power, or the discharge of any duty granted under the *Local Government Act 1995* by right of his or her position as Chief Executive Officer, other than the power of delegation itself [s. 5.44 (1)].

Under s. 5.46(1) and s. 5.46(2) of the *Local Government Act 1995*, a Register of Delegations relevant to the Chief Executive Officer and other Shire employees is to be kept and reviewed at least once in every financial year. Officers are also required to keep certain records whenever they exercise a power or duty which has been delegated to them [s. 5.46(3)].

This record must contain the following information [Reg. 19 – *Local Government (Administration) Regulations 1996*]:

- How the person exercised the power or discharged the duty;
- When the person exercised the power or discharged the duty; and
- The persons or classes of persons, other than Council or committee members or employees of the local government, directly affected by the exercise of the power or discharge of the duty.

Officers with delegated powers are responsible for ensuring that the requirements of Reg. 19 are complied with.

A person to whom a power is delegated is considered to be a 'designated employee" under s. 5.74(b) of the *Local Government Act 1995* and is required to complete a Primary Return when commencing in the position and an Annual Return for each financial year thereafter.

Delegation No:1

Abandoned Vehicles

Date Adopted:	24 April 2012 Minute #1896
Date Last Reviewed:	23 February 2021 Minute #4479
Policy Reference:	None

Delegate:	CEO
On-Delegated:	Yes
Chief Executive Instruction:	Yes

Legal (Parent): Local Government Act 3.39 3.40 and 3.40A "An employee authorised by a Local Government for the purpose may remove and impound and goods that are involved in a contravention that can lead to impounding"

Legal (Subsidiary):

Other Comments/Instructions/Persons On-Delegated

Council delegates its authority and power to remove and impound vehicle wrecks and to declare a vehicle as an abandoned wreck.

Authorised Officer:

Chief Executive Officer

On-Delegated:

Manager of Works

Delegation No:2

Blank

<i>Date Adopted:</i>	
<i>Date Last Reviewed:</i>	
<i>Policy Reference:</i>	

Delegate:	
<i>On-Delegated:</i>	
<i>Chief Executive Instruction:</i>	

Legal (Parent):

Legal (Subsidiary):

Other Comments

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Delegation No:3

Agreement to Payment of Rates and Service Charges

Date Adopted:	24 April 2012 Minute #1896
Date Last Reviewed:	23 February 2021 Minute #4479
Policy Reference:	None

Delegate:	CEO
On-Delegated:	Yes
Chief Executive Instruction:	Yes

Legal (Parent): Local Government Act s 6.49
"A Local Government may accept payment of a rate or service charge due and payable by a person in accordance with an agreement made with the person."

Legal (Subsidiary):

Other Comments

Council delegates to the Chief Executive Officer the authority and power to accept payment of a rate service charge due and payable by a person in accordance with an agreement made with the person. Special payment agreements may be entered into for cases of special hardship for payment of rates, service charges, and domestic rubbish removal charges.

Authorised Officer:

Chief Executive Officer

On-Delegated:

**Manager of Finance
Deputy Chief Executive Officer**

Delegation No:4

Blank

<i>Date Adopted:</i>	
<i>Date Last Reviewed:</i>	
<i>Policy Reference:</i>	

Delegate:	
<i>On-Delegated:</i>	
<i>Chief Executive Instruction:</i>	

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Legal (Subsidiary):

Other Comments

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Delegation No:5

Approval/Refusal Building Applications

Date Adopted:	May 2002
Date Last Reviewed:	23 February 2021 Minute #4479
Policy Reference:	Health/Building/Planning Policy HBP.4

Delegate:	BS
On-Delegated:	No
Chief Executive Instruction:	N/A

Legal (Parent): Building Act 2011

Legal (Subsidiary):

Other Comments/Instructions/Persons On-Delegated

Council delegates its authorisation and power to discharge of any of its duties to approve or refuse applications.

Authorised Officers:

Building Surveyor

Delegation No:6

Authorised Officers

Date Adopted:	22 June 2010
Date Last Reviewed:	23 February 2021 Minute #4479
Policy Reference:	Finance Policy F.5

Delegate:	CEO
On-Delegated:	Yes
Chief Executive Instruction:	Yes

Legal (Parent): Local Government Act 1995 s3.24 and s.9.10 “the powers given to a local government by this Subdivision can only be exercised on behalf of the local government by a person expressly authorised by it to exercise those powers”

Legal (Subsidiary):

1. Local Government (Financial Management) Regulations 1996

Other Comments/Instructions/Persons On-Delegated

Council delegates its authority and power to the Chief Executive Officer for the purpose of the Shire of Wagin’s accounts for certifying officers, and its authorisation policy is to clearly define which staff can authorise accounts to be paid and the extent of their authority with regards to authorisation limits.

Authorised Officer:

Chief Executive Officer

On-Delegated:

**Manager of Finance
Deputy Chief Executive Officer
Manager of Works**

Delegation No:7

Authorised Officer Caravan Park & Camping Ground

Date Adopted:	22 June 2010
Date Last Reviewed:	23 February 2021 Minute #4479
Policy Reference:	None

Delegate:	CEO
On-Delegated:	Yes
Chief Executive Instruction:	Yes

Legal (Parent): CARAVAN PARKS AND CAMPING GROUNDS ACT 1995 "An Act to provide for the regulation of caravanning and camping, to control and license caravan parks and camping grounds, to provide for standards in respect of caravans, to amend certain Acts and for related purposes."

Legal (Subsidiary):
Caravan Parks and Camping Grounds Regulations 1997:
1. Schedule 4 of Regulations
2. Regulation 10 Where a person may camp (illegal camping).

Other Comments/Instructions/Persons On-Delegated

Council delegates its authority and power to Authorise the Officers to enforce and control Caravan and Camping Grounds Local Government Act 1995.

Authorised Officer:

Chief Executive Officer

On-Delegated:

Appointed as Authorised Officers under the Regulations as follows:

Deputy Chief Executive Officer

Manager of Finance

Environmental Health Officer

WA Contract Ranger Services: Mr Matt Sharpe; Mr Rob Cashman; Mr Steven Ball.

Issue Infringement Notices Schedule 4 of Regulations:

Deputy Chief Executive Officer

Manager of Finance

Environmental Health Officer

Manager of Works

WA Contract Ranger Services: Mr Matt Sharpe; Mr Rob Cashman; Mr Steven Ball.

Issue Infringement Notices Regulation 10 Illegal Camping:

Deputy Chief Executive Officer

Manager of Finance

Environmental Health Officer

Manager of Works

WA Contract Ranger Services: Mr Matt Sharpe; Mr Rob Cashman; Mr Steven Ball.

Authority to Withdraw or Extend Infringement Notices:

Deputy of Chief Executive Officer

Manager of Finance

Authority to Receive Payment of Modified Penalties under schedule 4:

Manager of Finance

Executive Assistant

Finance Officers

Administration Officers

Delegation No:8

Authorised Officers Dog Act

Date Adopted:	22 June 2010
Date Last Reviewed:	23 February 2021 Minute #4479
Policy Reference:	None

Delegate:	CEO
On-Delegated:	Yes
Chief Executive Instruction:	No

Legal (Parent): Authorised Officers Dog Act 1976 “under the powers conferred by the Dog Act 1976 and under all powers enabling it, the Council of the Shire of Wagin resolved on 20th November 2001, to make the following laws”

Legal (Subsidiary):

Other Comments/Instructions/Persons On-Delegated

Council delegates its authority and power for officers to enforce the Dog Act of 1976.

Authorised Officers:

Chief Executive Officer

On-Delegated:

Deputy Chief Executive Officer

Manager of Finance

Environmental Health Officer

Manager of Works

Rangers: Mr Larry Stanbridge; WA Contract Ranger Services: Mr Matt Sharpe; Mr Rob Cashman; Mr Steven Ball.

Delegation No:9

Authorisation of Officers to exercise certain provisions about Land

Date Adopted:	24 April 2012 Minute #1896
Date Last Reviewed:	23 February 2021 Minute #4479
Policy Reference:	None

Delegate:	CEO
On-Delegated:	No
Chief Executive Instruction:	Yes

Legal (Parent): Local Government Act s3.24 and s.3.25 “the powers given to a Local Government by this Subdivision can only be exercised on behalf of the Local Government by a person expressly authorised by it to exercise those powers”

Legal (Subsidiary):

Other Comments

Council Delegates its authority and power to the Chief Executive Officer in respect to the issue of notices pursuant to section 3.25 to owners and occupiers of land requiring certain things to be done by the owner or occupier of that land pursuant to Schedule 3.1 of the Local Government Act 1995. Also to take what action is deemed necessary to recover the costs incurred in achieving the purpose for which a Notice was given pursuant to Section 3.25 of the Local Government Act 1995 from the persons who failed to comply with the said Notice, and also to do anything necessary, so far as practicable, to achieve the purposes for which a Notice was given pursuant to Section 3.25 of the Local Government Act 1995.

Authorised Officer:

Chief Executive Officer

Delegation No:10

Bushfire Polices 2 Suspend Prohibited & Restricted Burning Period, 3 Use of Council Equipment 6 Issuing Infringements

Date Adopted:	April 1997
Date Last Reviewed:	23 February 2021 Minute #4479
Policy Reference:	Bushfire Policies B.2 / B.3 / B.6

Delegate:	CEO
On-Delegated:	Yes
Chief Executive Instruction:	Yes

Legal (Parent): Bush Fires Act 1954
 “notifiable authority in relation to land upon which, or upon part of which, burning is intended to be carried out, means any government department which has land under its care, control and management adjoining the subject land which has requested the local government in whose district the subject land is situated to notify it of all variations made by the local government from time to time under section 17 or 18 of the Act”

Legal (Subsidiary):

Other Comments/Instructions/Persons On-Delegated

(a) Council delegates its power and authority to Suspend Prohibited and Restricted Burning Period – authority to suspend or amend prohibited burning and restricted burning periods.

Authorised Officer:

Chief Executive Officer

On-Delegated:

In Conjunction with Chief Bush Fire Control Officer (CBFCO)

(b) Council delegates its power and authority use of council equipment to control bushfires within or bordering Wagin district.

Authorised Officer:

Chief Executive Officer

On-Delegated:

Manager of Works

(c) Council delegates its power and authority to the issuing of infringements

Authorised Officer:

Chief Executive Officer

Delegation No:11 Clearing of Rural Road Intersections & Fence lines on Road Reserves

<i>Date Adopted:</i>	Sept 2002
<i>Date Last Reviewed:</i>	23 February 2021 Minute #4479
<i>Policy Reference:</i>	Works Policy W.3

<i>Delegate:</i>	CEO
<i>On-Delegated:</i>	Yes
<i>Chief Executive Instruction:</i>	Yes

Legal (Parent): Local Government Act 1995 Section 5.42.

Legal (Subsidiary):

Other Comments/Instructions/Persons On-Delegated

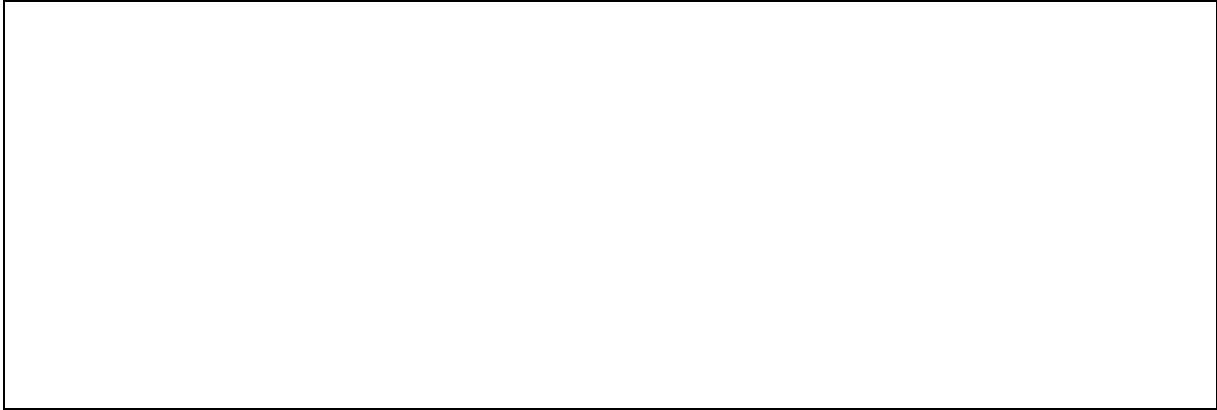
Council delegates its authority and power to deal with requests to clear roadside vegetation along fence lines to the Chief Executive Officer in consultation with Councillors. Also for authority for Council maintenance works on Road Reserves in consultation with fence line clearing.

Authorised Officer:

Chief Executive Officer

On-Delegated:

Manager of Works



Delegation No:12 Closure of Thoroughfares

Date Adopted:	Dec 2008
Date Last Reviewed:	23 February 2021 Minute #4479
Policy Reference:	Works Policy W.16

Delegate:	CEO
On-Delegated:	Yes
Chief Executive Instruction:	Yes

Legal (Parent): Local Government Act 1995 Section 3.50 “a local government may close any thoroughfare that it manages to the passage of vehicles, wholly or partially for a period not exceeding 4 weeks” Despite 3.50 a Local Government may partially and temporarily close a thoroughfare, without giving local public notice if the closure a) is for the purpose of carrying out repairs or maintenance; and b) is unlikely to have a significant adverse effect on users on the thoroughfare.

Legal (Subsidiary): Road Traffic Act 1974

Other Comments/Instructions/Persons On-Delegated

Council delegates its authority and power to the Chief Executive Officer to undertake the necessary consultation and action for closure of the thoroughfares to vehicles in cases of emergency or in connection with Council works, and to ensure that when works are carried out associated with fixing or altering the level of or alignment of a public thoroughfare that access by vehicles on or to land adjoining the thoroughfare can be reasonably provided.

Authorised Officer:

Chief Executive Officer

On-Delegated:

Manager of Works

Delegation No:13

Declared Noxious Weed Control

<i>Date Adopted:</i>	24 April 2012 Minute #1896
<i>Date Last Reviewed:</i>	23 February 2021 Minute #4479
<i>Policy Reference:</i>	None

<i>Delegate:</i>	CEO
<i>On-Delegated:</i>	Yes
<i>Chief Executive Instruction:</i>	Yes

Legal (Parent): Local Government Act 1995 s3.54 "If land reserved under the Land Administration Act 1997 is vested or placed under the control and management of a Local Government, it may do anything for the purpose of controlling and managing that land"

Legal (Subsidiary): Land Administration Act 1997 Section 5, Parks and Reserves Act 1895

Other Comments

Council delegates its authority and power to the Chief Executive Officer to order the control of noxious weeds on Council managed land, as identified by the appropriate Government Agency.

Authorised Officer:

Chief Executive Officer

On-Delegated:

Manager of Works

Delegation No:14 Donation Requests

<i>Date Adopted:</i>	24 April 2012 Minute #1896
<i>Date Last Reviewed:</i>	23 February 2021 Minute #4479
<i>Policy Reference:</i>	*Policy Required*

<i>Delegate:</i>	CEO
<i>On-Delegated:</i>	No
<i>Chief Executive Instruction:</i>	Yes

Legal (Parent):	Local Government Act 1995 s.5.42
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Legal (Subsidiary):	
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Other Comments

Council delegates its authority and power to the Chief Executive Officer to decide on donation requests up to the value of \$300.00.

Authorised Officer:

Chief Executive Officer

Delegation No:15 Dumping of Grain

<i>Date Adopted:</i>	May 2005
<i>Date Last Reviewed:</i>	23 February 2021 Minute #4479
<i>Policy Reference:</i>	Health/Building/Planning Policy HBP.5

<i>Delegate:</i>	CEO
<i>On-Delegated:</i>	Yes
<i>Chief Executive Instruction:</i>	Yes

Legal (Parent): Not Applicable

Legal (Subsidiary):

Other Comments/Instructions/Persons On-Delegated

Council delegates authority and power to accept small quantities of grain in response to applications for dumping of wasted grain if in accordance with Council Health Policy HBP.5

Authorised Officer:

Chief Executive Officer

On-Delegated:

Environmental Health Officer

Delegation No:16 Firewood Collection on Road Reserves

<i>Date Adopted:</i>	Sept 1996
<i>Date Last Reviewed:</i>	23 February 2021 Minute #4479
<i>Policy Reference:</i>	Works and Services Policy W.10

<i>Delegate:</i>	CEO
<i>On-Delegated:</i>	Yes
<i>Chief Executive Instruction:</i>	Yes

Legal (Parent): Not Applicable

Legal (Subsidiary):

Other Comments/Instructions/Persons On-Delegated

Council delegates authority and power to approve firewood permits with applications to be made in writing to the shire in accordance with Council Works and Services Policy W.10.

Authorised Officer:

Chief Executive Officer

On-Delegated:

**Deputy Chief Executive Officer
 Manager of Works
 Manager of Finance**

Delegation No:17 Investments

<i>Date Adopted:</i>	22 June 2010
<i>Date Last Reviewed:</i>	23 February 2021 Minute #4479
<i>Policy Reference:</i>	Finance Policy F.17

<i>Delegate:</i>	CEO
<i>On-Delegated:</i>	Yes
<i>Chief Executive Instruction:</i>	Yes

Legal (Parent): Local Government Act 1995 Section 6.14 – invested in accordance with Part III of the Trustees Act 1962

“Power to Invest – subject to the regulations, money held in the municipal or the trust fund of a local government that is not, for the time being, required by the local government for any other purpose may be invested in accordance with Part III of the Trustees Act 1962”

Legal (Subsidiary): Regulation 19, 28 and 49 Local Government (Financial Management) Regulations 1996

Other Comments/Instructions/Persons On-Delegated

Council delegates authority and power to invest surplus funds in accordance with Council Policy, Finance Policy F.17.

Authorised Officers:

Chief Executive Officer

On-Delegated:

**Manager of Finance
Deputy Chief Executive Officer**

Delegation No:18

Legal Representation – Costs Indemnification

<i>Date Adopted:</i>	Nov 2000
<i>Date Last Reviewed:</i>	23 February 2021 Minute #4479
<i>Policy Reference:</i>	Finance Policy F.12

<i>Delegate:</i>	CEO
<i>On-Delegated:</i>	No
<i>Chief Executive Instruction:</i>	Yes

Legal (Parent): Local Government Act 1995
Section 5.42.

Legal (Subsidiary):

Other Comments/Instructions/Persons On-Delegated

Authority to organise urgent Legal Representation, up to \$5000.00 where there is a need for urgent legal services prior to an application being able to be considered by Council.

Authorised Officers:

Chief Executive Officer

Delegation No:19

Blank

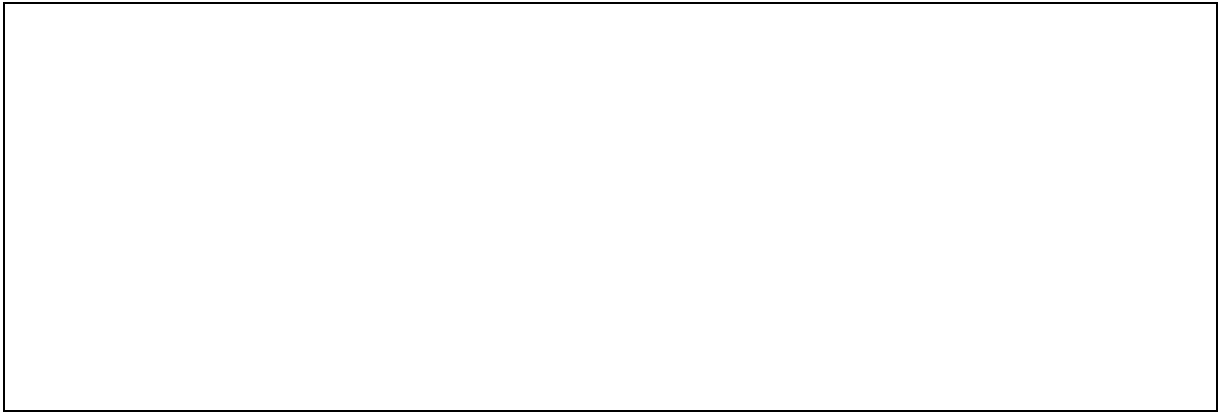
<i>Date Adopted:</i>	
<i>Date Last Reviewed:</i>	
<i>Policy Reference:</i>	

<i>Delegate:</i>	
<i>On-Delegated:</i>	
<i>Chief Executive Instruction:</i>	

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Other Comments/Instructions/Persons On-Delegated



Delegation No:20 Payment of Accounts

Date Adopted:	24 April 2012 Minute #1896
Date Last Reviewed:	23 February 2021 Minute #4479
Policy Reference:	None

Delegate:	CEO
On-Delegated:	Yes
Chief Executive Instruction:	Yes

Legal (Parent): Local Government (Financial Management) Regulation 12

“A payment may only be made from the municipal or trust fund – (a) if the Local Government has delegated to the CEO the exercise of its powers to make payments from those funds by the CEO; or (b) otherwise, if the payment is authorised in advance by a resolution of council.”

Legal (Subsidiary):

Other Comments

Council Delegates its authority and power to the Chief Executive Officer to make payments from the Municipal or Trust Fund provided:

1. A list of payments made is presented to Council, in accordance with Financial Management Regulation 13.
2. All cheques signed are to be by two authorised signatories. The Chief Executive Officer or Manager of Finance or Deputy Chief Executive Officer or Manager of Works or the Shire President.
3. The following procedure is to be implemented for the authorisation of payments made by Electronic Funds Transfer (EFT):
 - (i) A list of payments to be made by EFT is checked and authorised by the Chief Executive Officer or the Deputy Chief Executive Officer or the Manager of Finance
 - (ii) Online authorisation for the funds transfer is made by any two of the Chief Executive Officer or Manager of Finance or Deputy Chief Executive Officer or Manger of Works or Shire President.
 - (iii) Council is given a list of payments made by EFT each month as part of the financial statement sent out with the agendas.

Authorised Officer:

Chief Executive Officer

On-Delegated:

Manager of Finance

Deputy Chief Executive Officer

Manager of Works

Shire President

Delegation No:21 Planning Applications

<i>Date Adopted:</i>	16 March 1999
<i>Date Last Reviewed:</i>	23 February 2021 Minute #4479
<i>Policy Reference:</i>	Health/Building/Planning Policy HBP.21

<i>Delegate:</i>	CEO
<i>On-Delegated:</i>	Yes
<i>Chief Executive Instruction:</i>	Yes

Legal (Parent): Local Planning Scheme No. 2
“the scheme applies to the municipal district of the Shire of Wagin. The scheme applies to the entire Shire, including Rural areas and town sites”

Legal (Subsidiary):

Other Comments/Instructions/Persons On-Delegated

Council delegates authority to grant approval to Planning Applications for permitted uses which comply with all requirements of the Local Planning Scheme No. 2.

Authorised Officer:

Chief Executive Officer

On-Delegated:

Shire Planner (Contract)

Delegation No:22

Power and Duties - Food Act 2008

<i>Date Adopted:</i>	24 April 2012 Minute #1896
<i>Date Last Reviewed:</i>	23 February 2021 Minute #4479
<i>Policy Reference:</i>	None

<i>Delegate:</i>	CEO
<i>On-Delegated:</i>	Yes
<i>Chief Executive Instruction:</i>	Yes

Legal (Parent): Food Act 2008
“An Act providing for the safety and suitability of food for human consumption, and for related purposes.”

Legal (Subsidiary): Section 122 126 (2) 126 (6) 126 (7) of the Food Act 2008

Other Comments

Council delegates its authority and powers to the Chief Executive Officer the capacity to exercise and discharge all or any of the powers and functions of the enforcement agency in regard to the following sections of the Food Act 2008:

- Appoint authorised officers in accordance with section 122.
- Appoint designated officers to issue infringement notices in accordance with section 126 (2).
- Appoint designated officers to extend payment period for infringement notices or withdraw infringement notices in accordance with sections 126 (6) and 126 (7).

Authorised Officer:

Chief Executive Officer

On-Delegated:

Environmental Health Officer

Delegation No:23

Registration Officers Dog Act

<i>Date Adopted:</i>	22 June 2010
<i>Date Last Reviewed:</i>	23 February 2021 Minute #4479
<i>Policy Reference:</i>	None

<i>Delegate:</i>	CEO
<i>On-Delegated:</i>	Yes
<i>Chief Executive Instruction:</i>	No

Legal (Parent): Authorised Officers, Dog Act 1976 “the Act to amend and consolidate the law relating to the control and registration of dogs and the obligations and rights in persons in relations thereto, and for incidental and other purposes”

Legal (Subsidiary):

Other Comments/Instructions/Persons On-Delegated

Council delegates its authority and power to enable the officers authorised to deal with matters pertaining to the Dog Act of 1976.

Authorised Officer:

Chief Executive Officer

On Delegated:

Deputy Chief Executive Officer

Manager of Finance

Environmental Health Officer

Customer Services Officer

Executive Assistant

Finance Officer - Payroll

Finance Officer - Rates

Administration Officers

WA Contract Ranger Services: Mr Matt Sharpe; Mr Rob Cashman; Mr Steven Ball.

Delegation No:24 Road Train Permits

<i>Date Adopted:</i>	Feb 2000
<i>Date Last Reviewed:</i>	23 February 2021 Minute #4479
<i>Policy Reference:</i>	Works Policy W.4

<i>Delegate:</i>	CEO
<i>On-Delegated:</i>	Yes
<i>Chief Executive Instruction:</i>	Yes

Legal (Parent): Road Traffic Act 1974

Permits are required to operate Restricted Access Vehicles (RAVs) in WA and are an instrument issued by the Commissioner of Main Roads Western Australia to grant access to these vehicles to certain parts of the road network under specific operating conditions. All RAVs require a permit, unless they are exempted under an exemption notice issued by either the Commissioner of Main Roads or the Director General, Transport.

Legal (Subsidiary):

Other Comments/Instructions/Persons On-Delegated

Council has delegated authority and power to endorse permits and for approved roads in conjunction with the Shire President and the Chief Executive Officer.

Authorised Officer:

Chief Executive Officer

On-Delegated:

**Shire President
Manager of Works**

Delegation No:25 Septic Tanks Approval

<i>Date Adopted:</i>	August 2006
<i>Date Last Reviewed:</i>	23 February 2021 Minute #4479
<i>Policy Reference:</i>	None

<i>Delegate:</i>	CEO
<i>On-Delegated:</i>	Yes
<i>Chief Executive Instruction:</i>	Yes

Legal (Parent): Health (Miscellaneous Provisions) Act 1911; Treatment of Sewage and Disposal of Effluent and Liquid Waste Regulations

Legal (Subsidiary):
1. Health (Treatment of Sewage and Disposal of Liquid Waste) Regs 1974 Reg 4 and Reg 10 (2)

Other Comments/Instructions/Persons On-Delegated

Council delegates authority and powers to Environmental Health Officer of the Shire of Wagin to exercise and discharge powers conferred on the Local Government for the purpose of Regulation 4 and 10 (2) of the Health (Treatment of Sewage and Disposal of Liquid Waste) Regulations.

Authorised Officers:

Chief Executive Officer

On-Delegated:

Environmental Health Officer

Delegation No:26 Swimming Pool Inspections

<i>Date Adopted:</i>	May 2002
<i>Date Last Reviewed:</i>	23 February 2021 Minute #4479
<i>Policy Reference:</i>	Health/Building/Planning Policy HBP.1

<i>Delegate:</i>	CEO
<i>On-Delegated:</i>	Yes
<i>Chief Executive Instruction:</i>	Yes

Legal (Parent): Building Act 2011

Legal (Subsidiary):
 1. Building Regulations 2012
 AS 1926.1 – 1993 Incorporation amendment 1 only
 2. Building Services (Registration) Regulations 2011

Other Comments/Instructions/Persons On-Delegated

Council delegates its authority and power to conduct private swimming pool inspections.

Authorised Officers:

Chief Executive Officer

On-Delegated:

Building Surveyor

Delegation No:27

Townscape Painting Subsidies

Date Adopted:	Dec 2008
Date Last Reviewed :	23 February 2021 Minute #4479
Policy Reference:	Finance Policy F.3

Delegate:	CEO
On-Delegated:	Yes
Chief Executive Instruction:	Yes

Legal (Parent): Local Government Act 1995
Section 5.42.

Legal (Subsidiary):

Other Comments/Instructions/Persons On-Delegated

Council delegates its authority and power to approve subsidies for 1/3 cost up to \$2,000.00 subject to policy guidelines.

Authorised Officers:

Chief Executive Officer

Delegation No:28

Use of Common Seal

Date Adopted:	Nov 2008
Date Last Reviewed:	23 February 2021 Minute #4479
Policy Reference:	Council Policy C.3

Delegate:	CEO
On-Delegated:	Yes
Chief Executive Instruction:	Yes

Legal (Parent): Local Government Act 1995 2.5 (2) "The Local Government is a body corporate with perpetual succession and a common seal"

Legal (Subsidiary):

Other Comments/Instructions/Persons On-Delegated

Council delegates its authority and power to apply seal to any legal document requiring the Shire President and the Chief Executive Officer's signatures without resolution of Council.

Authorised Officer:

Chief Executive Officer

On-Delegated:

Shire President

Date Adopted:	Nov 2012
Date Last Reviewed:	23 February 2021 Minute #4479
Policy Reference:	None

Delegate:	CEO
On-Delegated:	Yes
Chief Executive Instruction:	Yes

Legal (Parent): Local Government Act 1995
2.5 (2) "The Local Government is a body corporate with perpetual succession and a common seal"
Dog Act 1976, s.26

Legal (Subsidiary):
Shire of Wagin Dog Local Law 2001

Other Comments/Instructions/Persons On-Delegated

Council delegates its authority and power to decide to grant permission to town residents to house more than two dogs at any one property.

Authorised Officer:

Chief Executive Officer

On-Delegated:

Deputy Chief Executive Officer

Delegation No:30 Tendering for Goods and Services

Date Adopted:	24 June 2014
Date Last Reviewed:	23 February 2021 Minute #4479
Policy Reference:	None

Delegate:	CEO
On-Delegated:	Not Applicable
Chief Executive Instruction:	

Legal (Parent):
1. Local Government Act 1995, Section 3.57.
2. Local Government Act 1995, Section 5.42.

Legal (Subsidiary):
1. Local Government (Financial Management) Regulations 1996, as amended

Other Comments/Instructions/Persons On-Delegated

Council delegates its authority and power to the Chief Executive Officer to -

1. Call tenders for works or services prior to entering in to contract with others in respect to supply of goods or services exceeding \$250,000
2. Call tenders for the provision of works or services not exceeding a value of \$250,000 and to accept what is to be deemed the most advantageous tender;
3. Determine in writing the criteria for deciding which tender should be accepted, subject to Regulation 14 (2a) of the Local Government (Functions and General) Regulations 1996;

Subject to-

- (i) Tenders called subject to (1) and (2) above, are to comply with Council's Purchasing/Tender Guide Policy.
- (ii) The goods or services being listed in the Shires Adopted Annual Budget;
- (iii) The criteria, once determined in (3) above, it is to be incorporated in the tender documentation.