



DELEGATIONS AND AUTHORISATIONS REGISTER

Date of last review by Council: 17 June 2013

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INTRODUCTION

1. BACKGROUND TO DELEGATIONS AND AUTHORISATIONS

- 1.1 The aim of delegations and authorisations is to assist with improving the time taken to make decisions within the constraints imposed by legislation. This is consistent with the Shire's commitment to a strong customer service focus.
- 1.2 A delegation is where a person or body is appointed to exercise a power or discharge a duty by the person who has the responsibility to exercise that power or duty. In exercising a delegated authority, such appointed person does so "on behalf" of the delegator.
- 1.3 An authorisation is where a person or body is given permission to perform a specific statutory function in their own right.

2. REQUIREMENTS FOR DELEGATED AUTHORITIES

- 2.1 There are two requirements for a delegation to be effective. These are:
 - 2.1.1 There must be a power to delegate; and
 - 2.1.2 A power to be delegated must exist.
- 2.2 **Power to Delegate**
 - 2.2.1 The power to delegate must be contained within legislation. However a legislative power to delegate only relates to the powers or duties under the Act which the delegated power is located.¹
 - 2.2.2 For example, the *Local Government Act 1995* contains powers to delegate (as described below), however it is not possible to rely on this power of delegation, to delegate functions of local government under other legislation. For example under the *Bush Fires Act 1954* any delegation by a local government can only be delegated by the delegation provisions of that Act.
- 2.3 **Power to be Delegated**

The power to be delegated must be able to be exercised by the person or body delegated that power. The power must also be contained in the same legislation as the associated power to delegate.

3. DELEGATED AUTHORITY UNDER THE LOCAL GOVERNMENT ACT 1995

The *Local Government Act 1995* was introduced on 1 July 1996 and made significant changes to the way local governments' conduct their business. Its general aim was to enable local governments to provide good open and accountable government to the community.

4. DELEGATION BY COUNCIL TO THE CHIEF EXECUTIVE OFFICER UNDER THE LOCAL GOVERNMENT ACT 1995

- 4.1 Section 5.42 of 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 Act. All delegations made must be by absolute majority.
- 4.2 Section 5.43 of the *Local Government Act 1995* specifies the decisions which cannot be delegated by Council to the Chief Executive Officer. These are as follows:
 - 4.2.1 any power or duty that requires a decision of an absolute majority or 75% majority of the local government;
 - 4.2.2 accepting a tender which exceeds an amount determined by the local government;
 - 4.2.3 appointing an auditor;

¹ Taken from Government of Western Australia, Department of Local Government Delegations – Local Government Operational Guidelines – Number 17 January 2007

- 4.2.4 acquiring or disposing of any property valued at an amount determined by the local government;
- 4.2.5 any of the local government's powers under sections 5.98, 5.98A, 5.99, 5.99A and 5.100 of the *Local Government Act 1995*;
- 4.2.6 borrowing money on behalf of the local government;
- 4.2.7 hearing or determining an objection of a kind referred to in section 9.5 of the *Local Government Act 1995*;
- 4.2.8 any power under section 9.49(4) of the *Local Government Act 1995* to authorise a person to sign documents on behalf of the local government;
- 4.2.9 any power or duty that requires the approval of the Minister or the Governor; and
- 4.2.10 such other powers or duties that may be prescribed.

5. SUB-DELEGATION BY CHIEF EXECUTIVE OFFICER TO AN EMPLOYEE UNDER THE LOCAL GOVERNMENT ACT 1995

- 5.1 Section 5.44 of the *Local Government Act 1995* allows for the Chief Executive Officer to delegate to an employee any of their powers or the discharge of any of their functions under the Act, other than their power of delegation.
- 5.2 Section 5.44(2) provides that the delegation to an employee is to be in writing and s.5.44 (3) states that the delegation shall be subject to any conditions imposed by the local government on its delegation to the Chief Executive Officer. Section 5.44(4) allows the Chief Executive Officer to place conditions on any delegations under this section.

6. SUB-DELEGATION BY THE CHIEF EXECUTIVE OFFICER TO AN EMPLOYEE UNDER OTHER LEGISLATION

- 6.1 Under common law, sub-delegation is only permitted where it is expressly provided for in legislation.
- 6.2 The *Local Government Act 1995*, expressly permits sub-delegation by a Chief Executive Officer, as outlined in paragraph 5 above.
- 6.3 Numerous pieces of legislation do not specifically refer to a power of delegation. For example, the *Bush Fires Act 1954* does not provide for a CEO to delegate to another employee to exercise the powers delegated by council to the CEO under s.48 of that Act. Therefore only the CEO may exercise the powers delegated by council to the CEO under that Act.²

7. AUTHORISATIONS

Section 9.10 of the *Local Government Act 1995* empowers a local government to appoint authorised persons, however this power of appointment cannot be used to appoint authorised persons to carry out the powers or duties of local government under other legislation. For example, the *Control of Vehicles (Off-Road Areas) Act 1978* and the *Dog Act 1976* only provide for the local government to appoint authorised persons to carry out certain powers and duties. The power to appoint those persons cannot be delegated to the CEO as no powers to delegate exist in those pieces of legislation.

8. ACTING THROUGH

In addition to covering delegations, the *Local Government Act 1995* introduces the concept of "acting through". Section 5.45 of the Act states that in relation to delegations, nothing prevents a "local government from performing any of its functions by acting through a person other than the CEO" or "a CEO from performing any of his or her functions by acting through another person." The Act does not specifically define the meaning of the term "acting through". However, the key difference between a delegation and "acting through" is that a delegate exercises the delegated decision making function in his or her own right. The principal issue is that where a person has no discretion in carrying out a function, then that function may be taken through the "acting through" concept. Alternatively, where the

² Taken from Government of Western Australia, Department of Local Government Delegations – Local Government Operational Guidelines – Number 17 January 2007

decision allows for discretion on the part of the decision maker, then that function needs to be delegated for another person to have that authority.³

9. REGISTER OF DELEGATIONS

- 9.1 Under s.5.46 of the *Local Government Act 1995*, the Chief Executive Officer is to keep a register of the delegations made to the Chief Executive Officer under s.5.42 and employees under s.5.44.
- 9.2 Section 5.46(2) provides that at least once every financial year, delegations are to be reviewed by the delegator.

10. RECORD OF DELEGATIONS

- 10.1 Under s.5.46(3) of the *Local Government Act 1995*, delegates who are appointed under the *Local Government Act 1995* are to keep a written record of each occasion on which they exercise the powers or discharge the duties delegated to them.
- 10.2 Regulation 19 of the *Local Government (Administration) Regulations 1996*, states that the record is to contain the following information:
 - 10.2.1 how the person exercised the power or discharged the duty;
 - 10.2.2 when the person exercised the power or discharged the duty; and
 - 10.2.3 the person or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.
- 10.3 In the delegations section of this register, the relevant record of use has been identified for each delegation, to assist delegates in determining what information to record when exercising a delegation. Note, that there is only a specific requirement in legislation to keep a written record of the exercise of the delegation, where the delegation has been made and exercised under the *Local Government Act 1995*. However, for consistency the same requirements should be followed for delegations made and exercised under other legislation also.

11. PRIMARY AND ANNUAL RETURNS

A person to whom a power is delegated under the *Local Government Act 1995* 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 within three months of receiving a delegation. Annual returns are to be completed by 31st August in each year in accordance with s.5.76 of the *Local Government Act 1995*.

12. THIS REGISTER

- 12.1 This register details the related legislation where the power to delegate is derived from, along with the related legislation or documents confirming the power delegated.
- 12.2 This register also states if the relevant delegation can be sub-delegated by the Chief Executive Officer to employees and if so who the delegations are sub-delegated to.
- 12.3 This register also details authorisations made by the local government and Chief Executive Officer and includes where the power to authorise is derived from, along with the related legislation or documents confirming the authorisation.
- 12.4 The appendix to this register details separate "one-off" delegations that have been made to the Chief Executive Officer directly from the local government.
- 12.5 This register will be reviewed in accordance with the *Local Government Act 1995* on an annual basis. The co-ordination of the review will be performed through the Office of the CEO.

³ Paragraph taken from Government of Western Australia, Department of Local Government Delegations – Local Government Operational Guidelines – Number 17 January 2007

AUTHORISATIONS FROM LOCAL GOVERNMENT

1. CONTROL OF VEHICLES (OFF-ROAD AREAS) ACT 1978 – AUTHORISED OFFICERS AND SERVICE OF INFRINGEMENT NOTICES

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Section 38(3)(a) Control of Vehicles (Off-Road Areas) Act 1978 – local government may by resolution appoint any employee of the local government to be an ‘authorised officer’ for the purposes of the <i>Control of Vehicles (Off-Road Areas) Act 1978</i> .
AUTHORISATION TO:	Ranger Services Coordinator, Senior Rangers, Rangers, Ranger Administration Compliance Officer; and Cossack Caretakers.
AUTHORISATION:	Appointed as an ‘authorised officer’ for the purposes detailed in the Control of Vehicles (Off-Road Areas) Act 1978 and Control of Vehicles (Off-Road Areas) Regulations 1979 , including the service of infringement notices under s.37(1) but with the exception of withdrawing infringement notices under s.37(5).
CONDITIONS:	A resolution is required under s.38(3)(a) <i>Control of Vehicles (Off-Road Areas) Act 1978</i> to appoint such ‘authorised officers’.
REFERENCES:	N/A
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	17/06/2013 <u>16/06/2014</u>

2. WITHDRAWAL OF INFRINGEMENT NOTICES UNDER THE CONTROL OF VEHICLES (OFF-ROAD AREAS) ACT 1978 – AUTHORISED OFFICERS

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Section 37(5) <i>Control of Vehicles (Off-Road) Areas Act 1978</i>
AUTHORISATION TO:	Chief Executive Officer; and Director Development Services.
AUTHORISATION:	Authorised to withdraw infringement notices under s.37(5) <i>Control of Vehicles (Off-Road Areas) Act 1978</i> .
CONDITIONS:	A resolution is required under s.38(3)(a) <i>Control of Vehicles (Off-Road Areas) Act 1978</i> to appoint such 'authorised officers'.
REFERENCES:	N/A
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	16/06/201417/06/2013

3. CARAVAN PARKS AND CAMPING GROUNDS ACT 1995 – AUTHORISED PERSONS

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	<p>Section 17(1)(a) Caravan Parks and Camping Grounds Act 1995 – local government may appoint such persons to be authorised persons for the purposes of the <i>Caravan Parks and Camping Grounds Act 1995</i> as the local government considers necessary.</p> <p>Regulation 6 Caravan Parks and Camping Grounds Regulations 1997 – a function conferred on a local government by the regulations may be performed by an authorised person appointed by the local government.</p>
AUTHORISATION TO:	<p>Ranger Services Coordinator, Senior Rangers, Rangers, Ranger Administration Compliance Officer; Cossack Caretakers; Coordinator Environmental Health Services, Environmental Health Officers; Building Assessment AdministratorBuilding Coordinator, Senior Building Surveyors, Building Surveyors, Building Compliance Officer; and Manager Regulatory Services.</p>
AUTHORISATION:	<p>Appointed as an ‘authorised person’ for the purposes detailed in the <i>Caravan Parks and Camping Grounds Act 1995</i> (except for the purposes detailed under s.23).</p> <p>Authority to perform the functions of local government and an ‘authorised person’ under the <i>Caravan Parks and Camping Grounds Regulations 1997</i>.</p>
CONDITIONS:	N/A
REFERENCES:	N/A
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	16/06/2014 18/11/2013

4. SERVICE OF INFRINGEMENT NOTICES UNDER THE CARAVAN PARKS AND CAMPING GROUNDS ACT 1995 – AUTHORISED PERSONS

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Section 23(11) <i>Caravan Parks and Camping Grounds Act 1995</i> - local government may appoint authorised persons for the purposes detailed in s.23(11) of the <i>Caravan Parks and Camping Grounds Act 1995</i> .
AUTHORISATION TO:	Ranger Services Coordinator, Senior Rangers, Rangers, Ranger Administration Compliance Officer; Cossack Caretakers; Coordinator Environmental Health Services, Environmental Health Officers; Building Assessment Administrator <u>Building Coordinator</u> , Senior Building Surveyors, Building Surveyors, Building Compliance Officer; and Manager Regulatory Services.
AUTHORISATION:	Sections 23(2) and (3) <i>Caravan Parks and Camping Grounds Act 1995</i> Appointed as an 'authorised person' for the purpose of serving infringement notices in accordance with s.23(2).
CONDITIONS:	N/A
REFERENCES:	N/A
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	<u>16/06/2014</u> 18/11/2013

5. WITHDRAWAL OF INFRINGEMENT NOTICES UNDER THE CARAVAN PARKS AND CAMPING GROUNDS ACT 1995 – AUTHORISED PERSONS

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Section 23(11) <i>Caravan Parks and Camping Grounds Act 1995</i> - local government may appoint authorised persons for the purposes detailed in s.23(11) of the <i>Caravan Parks and Camping Grounds Act 1995</i> .
AUTHORISATION TO:	Chief Executive Officer; and Director Development Services.
AUTHORISATION:	Sections 23(5) and (7) <i>Caravan Parks and Camping Grounds Act 1995</i> Appointed as an 'authorised person' for the purpose of extending the period for payment of a modified penalty in accordance with s.23(5). Appointed as an 'authorised person' for the purpose of withdrawing infringement notices in accordance with s.23(7).
CONDITIONS:	N/A
REFERENCES:	N/A
DATE ADOPTED:	17/06/2013
LAST REVIEWED:	16/06/2014 17/06/2013

6. DOG ACT 1976 – AUTHORISED PERSONS

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Section 29(1) Dog Act 1976 - local government shall appoint persons to exercise on behalf of the local government the powers conferred on an 'authorised person' by the <i>Dog Act 1976</i> .
AUTHORISATION TO:	Ranger Services Coordinator, Senior Rangers, Rangers, Ranger Administration Compliance Officer.
AUTHORISATION:	<p>Appointed as an 'authorised person' for the purposes detailed in the <i>Dog Act 1976, Dog Regulations 1976</i> and <i>Dog (Restricted Breeds) Regulations (No.2) 2002</i> (except for the purposes detailed under r. 13 <i>Dog Regulations 1976</i>).</p> <p>Note, this extends to the functions of an 'authorised person' under the Dogs Local Law with the exception of the functions under sections 7.3 and 7.6 relating to infringement notices.</p>
CONDITIONS:	N/A
REFERENCES:	Dogs Local Law
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	16/06/2014 17/06/2013

7. SERVICE OF INFRINGEMENT NOTICES UNDER THE DOG ACT 1976 – AUTHORISED PERSONS

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Section 29(1) <i>Dog Act 1976</i> - local government shall appoint persons to exercise on behalf of the local government the powers conferred on an authorised person by the <i>Dog Act 1976</i> .
AUTHORISATION TO:	Ranger Services Coordinator, Senior Rangers, Rangers, Ranger Administration Compliance Officer.
AUTHORISATION:	Regulation 13(2) <i>Dog Regulations 1976</i> Appointed as an 'authorised person' for the purpose of serving infringement notices in accordance with r.13(2). Note, that this extends to the service of infringement notices under section 7.3 of the Dogs Local Law.
CONDITIONS:	N/A
REFERENCES:	Dogs Local Law
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	16/06/2014 17/06/2013

8. WITHDRAWAL OF INFRINGEMENT NOTICES UNDER THE DOG ACT 1976 – AUTHORISED PERSONS

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Section 29(1) <i>Dog Act 1976</i> - local government shall appoint persons to exercise on behalf of the local government the powers conferred on an authorised person by the <i>Dog Act 1976</i> .
AUTHORISATION TO:	Chief Executive Officer; and Director Development Services.
AUTHORISATION:	Regulation 13(6) <i>Dog Regulations 1976</i> Appointed as an 'authorised person' for the purpose of withdrawing infringement notices in accordance with r.13(6). Note, that this extends to the withdrawal of infringement notices under section 7.6 of the Dogs Local Law.
CONDITIONS:	N/A
REFERENCES:	Dogs Local Law
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	16/06/2014 17/06/2013

9. DOG ACT 1976 – REGISTRATION OFFICERS

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Section 3(1) Dog Act 1976 – ‘registration officer’ means a person authorised by the local government to effect the registration of dogs pursuant to the <i>Dog Act 1976</i> .
AUTHORISATION TO:	Ranger Services Coordinator, Senior Rangers, Rangers, Ranger Administration Compliance Officer; and <u>Customer Service Supervisor, Customer Service Officers;</u> <u>Corporate Services Administration Assistant; and</u> <u>Roebourne Library Officers.-</u>
AUTHORISATION:	Appointed as a ‘registration officer’ for the purposes detailed in the <i>Dog Act 1976</i> and <i>Dog Regulations 1976</i> .
CONDITIONS:	N/A
REFERENCES:	Dogs Local Law
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	<u>16/06/2014</u> 17/06/2013

10. BUILDING ACT 2011 – AUTHORISED PERSONS (INCLUDING THOSE APPOINTED FOR THE INSPECTION OF SWIMMING POOLS)

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Section 96(3) Building Act 2011 – local government may, designate a person employed by the local government under the <i>Local Government Act 1995</i> section 5.36, as an authorised person for the purposes detailed in s96(3).
AUTHORISATION TO:	Building Assessment Administrator Building Coordinator , Senior Building Surveyors, Building Surveyors, Building Compliance Officer; and Manager Regulatory Services.
AUTHORISATION:	Appointed as an ‘authorised person’ for the purposes detailed in the Building Act 2011 and the Building Regulations 2012 (including the inspection of private swimming pools enclosures under regulation 53).
CONDITIONS:	N/A
REFERENCES:	N/A
DATE ADOPTED:	17/06/2013
LAST REVIEWED:	16/06/2014 18/11/2013

11. SERVICE OF INFRINGEMENT NOTICES UNDER THE BUILDING ACT 2011 – AUTHORISED OFFICERS

AUTHORISATION FROM: Local Government

POWER TO AUTHORISE: **Regulation 70 (2) Building Regulations 2012** – a permit authority that is a local government may, in writing, appoint to be an authorised officer for the purposes of the *Criminal Procedure Act 2004* section 6(b) a person appointed under the *Local Government Act 1995* section 9.10(1) and authorised for the purpose of performing functions under section 9.16 of that Act.

AUTHORISATION TO: [Building Assessment Administrator](#), [Building Coordinator](#), Senior Building Surveyors, Building Surveyors, Building Compliance Officer; and Manager Regulatory Services.

AUTHORISATION: Appointed as an 'authorised officer' in relation to the service of infringement notices under Part 2 of the *Criminal Procedure Act 2004*.

CONDITIONS: N/A

REFERENCES: N/A

DATE ADOPTED: 17/06/2013

LAST REVIEWED: [16/06/2014](#)~~18/10/2013~~

12. WITHDRAWAL OF INFRINGEMENT NOTICES UNDER THE BUILDING ACT 2011 – APPROVED

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Regulation 70 (1) Building Regulations 2012 – a permit authority that is a local government may, in writing, appoint to be an approved officer for the purposes of the Criminal Procedure Act 2004 section 6(a), a person appointed under the Local Government Act 1995 section 9.10(1) and authorised for the purpose of performing functions under section 9.19 or 9.20 of that Act.
AUTHORISATION TO:	Chief Executive Officer; and Director Development Services.
AUTHORISATION:	Appointed as an ‘approved officer’ in relation to the withdrawal of infringement notices and the extension of the period for paying modified penalties under Part 2 of the Criminal Procedure Act 2004 .
CONDITIONS:	N/A
REFERENCES:	N/A
DATE ADOPTED:	17/06/2013
LAST REVIEWED:	16/06/2014 17/06/2013

13. AUTHORISED OFFICERS UNDER THE FOOD ACT 2008

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Section 122(1) Food Act 2008 – local government (as enforcement agency) may appoint a person to be an ‘authorised officer’ provided that the requirements of s.122(1) are met.
AUTHORISATION TO:	Chief Executive Officer; Director of Development Services; Coordinator Environmental Health Services, Environmental Health Officers; and Manager Regulatory Services.
AUTHORISATION:	Appointed as an ‘authorised officer’ for the purposes detailed in the Food Act 2008 .
CONDITIONS:	N/A
REFERENCES:	N/A
DATE ADOPTED:	16/11/2009
LAST REVIEWED:	16/06/2014 17/06/2013

14. SERVICE OF INFRINGEMENT NOTICES UNDER THE FOOD ACT 2008

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Section 126(13) Food Act 2008 - local government (as enforcement agency) may appoint 'authorised officers' as 'designated officers' for the purposes described in s.126(13).
AUTHORISATION TO:	Coordinator Environmental Health Services, Environmental Health Officers; and Manager Regulatory Services.
AUTHORISATION:	Section 126(2) and (3) Food Act 2008 Appointed as a 'designated officer' for the purpose of serving infringement notices in accordance with s.126(2).
CONDITIONS:	N/A
REFERENCES:	N/A
DATE ADOPTED:	16/11/2009
LAST REVIEWED:	16/06/2014 17/06/2013

15. WITHDRAWAL OF INFRINGEMENT NOTICES UNDER THE FOOD ACT 2008

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	<i>Section 126(13) Food Act 2008</i> – local government (as enforcement agency) may appoint ‘authorised officers’ as ‘designated officers’ for the purposes described in s.126(13).
AUTHORISATION TO:	Chief Executive Officer; and Director Development Services.
AUTHORISATION:	<i>Section 126(6) and (7) Food Act 2008</i> Appointed as a ‘designated officer’ for the purpose of extending the period for payment of a modified penalty in accordance with s.126(6). Appointed as a ‘designated officer’ for the purpose of withdrawing infringement notices in accordance with s.126(7).
CONDITIONS:	N/A
REFERENCES:	N/A
DATE ADOPTED:	16/11/2009
LAST REVIEWED:	16/06/2014 17/06/2013

16. LITTER ACT 1979 – HONORARY INSPECTORS

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Section 27AA Litter Act 1979 – a local government may appoint a person to be an honorary inspector to assist in the serving of infringement notices relating to offences prescribed for the purposes of s.30.
AUTHORISATION TO:	Airport Security Officers (Kerbside)
AUTHORISATION:	Appointed as an 'honorary inspector' for the purposes detailed in the Litter Act 1979 .
CONDITIONS:	N/A
REFERENCES:	N/A
DATE ADOPTED:	17/06/2013
LAST REVIEWED:	16/06/201417/06/2013

17. LITTER ACT 1979 – AUTHORISED OFFICERS AND SERVICE OF INFRINGEMENT NOTICES

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	<p>Section 26 (c) (ii) Litter Act 1979 – an ‘authorised officer’ is any person who is an employee of the local government.</p> <p>Section 26 (c) (iii) Litter Act 1979 – an ‘authorised officer’ is any person who is an honorary inspector appointed by the local government under s. 27AA.</p>
AUTHORISATION TO:	<p>Ranger Services Coordinator, Senior Rangers, Rangers, Ranger Administration Compliance Officer; Cossack Caretakers;</p> <p>Emergency Management Coordinator; and</p> <p>Airport Parking & Ground Transportation, Airport Administration Officer, Airport Compliance Coordinator, Airport Reporting Officers, Airport Security Officers (Kerbside).</p>
AUTHORISATION:	An ‘authorised officer’ for the purposes detailed in the Litter Act 1979 and Litter Regulations 1981 .
CONDITIONS:	N/A
REFERENCES:	N/A
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	16/06/2014 17/06/2013

18. WITHDRAWAL OF INFRINGEMENT NOTICES UNDER THE LITTER ACT 1979

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Section 30 (4a) Litter Act 1979 – a withdrawal notice sent under subsection (4) shall be signed by a person appointed in writing to withdraw infringement notices by the public authority on behalf of which the infringement notice was served.
AUTHORISATION TO:	Chief Executive Officer; and Director Development Services.
AUTHORISATION:	Authority to withdraw infringement notices in accordance with s.30 (4) and (4a) of the Litter Act 1979 .
CONDITIONS:	N/A
REFERENCES:	N/A
DATE ADOPTED:	17/06/2013
LAST REVIEWED:	16/06/2014 17/06/2013

19. CEMETERIES ACT 1986 - AUTHORISED PERSONS UNDER CEMETERIES LOCAL LAW AND SERVICE OF INFRINGEMENT NOTICES

AUTHORISATION FROM: Local Government (referred to as the Board under the *Cemeteries Act 1986*)

POWER TO AUTHORISE: **Section 64 *Cemeteries Act 1986*** – an employee of a Board may be authorised in writing signed by the chairman of the Board to give infringement notices.

AUTHORISATION TO: Manager Infrastructure;

Ranger Services Coordinator, Senior Rangers,
Rangers; and

Coordinator Works and Technical Services.

AUTHORISATION: **s.63(1) *Cemeteries Act 1986*** – authority to give infringement notices.

Note, that this also extends to the functions of an authorised officer under the Cemeteries Local Law.

CONDITIONS: N/A

REFERENCES: Cemeteries Local Law

DATE ADOPTED: 17/06/2013

LAST REVIEWED: [16/06/2014](#)~~17/06/2013~~

20. LOCAL LAWS – AUTHORISED PERSONS AND WITHDRAWAL OF INFRINGEMENT NOTICES

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Section 9.10 Local Government Act 1995 – local government may, in writing appoint persons or classes of persons to be authorised for the purposes of performing particular functions.
AUTHORISATION TO:	Chief Executive Officer
AUTHORISATION:	<p>Appointed as an “authorised person/officer” with respect to the following local laws:</p> <ul style="list-style-type: none">• Parking & Parking Facilities Local Law;• Signs, Hoardings and Bill Posting By-Law;• Tidepole (Sam’s) Island Local Law;• Fencing Local Law;• Local Government Property Local Law;• Animals, Environment and Nuisance Local Law; and• Activities in Thoroughfares & Public Places and Trading Local Law. <p>Note, that this extends to the extension of the period for payment of a modified penalty under s.9.19 of the Local Government Act 1995 and the withdrawal of an infringement notice under s.9.20 but does not include the service of an infringement notice under s.9.16.</p>
CONDITIONS:	N/A
REFERENCES:	N/A
DATE ADOPTED:	17/06/2013
LAST REVIEWED:	16/06/2014 17/06/2013

21. CAT ACT 2011 – AUTHORISED PERSONS

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Section 48(1) Cat Act 2011 – A local government may appoint persons or classes of persons to be authorised for the purposes of performing particular functions under the Cat Act 2011.
AUTHORISATION TO:	Ranger Services Coordinator, Senior Rangers, Rangers, Ranger Administration Compliance Officer; and Manger Regulatory Services.
AUTHORISATION:	Appointed as an ‘authorised person’ for the purposes detailed in the Cat Act 2011 and Cat Regulations 2012 (except for the purposes detailed under s.62 Cat Act 2011).
CONDITIONS:	N/A
REFERENCES:	N/A
DATE ADOPTED:	19/08/2013
LAST REVIEWED:	16/06/2014 19/08/2013

22. SERVICE OF INFRINGEMENT NOTICES UNDER THE CAT ACT 2011 – AUTHORISED PERSONS

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Section 48(1) Cat Act 2011 – A local government may appoint persons or classes of persons to be authorised for the purposes of performing particular functions under the Cat Act 2011 .
AUTHORISATION TO:	Ranger Services Coordinator, Senior Rangers, Rangers, Ranger Administration Compliance Officer; and Manger Regulatory Services.
AUTHORISATION:	Section 62(1) Cat Act 2011 Appointed as an ‘authorised person’ for the purpose of serving infringement notices in accordance with s.62(1).
CONDITIONS:	N/A
REFERENCES:	Cat Regulations 2012
DATE ADOPTED:	19/08/2013
LAST REVIEWED:	16/06/2014 19/08/2013

23. WITHDRAWAL OF INFRINGEMENT NOTICES UNDER THE CAT ACT 2011

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	<i>Section 64 and 65(1) Cat Act 2011</i>
AUTHORISATION TO:	Chief Executive Officer
AUTHORISATION:	<i>Section 64 and 65(1) Cat Act 2011</i> Appointed for the purpose of extending the period for payment of a modified penalty in accordance with s.64. Appointed for the purpose of withdrawing infringement notices in accordance with s.65(1).
CONDITIONS:	N/A
REFERENCES:	<i>Cat Regulations 2012</i>
DATE ADOPTED:	19/08/2013
LAST REVIEWED:	16/06/2014 19/08/2013

24. CAT ACT 2011 – REGISTRATION OFFICERS

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Section 9(1) Cat Act 2011
AUTHORISATION TO:	Customer Service Supervisor, Customer Service Officers; Corporate Services Administration Assistant; Roebourne Library Officers; Ranger Services Coordinator, Senior Rangers, Rangers, Ranger Administration Compliance Officer; and Manager Regulatory Services.
AUTHORISATION:	Appointed as a 'registration officer' for the purposes of cat registration as detailed in the Cat Act 2011 and Cat Regulations 2012 .
CONDITIONS:	N/A
REFERENCES:	N/A
DATE ADOPTED:	19/08/2013
LAST REVIEWED:	16/06/2014 19/08/2013

AUTHORISATIONS FROM CHIEF EXECUTIVE OFFICER

1. BUSH FIRES ACT 1954 – AUTHORISED OFFICERS

AUTHORISATION FROM:	Chief Executive Officer
POWER TO AUTHORISE:	<i>Regulations 16 and 24 Bush Fires Regulations 1954</i> <i>Section 24B Bush Fires Act 1954</i>
AUTHORISATION TO:	Chief Executive Officer; Ranger Services Coordinator, Senior Rangers, Rangers, Ranger Administration Compliance Officer; Emergency Management Coordinator; and Manager Regulatory Services.
AUTHORISATION:	Appointed as an 'authorised officer' for the purposes detailed in the <i>Bush Fires Act 1954</i> and <i>Bush Fires Regulations 1954</i> . Authorised to carry out the functions detailed in <i>s.24B Bush Fires Act 1954</i> .
CONDITIONS:	N/A
REFERENCES:	Shire of Roebourne Bush Fire Brigades Local Law
DATE ADOPTED:	17/06/2013
LAST REVIEWED:	16/06/2014 17/06/2013

2. SERVICE OF INFRINGEMENT NOTICES UNDER THE PLANNING AND DEVELOPMENT ACT 2005 – DESIGNATED PERSONS

AUTHORISATION FROM:	Chief Executive Officer
POWER TO AUTHORISE:	Section 234(1) Planning and Development Act 2005 – the chief executive officer of a responsible authority may appoint persons or classes of persons to be ‘designated persons’ for the purposes detailed in s.234(1) of the Planning and Development Act 2005 .
AUTHORISATION TO:	Manager Planning Services, Statutory Planning Coordinator Principal Statutory Planner .
AUTHORISATION:	Sections 228 and 229 Planning and Development Act 2005 Appointed as a ‘designated person’ for the purpose of serving infringement notices in accordance with s.228.
CONDITIONS:	N/A
REFERENCES:	Planning and Development Regulations 2009
DATE ADOPTED:	20/8/2012
LAST REVIEWED:	16/06/2014 17/06/2013

3. WITHDRAWAL OF INFRINGEMENT NOTICES UNDER THE PLANNING AND DEVELOPMENT ACT 2005 – DESIGNATED PERSONS

AUTHORISATION FROM:	Chief Executive Officer
POWER TO AUTHORISE:	Section 234(1) Planning and Development Act 2005 – the chief executive officer of a responsible authority may appoint persons or classes of persons to be ‘designated persons’ for the purposes detailed in s.234(1) of the Planning and Development Act 2005 .
AUTHORISATION TO:	Director Development Services
AUTHORISATION:	Sections 230 and 231 Planning and Development Act 2005 Appointed as a ‘designated person’ for the purpose of extending the period for payment of a modified penalty in accordance with s.230. Appointed as a ‘designated person’ for the purpose of withdrawing infringement notices in accordance with s.231.
CONDITIONS:	N/A
REFERENCES:	Planning and Development Regulations 2009
DATE ADOPTED:	20/8/2012
LAST REVIEWED:	16/06/2014 17/06/2013

4. SHIRE OF ROEBOURNE TOWN PLANNING SCHEME NO.8 – POWERS OF ENTRY

AUTHORISATION FROM:	Chief Executive Officer
POWER TO AUTHORISE:	Clause 9.1(c) Town Planning Scheme No.8 (by virtue of delegation from Council under Clause 9.2.1)
AUTHORISATION TO:	Manager Planning Services, Principal Statutory Planner Statutory Planning Coordinator , Senior Statutory Planners, Senior Strategic Planners, Statutory Planners, Lands Officer.
AUTHORISATION:	Clause 9.1(c) Town Planning Scheme No.8 Authority to, at all reasonable times and with such assistance as may be required, enter any building or land for the purpose of ascertaining whether the provisions of the Scheme are being observed.
CONDITIONS:	N/A
REFERENCES:	N/A
DATE ADOPTED:	17/06/2013
LAST REVIEWED:	16/06/2014 17/06/2013

5. ANIMAL WELFARE ACT 2002 – AUTHORISED PERSONS

AUTHORISATION FROM:	Chief Executive Officer
POWER TO AUTHORISE:	Section 64(1)(e) Animal Welfare Act 2002 – the chief executive officers of every local government are each to appoint as ‘authorised persons’ as many members of their staff as are required for the purposes of Division 3 of the Animal Welfare Act 2002 .
AUTHORISATION TO:	Senior Rangers, Rangers and Ranger Administration Compliance Officer; and Ranger Services Coordinator (when not appointed as an ‘inspector’ under the Animal Welfare Act 2002).
AUTHORISATION:	Appointed as an ‘authorised person’ for the purposes detailed in the Animal Welfare Act 2002 .
CONDITIONS:	Section 64(4) Animal Welfare Act 2002 – a person cannot be both an ‘authorised person’ and ‘inspector’.
REFERENCES:	N/A
DATE ADOPTED:	17/06/2013
LAST REVIEWED:	16/06/2014 17/06/2013

6. LOCAL LAWS – AUTHORISED PERSONS AND SERVICE OF INFRINGEMENT NOTICES

AUTHORISATION FROM:	Chief Executive Officer
POWER TO AUTHORISE:	Section 9.10 Local Government Act 1995 (by virtue of delegation from Local Government under s. 5.42 Local Government Act 1995).
AUTHORISATION TO:	<p>Ranger Services Coordinator, Senior Rangers, Rangers, Ranger Administration Compliance Officer;</p> <p>Building Assessment Administrator <u>Building Coordinator</u>, Senior Building Surveyors, Building Surveyors, Building Compliance Officer;</p> <p>Manager Regulatory Services, Emergency Management Coordinator;</p> <p>Environmental Health Officers, Coordinator Environmental Health Services;</p> <p>Airport General Manager, Airport Operations Coordinator, Airport Parking & Ground Transportation, Airport Compliance Coordinator, Airport Administration Officer, Airport Reporting Officers, Airport Security Officers (Kerbside); and</p> <p>Manager Leisure Services, Manager Recreation Facilities.</p>
AUTHORISATION:	<p>Appointed as an “authorised person/officer” with respect to the following local laws:</p> <ul style="list-style-type: none">• Parking & Parking Facilities Local Law;• Signs, Hoardings and Bill Posting By-Law;• Tidepole (Sam’s) Island Local Law;• Fencing Local Law;• Local Government Property Local Law;• Animals, Environment and Nuisance Local Law; and• Activities in Thoroughfares & Public Places and Trading Local Law. <p>Note, that this extends to the service of infringement notices under s.9.16 of the Local Government Act 1995 but does not include the extension of the period for payment of a modified penalty under s.9.19 or the withdrawal of an infringement notice under s.9.20.</p>
CONDITIONS:	<p>The Manager Regulatory Services is appointed under the all of the local laws listed above.</p> <p>The Ranger Services Coordinator, Senior Rangers, Rangers, Ranger Administration Compliance Officer</p>

are appointed under the all of the local laws listed above.

The Environmental Health Officers and Coordinator Environmental Health Services are appointed under the Animals, Environment and Nuisance Local Law, Activities in Thoroughfares & Public Places and Trading Local Law.

The ~~Building Assessment Administrator~~[Building Coordinator](#), Senior Building Surveyors, Building Surveyors, Building Compliance Officer are appointed under the Fencing Local Law, Local Government Property Local Law, Signs, Hoardings and Bill Posting By-Law and Activities in Thoroughfares & Public Places and Trading Local Law only.

The Airport General Manager, Airport Operations Coordinator, Airport Parking & Ground Transportation, Airport Compliance Coordinator, Airport Administration Officer, Airport Reporting Officers, Airport Security Officers (Kerbside) are appointed under the Local Government Property Local Law, Parking & Parking Facilities Local Law and Signs, Hoardings and Bill Posting By-Law.

The Manager Leisure Services, Manager Recreation Facilities are appointed under the Local Government Property Local Law only.

The Emergency Management Coordinator is appointed under the Parking & Parking Facilities Local Law only.

REFERENCES:

N/A

DATE ADOPTED:

20/10/2003

LAST REVIEWED:

[16/06/2014](#)~~18/11/2013~~

7. LOCAL LAWS – AUTHORISED PERSONS AND WITHDRAWAL OF INFRINGEMENT NOTICES

AUTHORISATION FROM:	Chief Executive Officer
POWER TO AUTHORISE:	<i>Section 9.10 Local Government Act 1995</i> (by virtue of delegation from Local Government under s. 5.42 <i>Local Government Act 1995</i>).
AUTHORISATION TO:	Director Development Services
AUTHORISATION:	<p>Appointed as an “authorised person/officer” with respect to the following local laws:</p> <ul style="list-style-type: none">• Parking & Parking Facilities Local Law;• Signs, Hoardings and Bill Posting By-Law;• Tidepole (Sam’s) Island Local Law;• Fencing Local Law;• Local Government Property Local Law;• Animals, Environment and Nuisance Local Law; and• Activities in Thoroughfares & Public Places and Trading Local Law. <p>Note, that this extends to the extension of the period for payment of a modified penalty under s.9.19 of the <i>Local Government Act 1995</i> and the withdrawal of an infringement notice under s.9.20 but does not include the service of an infringement notice under s.9.16.</p>
CONDITIONS:	N/A
REFERENCES:	N/A
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	16/06/2014 17/06/2013

8. POWER TO REMOVE AND IMPOUND GOODS – AUTHORISED PERSONS

AUTHORISATION FROM:	Chief Executive Officer
POWER TO AUTHORISE:	Sections 3.39 and 3.40A Local Government Act 1995 (by virtue of delegation from Local Government under s. 5.42 Local Government Act 1995).
AUTHORISATION TO:	Manager Infrastructure; Director Community Services; Ranger Services Coordinator, Senior Rangers, Rangers, Ranger Administration Compliance Officer; and Manager Waste Services.
AUTHORISATION:	Authority to remove and impound goods from a public place if the goods present a hazard to public safety or they obstruct the lawful use of any place. Authority to remove and impound 'abandoned vehicle wrecks'.
CONDITIONS:	N/A
REFERENCES:	Sections 3.40 and 3.41 Local Government Act 1995.
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	16/06/2014 17/06/2013

DELEGATIONS

1. APPOINTMENT OF ACTING CEO

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Section 5.42 Local Government Act 1995 – a local government may delegate to the CEO the exercise of any of its powers or any of its duties as specified in s.5.42.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Authority to appoint an officer in the role of Acting Chief Executive Officer, in the absence of a Chief Executive Officer.
CONDITIONS:	<p>The appointment must be made in writing and is to be for a maximum period of four (4) weeks.</p> <p>The role of Acting Chief Executive Officer will assume all of the Authorisations and Delegations of the Chief Executive Officer, unless expressly written otherwise.</p>
REFERENCES:	<p>Policy CH9 – Appointment of an Acting Chief Executive Officer</p> <p>Sections 5.36, 5.39(1a) Local Government Act 1995</p> <p>Regulation 18A(1)(b) Local Government (Administration) Regulations 1996</p>
POWER TO SUB-DELEGATE:	Yes - s.5.44 Local Government Act 1995 – a CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under the Local Government Act 1995 .
SUB-DELEGATED TO:	Not sub-delegated.
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the Local Government (Administration) Regulations 1996 are met.
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	16/06/2014 17/06/2013

2. LEGAL ADVICE - GENERAL

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Section 5.42 Local Government Act 1995 – a local government may delegate to the CEO the exercise of any of its powers or any of its duties as specified in s.5.42.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Authority to obtain legal advice and opinion as deemed necessary for the proper legal management of the Shire of Roebourne.
CONDITIONS:	N/A
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes – s.5.44 Local Government Act 1995 – a CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under the Local Government Act 1995 .
SUB-DELEGATED TO:	Director Community Services; Director Development Services; Director Strategic Projects & Infrastructure; and Director Corporate Services.
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with copies of correspondence with legal advisors and any other evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the Local Government (Administration) Regulations 1996 are met.
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	16/06/2014 17/06/2013

3. LEGAL REPRESENTATION FOR PRESENT AND FORMER ELECTED MEMBERS AND STAFF OF THE SHIRE

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Section 5.42 Local Government Act 1995 – a local government may delegate to the CEO the exercise of any of its powers or any of its duties as specified in s.5.42.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	<p>In cases of urgency, authority to authorise interim assistance for legal representation for council members and employees (including past members and former employees), up to a maximum of \$5,000.00.</p> <p>In cases of emergency, authority to approve applications for additional assistance, not exceeding \$5,000.00 per application, subject to prior consultation and consent of the Shire President.</p>
CONDITIONS:	N/A
REFERENCES:	<p>Policy CE2 – Legal Representation & Costs Indemnification</p> <p>Section 6.7(2) Local Government Act 1995 and Section 9.56 Local Government Act 1995</p>
POWER TO SUB-DELEGATE:	Yes – s.5.44 Local Government Act 1995 – a CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under the Local Government Act 1995 .
SUB-DELEGATED TO:	Not sub-delegated.
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the Local Government (Administration) Regulations 1996 are met.
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	16/06/2014 17/06/2013

4. PAYMENTS FROM MUNICIPAL AND TRUST FUND AND TRANSFER TO AND FROM RESERVE ACCOUNTS

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Section 5.42 Local Government Act 1995 – a local government may delegate to the CEO the exercise of any of its powers or any of its duties as specified in s.5.42.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Regulation 12 Local Government (Financial Management) Regulations 1996 Authority to make payments from the municipal fund and trust fund. Section 6.11 Local Government Act 1995 This includes the transfer of funds to and from Reserve accounts as allowed for in the budget.
CONDITIONS:	N/A
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes - s.5.44 Local Government Act 1995 – a CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under the Local Government Act 1995 .
SUB-DELEGATED TO:	Director Community Services, Director Development Services, Director Strategic Projects & Infrastructure, Director Corporate Services; and Manager Financial Services/CFO, Management Accountant.
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the Local Government (Administration) Regulations 1996 are met.
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	16/06/2014 17/06/2013

5. AUTHORISATION OF EXPENDITURE FROM MUNICIPAL AND TRUST FUND

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Section 5.42 Local Government Act 1995 – a local government may delegate to the CEO the exercise of any of its powers or any of its duties as specified in s.5.42.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Sections 6.7 and 6.9 Local Government Act 1995 Authority to authorise expenditure from the municipal fund and trust fund.
CONDITIONS:	<ul style="list-style-type: none">• All purchases must be within budget allocation or through Council resolution;• Purchase of plant must be approved through the Plant Replacement Advisory Group;• Purchase authority is only permissible to accounts where responsibility lies with the appropriate Manager/Coordinator; and• All goods and services to be acquired through a tendering or expression of interest process will require the CEO or Director's approval in the first instance.
REFERENCES:	Purchasing Authority Limits form Section 6.8 Local Government Act 1995
POWER TO SUB-DELEGATE:	Yes - s.5.44 Local Government Act 1995 – a CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under the Local Government Act 1995 .
SUB-DELEGATED TO:	Those positions detailed in the Purchasing Authority Limits form.
CONDITIONS OF SUB-DELEGATION:	Expenditure authorised must be within the limit detailed in the Purchasing Authority Limits form.
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with any evidentiary documents such as purchase orders. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the Local Government (Administration) Regulations 1996 are met.

DATE ADOPTED:

20/10/2003

LAST REVIEWED:

[16/06/2014](#)~~17/06/2013~~

6. PAYMENT OF RATES BY INSTALMENT OR SPECIAL ARRANGEMENT

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Section 5.42 Local Government Act 1995 – a local government may delegate to the CEO the exercise of any of its powers or any of its duties as specified in s.5.42.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Section 6.49 Local Government Act 1995 Authority, in cases of hardship, to enter into special payment arrangements with ratepayers for the payment of rates, domestic refuse charges and private swimming pool inspection fees.
CONDITIONS:	N/A
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes - s.5.44 Local Government Act 1995 – a CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under the Local Government Act 1995 .
SUB-DELEGATED TO:	Not sub-delegated. Director Corporate Services
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the Local Government (Administration) Regulations 1996 are met.
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	16/06/2014 17/06/2013

7. PAYMENT OF OTHER DEBTS BY INSTALMENTS OR SPECIAL ARRANGEMENT

DELEGATED BY: Local Government

POWER TO DELEGATE: **Section 5.42 Local Government Act 1995** – a local government may delegate to the CEO the exercise of any of its powers or any of its duties as specified in s.5.42.

DELEGATED TO: Chief Executive Officer

POWER/AUTHORITY DELEGATED: **Section 6.12 Local Government Act 1995**
Authority, in cases of hardship, to enter into special payment arrangements with debtors for the payment of debts.

CONDITIONS: Any special payment arrangement made under this delegation is not to exceed twelve (12) months.

REFERENCES: N/A

POWER TO SUB-DELEGATE: Yes - **s.5.44 Local Government Act 1995** – a CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under the **Local Government Act 1995**.

SUB-DELEGATED TO: ~~Not sub-delegated~~ [Director Corporate Services](#).

RECORD OF USE: Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the **Local Government (Administration) Regulations 1996** are met.

DATE ADOPTED: 20/10/2003

LAST REVIEWED: [16/06/2014](#)~~17/06/2013~~

8. WRITE OFF MONIES

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Section 5.42 Local Government Act 1995 – a local government may delegate to the CEO the exercise of any of its powers or any of its duties as specified in s.5.42.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Section 6.12(1)(c) Local Government Act 1995 Authority to write off money owing to the Shire, up to the sum of \$1,000.00. If the total collective debt is over \$1,000.00, the decision must be referred to Council.
CONDITIONS:	N/A
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes – s.5.44 Local Government Act 1995 – a CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under the Local Government Act 1995 .
SUB-DELEGATED TO:	Not sub-delegated.
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the Local Government (Administration) Regulations 1996 are met.
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	16/06/201417/06/2013

9. POWER TO INVEST

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Section 5.42 Local Government Act 1995 – a local government may delegate to the CEO the exercise of any of its powers or any of its duties as specified in s.5.42.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Section 6.14(1) Local Government Act 1995 Authority to invest money held in the municipal fund 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 as trust funds under the Trustees Act 1962 Part III.
CONDITIONS:	To comply with the Local Government (Financial Management) Regulations 1996 including r.19 – Management of Investments.
REFERENCES:	Policy CF3 – Finance and Investment Strategy
POWER TO SUB-DELEGATE:	Yes – s.5.44 Local Government Act 1995 – a CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under the Local Government Act 1995 .
SUB-DELEGATED TO:	Director Corporate Services; Manager Financial Services/CFO, Senior Financial Accountant and Management Accountant.
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the Local Government (Administration) Regulations 1996 are met.
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	16/06/2014 17/06/2013

10. PAYMENTS TO SHIRE EMPLOYEES

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Section 5.42 Local Government Act 1995 – a local government may delegate to the CEO the exercise of any of its powers or any of its duties as specified in s.5.42.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Authority to make payments to Shire employees for telephone rental and calls, relocation expenses, professional development, education expenses and/or other expenses. in accordance with employment contracts and Council policies.
CONDITIONS:	Such payments must be subject to the budget and in accordance with employment contracts and Council policies.
REFERENCES:	Regulation 12 Local Government (Financial Management) Regulations 1996 Section 5.50 Local Government Act 1995
POWER TO SUB-DELEGATE:	Yes – s.5.44 Local Government Act 1995 – a CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under the Local Government Act 1995 .
SUB-DELEGATED TO:	Director Corporate Services
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the Local Government (Administration) Regulations 1996 are met.
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	16/06/2014 17/06/2013

11. CONCESSIONS ON FEES FOR COUNCIL FACILITIES

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Section 5.42 Local Government Act 1995 – a local government may delegate to the CEO the exercise of any of its powers or any of its duties as specified in s.5.42.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	<p>Section 6.12 Local Government Act 1995</p> <p>Authority to provide up to a 100% concession on any fee or \$2,000.00 towards any fee (whichever is the lesser amount) for Council facilities and services, including:</p> <ul style="list-style-type: none">• Karratha Leisureplex Entertainment Centre;• Seven Mile Landfill Facility;• Frank Butler Community Centre;• Roebourne Aquatic Centre;• Karratha Public Golf and Bowling Courses;• Karratha Tennis Courts (Bulgarra/ Millars Well);• Roebourne Basketball Courts;• Millars Well Pavilion;• Pegs Creek Pavilion; and• Council Ovals.
CONDITIONS:	N/A
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes – s.5.44 Local Government Act 1995 – a CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under the Local Government Act 1995 .
SUB-DELEGATED TO:	Director Community Services; and Director Strategic Projects & Infrastructure
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the Local Government (Administration) Regulations 1996 are met.

DATE ADOPTED:

19/01/2004

LAST REVIEWED:

[16/06/2014](#)~~17/06/2013~~

12. CONCESSIONS ON FEES FOR COUNCIL SERVICES

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Section 5.42 Local Government Act 1995 – a local government may delegate to the CEO the exercise of any of its powers or any of its duties as specified in s.5.42.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Section 6.12 Local Government Act 1995 Authority to provide up to a 100% concession or up to \$2,000.00 (whichever is the lesser amount) towards building permit fees and certification fees.
CONDITIONS:	This delegation does not extend to levies for the Building Commission and the Building Commission Industry Training Fund.
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes – s.5.44 Local Government Act 1995 – a CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under the Local Government Act 1995 .
SUB-DELEGATED TO:	Director Development Services
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the Local Government (Administration) Regulations 1996 are met.
DATE ADOPTED:	19/01/2004
LAST REVIEWED:	16/06/2014 17/06/2013

13. AWARDING TENDERS

DELEGATED BY:	Local Government
POWER TO DELEGATE:	<p>Section 5.42 Local Government Act 1995 – a local government may delegate to the CEO the exercise of any of its powers or any of its duties as specified in s.5.42.</p> <p>Section 5.43(b) Local Government Act 1995 – a local government cannot delegate to the CEO the power to accept a tender which exceeds an amount determined by the local government for the purpose of s.5.43(b).</p>
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	<p>Section 3.57 Local Government Act 1995</p> <p>Regulations 11 to 24 Local Government (Functions & General) Regulations 1996</p> <p>Authority to accept a tender.</p>
CONDITIONS:	The tender may only be accepted where the consideration involved does not exceed \$300,000.00 (excluding GST) and the appropriate provision is made in the budget.
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes – s.5.44 Local Government Act 1995 – a CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under the Local Government Act 1995 .
SUB-DELEGATED TO:	Not sub-delegated.
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with any evidentiary documents such as relevant tender documentation. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the Local Government (Administration) Regulations 1996 are met.
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	16/06/2014 17/06/2013

14. INVITING TENDERS AND DETERMINING TENDER EVALUATION CRITERIA

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Section 5.42 Local Government Act 1995 – a local government may delegate to the CEO the exercise of any of its powers or any of its duties as specified in s.5.42.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	<p>Section 3.57 Local Government Act 1995</p> <p>Regulations 11 to 24 Local Government (Functions & General) Regulations 1996</p> <ul style="list-style-type: none">• Authority to invite tenders in accordance with section 3.57 where:<ul style="list-style-type: none">○ there is a “discrete and identifiable” budget allocation provided by Council as part of their budget adoption or review; and○ the value of the tender is not to exceed \$1million (excluding GST).• Authority to determine tender evaluation criteria, the form of contract and the Contract Superintendent in accordance with Regulation 14 where:<ul style="list-style-type: none">○ the value of the tender is not to exceed \$1million (excluding GST); and○ the criteria is to be in accordance with the Tender Evaluation Criteria Policy.
CONDITIONS:	N/A
REFERENCES:	Tender Evaluation Criteria Policy.
POWER TO SUB-DELEGATE:	Yes – s.5.44 Local Government Act 1995 – a CEO may delegate to any employee of the local government the exercise of any of the CEO’s powers or the discharge of any of the CEO’s duties under the Local Government Act 1995 .
SUB-DELEGATED TO:	Not sub-delegated.
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Shire’s record keeping system, along with any evidentiary documents such as relevant tender documentation. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the Local Government (Administration) Regulations 1996 are met.

DATE ADOPTED:

20/05/2013

LAST REVIEWED:

[16/06/2014](#)~~17/06/2013~~

15. DISPOSAL OF PROPERTY

DELEGATED BY: Local Government

POWER TO DELEGATE: **Section 5.42 Local Government Act 1995** – a local government may delegate to the CEO the exercise of any of its powers or any of its duties as specified in s.5.42.

Section 5.43(d) Local Government Act 1995 – a local government cannot delegate to the CEO the power to dispose of any property exceeding an amount determined by a local government for the purpose of s.5.43(d).

DELEGATED TO: Chief Executive Officer

POWER/AUTHORITY DELEGATED: **Section 3.58 Local Government Act 1995**

Regulation 30 Local Government (Functions and General) Regulations 1996

1. Authority to dispose of property by way of public tender, public auction or local public notice (with the exception of ~~Delegation~~Authority 2 & 3 below) where:

- the individual market value of the property to be disposed of is less than \$50,000.00; or
- the property value is greater than \$50,000.00 where the property is disposed of as part of the consideration for other property that the local government is acquiring for a consideration, the total value which is not more (or worth more) than \$100,000.00.

2. Authority to enter into lease arrangements for:

- -the disposal of property as a result of a public tender, public auction, local public notice or some other means where the market value of the property to be disposed of is less than \$20,000.00; or
- the leasing of Shire owned residential property to staff and other persons.

3. Authority to gift or donate property with a maximum value of \$500.00.

- Authority to dispose of property (with the exception of gifting or donating property or the leasing of residential property to staff which is dealt with below) by public tender, public auction or some other means where:

- ~~○ the individual value of the property to be disposed of is less than \$20,000.00; or~~
- ~~○ the property value is greater than \$20,000.00 where the property is disposed of as part of the consideration for other property that the local government is acquiring for a consideration, the total value which is not more (or worth more) than \$50,000.00.~~
- Authority to gift or donate property with a maximum fair value of \$500.00.
- Authority to enter into lease arrangements for the leasing of Shire owned residential property to staff and other persons.

CONDITIONS: N/A

REFERENCES: N/A

POWER TO SUB-DELEGATE: Yes – **s.5.44 Local Government Act 1995** – a CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under the **Local Government Act 1995**.

SUB-DELEGATED TO: [Director Strategic Projects & Infrastructure; and](#)
Director Corporate Services.

CONDITION: [The Director Strategic Projects & Infrastructure is sub-delegated to exercise Authority 1 above only; and](#)
[The Director Corporate Services is sub-delegated to exercise Authority 2 above only.](#)

RECORD OF USE: Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with any evidentiary documents such as leases/sale and purchase agreements. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the **Local Government (Administration) Regulations 1996** are met.

DATE ADOPTED: 20/10/2003

LAST REVIEWED: [16/06/2014](#) ~~17/06/2013~~

16. AUTHORITY TO APPOINT AUTHORISED PERSONS - LOCAL LAWS

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Section 5.42 Local Government Act 1995 – a local government may delegate to the CEO the exercise of any of its powers or any of its duties as specified in s.5.42.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Section 9.10 Local Government Act 1995 Authority to appoint persons or classes of persons to be authorised for the purposes of performing particular functions.
CONDITIONS:	<p>For the purpose of this delegation such functions shall be limited to appointing persons or classes of persons to act as “authorised persons/officers” with respect to the following local laws:</p> <ul style="list-style-type: none">• Parking & Parking Facilities Local Law;• Signs, Hoardings and Bill Posting By-Law;• Tidepole (Sam’s) Island Local Law;• Fencing Local Law;• Local Government Property Local Law;• Animals, Environment and Nuisance Local Law; and• Activities in Thoroughfares & Public Places and Trading Local Law. <p>Note, that this extends to the service of infringement notices under s.9.16 of the Local Government Act 1995 and the extension of the period for payment of a modified penalty under s.9.19 and the withdrawal of an infringement notice under s.9.20.</p>
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes - s.5.44 Local Government Act 1995 – a CEO may delegate to any employee of the local government the exercise of any of the CEO’s powers or the discharge of any of the CEO’s duties under the Local Government Act 1995 .
SUB-DELEGATED TO:	Not sub-delegated
RECORD OF USE:	Appointments are to be made in writing and copies retained in the Shire’s record keeping system.

DATE ADOPTED:

20/10/2003

LAST REVIEWED:

[16/06/2014](#)~~17/06/2013~~

17. FUNCTIONS OF LOCAL GOVERNMENT UNDER LOCAL LAWS

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Section 5.42 Local Government Act 1995 – a local government may delegate to the CEO the exercise of any of its powers or any of its duties as specified in s.5.42.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	<p>To carry out the functions of local government with respect to the following local laws:</p> <ul style="list-style-type: none">• Parking & Parking Facilities Local Law;• Signs, Hoardings and Bill Posting By-Law;• Tidepole (Sam's) Island Local Law;• Fencing Local Law;• Local Government Property Local Law;• Animals, Environment and Nuisance Local Law; and• Activities in Thoroughfares & Public Places and Trading Local Law.
CONDITIONS:	N/A
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes – s.5.44 Local Government Act 1995 – a CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under the Local Government Act 1995 .
SUB-DELEGATED TO:	<p>Ranger Services Coordinator, Senior Rangers, Rangers, Ranger Administration Compliance Officer;</p> <p>Building Assessment Administrator Building Coordinator, Senior Building Surveyors, Building Surveyors, Building Compliance Officer;</p> <p>Manager Regulatory Services;</p> <p>Environmental Health Officers, Coordinator Environmental Health Services;</p> <p>Airport General Manager, Airport Operations Coordinator, Airport Parking & Ground Transportation, Airport Compliance Coordinator, Airport Administration Officer, Airport Reporting Officers; and</p> <p>Manager Leisure Services, Manager Recreation Facilities.</p>

CONDITIONS

The Manager Regulatory Services is appointed under the all of the local laws listed above.

The Ranger Services Coordinator, Senior Rangers, Rangers, Ranger Administration Compliance Officer are appointed under the all of the local laws listed above.

The Environmental Health Officers, Coordinator Environmental Health Services are appointed under the Animals, Environment and Nuisance Local Law, Activities in Thoroughfares & Public Places and Trading Local Law.

The ~~Building Assessment Administrator~~[Building Coordinator](#), Senior Building Surveyors, Building Surveyors, Building Compliance Officer are appointed under the Fencing Local Law, Local Government Property Local Law, Signs, Hoardings and Bill Posting By-Law and Activities in Thoroughfares & Public Places and Trading Local Law only.

Airport General Manager, Airport Operations Coordinator, Airport Parking & Ground Transportation, Airport Compliance Coordinator, Airport Administration Officer, Airport Reporting Officers are appointed under the Local Government Property Local Law, Parking & Parking Facilities Local Law and Signs, Hoardings and Bill Posting By-Law.

The Manager Leisure Services, Manager Recreation Facilities, are appointed under the Local Government Property Local Law only.

RECORD OF USE:

Details of decisions made/functions carried out are to be recorded in writing and retained in the Shire's record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the **Local Government (Administration) Regulations 1996** are met.

DATE ADOPTED:

20/10/2003

LAST REVIEWED:

[16/06/2014](#)~~18/11/2013~~

18. LOCAL GOVERNMENT ACT 1995 – POWER TO ENTER LAND, PREMISES OR THING WITH NOTICE OR IN AN EMERGENCY

DELEGATED BY: Local Government

POWER TO DELEGATE: **Section 5.42 Local Government Act 1995** – a local government may delegate to the CEO the exercise of any of its powers or any of its duties as specified in s.5.42.

DELEGATED TO: Chief Executive Officer

POWER/AUTHORITY DELEGATED: Authority to exercise the functions of local government relating to powers of entry detailed in sections 3.31, 3.34 and 3.36 **Local Government Act 1995**.

CONDITIONS: N/A

REFERENCES: N/A

POWER TO SUB-DELEGATE: Yes - **s.5.44 Local Government Act 1995** – a CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under the **Local Government Act 1995**.

SUB-DELEGATED TO: ~~Building Assessment Administrator~~ ~~Building Coordinator~~, Senior Building Surveyors, Building Surveyors, Building Compliance Officer;
Manager Planning Services, Senior Strategic Planners, ~~Principal Statutory Planner~~ ~~Statutory Planning Coordinator~~, Senior Statutory Planners, Statutory Planners, Lands Officer;
Emergency Management Coordinator;
Ranger Services Coordinator, Senior Rangers, Rangers, Ranger Administration Compliance Officer;
Coordinator Environmental Health Services, Environmental Health Officers; and
Manager Regulatory Services.

RECORD OF USE: Decisions to enter property are to be recorded in writing and retained in the Shire's record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the **Local Government (Administration) Regulations 1996** are met.

DATE ADOPTED: 17/06/2013

LAST REVIEWED: ~~16/06/2014~~ ~~18/11/2013~~

19. LOCAL GOVERNMENT ACT 1995 – POWER TO REQUIRE CERTAIN THINGS TO BE DONE BY OWNER/OCCUPIER OF LAND/POWER TO DO THINGS ON LAND NOT OWNED BY LOCAL GOVERNMENT

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Section 5.42 Local Government Act 1995 – a local government may delegate to the CEO the exercise of any of its powers or any of its duties as specified in s.5.42.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	<p>1. Authority to issue notices pursuant to s.3.25 Local Government Act 1995 and enforce notices pursuant to s.3.26 Local Government Act 1995.</p> <p>2. Authority to carry out works on land not owned by the Shire pursuant to s.3.27 Local Government Act 1995.</p>
CONDITIONS:	N/A
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes - s.5.44 Local Government Act 1995 – a CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under the Local Government Act 1995 .
SUB-DELEGATED TO:	<p>Building Assessment Administrator Building Coordinator, Senior Building Surveyors, Building Surveyors, Building Compliance Officer;</p> <p>Manager Planning Services, Senior Strategic Planners, Principal Statutory Planner Statutory Planning Coordinator, Senior Statutory Planners, Statutory Planners, Lands Officer;</p> <p>Emergency Management Coordinator;</p> <p>Ranger Services Coordinator, Senior Rangers, Rangers, Ranger Administration Compliance Officer;</p> <p>Coordinator Environmental Health Services, Environmental Health Officers; and</p> <p>Manager Regulatory Services.</p>
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with copies of notices issued and any other evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of

Regulation 19 of the **Local Government (Administration) Regulations 1996** are met.

DATE ADOPTED:

17/06/2013

LAST REVIEWED:

[16/06/2014](#)~~18/11/2013~~

20. DISPOSING OF CONFISCATED OR UNCOLLECTED GOODS

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Section 5.42 Local Government Act 1995 – a local government may delegate to the CEO the exercise of any of its powers or any of its duties as specified in s.5.42.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Section 3.47(1) Local Government Act 1995 Authority to sell or otherwise dispose of any goods that have been ordered to be confiscated under s.3.43 of the Local Government Act 1995 . Section 3.47(2a) and (2b) Local Government Act 1995 Authority to sell or otherwise dispose of any goods that have not been collected within the periods specified in s.3.47(2a) and 3.47(2b).
CONDITIONS:	The goods must individually be under the value of \$20,000.00.
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes – s.5.44 Local Government Act 1995 – a CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under the Local Government Act 1995 .
SUB-DELEGATED TO:	Ranger Services Coordinator; Director Development Services and Director Corporate Services; and Manager Waste Services.
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with copies of correspondence with respect to the sale or disposal and any other evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the Local Government (Administration) Regulations 1996 are met.
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	16/06/2014 17/06/2013

21. POWER TO REMOVE AND IMPOUND GOODS

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Section 5.42 Local Government Act 1995 – a local government may delegate to the CEO the exercise of any of its powers or any of its duties as specified in s.5.42.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	<p>1. Section 3.39 Local Government Act 1995</p> <p>Authority, to authorise an employee to remove and impound goods from a public place if the goods present a hazard to public safety or they obstruct the lawful use of any place.</p> <p>2. Section 3.40A Local Government Act 1995</p> <p>Authority, to authorise an employee to remove and impound an 'abandoned vehicle wreck'.</p> <p>3. Authority to undertake the functions and duties of local government required under sections 3.40A (with the exception of those detailed in 2 above), 3.42, 3.44, 3.46, 3.47A and 3.48 Local Government Act 1995.</p>
CONDITIONS:	N/A
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes – s.5.44 Local Government Act 1995 – a CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under the Local Government Act 1995 .
SUB-DELEGATED TO:	<p>Delegation Authority 3 above only is sub-delegated to:</p> <p>Manager Infrastructure;</p> <p>Ranger Services Coordinator, Senior Rangers, Rangers, Ranger Administration Compliance Officer; and</p> <p>Manager Waste Services.</p>
RECORD OF USE:	<p>Delegations Authority 1 & 2 - Appointments are to be made in writing and copies retained in the Shire's record keeping system. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the Local Government (Administration) Regulations 1996 are met.</p>

[Delegation-Authority 3](#) – Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the **Local Government (Administration) Regulations 1996** are met.

DATE ADOPTED: 20/10/2003

LAST REVIEWED: [16/06/2014](#)~~17/06/2013~~

22. EMERGENCY MANAGEMENT ACT 2005

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Section 45 Emergency Management Act 2005 – the powers given to a local government by Part 3 Division 3 can only be exercised on behalf of the local government by a person expressly authorised by it to exercise those powers.
DELEGATED TO:	Emergency Management Coordinator; Ranger Services Coordinator, Senior Rangers, Rangers, Ranger Administration Compliance Officer; and Manager Regulatory Services.
POWER/AUTHORITY DELEGATED:	Authority to exercise the powers of local government under s.46 – s.49 of the Emergency Management Act 2005 .
CONDITIONS:	N/A
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	No
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with copies of notices issued and any other evidentiary documents.
DATE ADOPTED:	17/06/2013
LAST REVIEWED:	16/06/2014 17/06/2013

23. BUSH FIRES ACT 1954

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Section 48 Bush Fires Act 1954 – a local government may, in writing, delegate to its chief executive officer the performance of any of its functions under the Bush Fires Act 1954 .
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Authority to perform any of the functions of local government under the Bush Fires Act 1954 . Note, that this extends to the Shire of Roebourne Bush Fire Brigades Local Law.
CONDITIONS:	N/A
REFERENCES:	Shire of Roebourne Bush Fire Brigades Local Law.
POWER TO SUB-DELEGATE:	No – s.48 Bush Fires Act 1954 – a delegation under this section does not include the power to sub-delegate.
SUB-DELEGATED TO:	Not sub-delegated.
RECORD OF USE:	Details of decisions made/functions carried out are to be recorded in writing and retained in the Shire's record keeping system, along with any evidentiary documents.
DATE ADOPTED:	17/06/2013
LAST REVIEWED:	16/06/2014 17/06/2013

24. BUSH FIRES ACT 1954 – INFRINGEMENTS

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Section 59 (3) Bush Fires Act 1954 – local government may delegate authority to its bush fire control officer in relation to the prosecution of offences as set out in s.59.
DELEGATED TO:	Such persons who are appointed as “bush fire control officers” under the Bush Fires Act 1954 .
POWER/AUTHORITY DELEGATED:	Authority in relation to prosecution of offences under s.59(3) Bush Fires Act 1954 . Section 59A Bush Fires Act 1954 – authority to serve and withdraw infringement notices.
CONDITIONS:	N/A
REFERENCES:	Shire of Roebourne Bush Fire Brigades Local Law.
POWER TO SUB-DELEGATE:	N/A
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Shire’s record keeping system, along with copies of notices issued, withdrawal of notices and any other evidentiary documents.
DATE ADOPTED:	17/06/2013
LAST REVIEWED:	16/06/2014 17/06/2013

25. EVENTS ON ROADS

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Section 5.42 Local Government Act 1995 – a local government may delegate to the CEO the exercise of any of its powers or any of its duties as specified in s.5.42
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Section 3.50 Local Government Act 1995 Regulation 4 Road Traffic (Events on Roads) Regulations 1991 Authority to consider applications for the temporary closure of roads for the purpose of conducting events.
CONDITIONS:	N/A
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes – s.5.44 Local Government Act 1995 – a CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under the Local Government Act 1995 .
SUB-DELEGATED TO:	Manager Infrastructure Services
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the Local Government (Administration) Regulations 1996 are met.
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	16/06/2014 17/06/2013

26. TEMPORARY ROAD CLOSURES

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Section 5.42 Local Government Act 1995 – a local government may delegate to the CEO the exercise of any of its powers or any of its duties as specified in s.5.42.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Section 3.50 Local Government Act 1995 Section 3.50A Local Government Act 1995 Section 3.51 Local Government Act 1995 Authority to temporarily close thoroughfares to vehicles for periods not exceeding four (4) weeks.
CONDITIONS:	N/A
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes – s.5.44 Local Government Act 1995 – a CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under the Local Government Act 1995 .
SUB-DELEGATED TO:	Manager Infrastructure; Ranger Services Coordinator, Senior Ranger, Rangers, Ranger Administration Compliance Officer; Emergency Management Coordinator; and Coordinator Works & Technical Services.
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the Local Government (Administration) Regulations 1996 are met.
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	16/06/2014 17/06/2013

27. BUILDING PERMITS UNDER THE BUILDING ACT 2011

DELEGATED BY:	Local Government
POWER TO DELEGATE:	<p>Section 127(1) Building Act 2011 – a local government may delegate any of its powers or duties as a permit authority under the Building Act 2011.</p> <p>Section 127(3) Building Act 2011 – such delegation may only be to a person employed by the local government under s.5.36 of the Local Government Act 1995.</p>
DELEGATED TO:	<p>Building Assessment Administrator <u>Building Coordinator</u>;</p> <p>Manager Regulatory Services; and</p> <p>Senior Building Surveyors and Building Surveyors.</p>
POWER/AUTHORITY DELEGATED:	<p>Authority to carry out functions of local government in relation to:</p> <p>Section 20 Building Act 2011 – grant of building permits.</p> <p>Section 22 Building Act 2011 – further grounds for not granting an application.</p> <p>Section 27 Building Act 2011 – conditions imposed by permit authority.</p>
CONDITIONS:	N/A
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	No – s.127(5) Building Act 2011 – a person to whom a power or duty is delegated under this section cannot delegate that power or duty.
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with copies of permits granted and any other evidentiary documents.
DATE ADOPTED:	31/07/2012
LAST REVIEWED:	<u>16/06/2014</u> 18/11/2013

28. DEMOLITION PERMITS UNDER THE BUILDING ACT 2011

DELEGATED BY:	Local Government
POWER TO DELEGATE:	<p>Section 127(1) Building Act 2011 – a local government may delegate any of its powers or duties as a permit authority under the Building Act 2011.</p> <p>Section 127(3) Building Act 2011 – such delegation may only be to a person employed by the local government under the Local Government Act 1995 section 5.36.</p>
DELEGATED TO:	<p>Building Assessment Administrator <u>Building Coordinator</u>;</p> <p>Manager Regulatory Services; and</p> <p>Senior Building Surveyors and Building Surveyors.</p>
POWER/AUTHORITY DELEGATED:	<p>Authority to carry out functions of local government in relation to:</p> <p>Section 21 Building Act 2011 – grant of demolition permits.</p> <p>Section 22 Building Act 2011 – further grounds for not granting an application.</p> <p>Section 27 Building Act 2011 – conditions imposed by permit authority.</p>
CONDITIONS:	N/A
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	No – s.127(5) Building Act 2011 – a person to whom a power or duty is delegated under this section cannot delegate that power or duty.
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with copies of permits granted and any other evidentiary documents.
DATE ADOPTED:	31/07/2012
LAST REVIEWED:	16/06/2014 <u>18/11/2013</u>

29. OCCUPANCY PERMITS AND BUILDING APPROVAL CERTIFICATES UNDER THE BUILDING ACT 2011

DELEGATED BY:	Local Government
POWER TO DELEGATE:	<p>Section 127(1) Building Act 2011 – a local government may delegate any of its powers or duties as a permit authority under the Building Act 2011.</p> <p>Section 127(3) Building Act 2011 – such delegation may only be to a person employed by the local government under the Local Government Act 1995 section 5.36.</p>
DELEGATED TO:	<p>Building Coordinator Building Assessment Administrator;</p> <p>Manager Regulatory Services; and Senior Building Surveyors and Building Surveyors.</p>
POWER/AUTHORITY DELEGATED:	<p>Authority to carry out functions of local government in relation to:</p> <p>Section 58 Building Act 2011 – grant of occupancy permit and building approval certificate.</p> <p>Section 62 Building Act 2011 – conditions imposed by permit authority.</p> <p>Section 65 Building Act 2011 – extension of period of duration.</p>
CONDITIONS:	N/A
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	No – s.127(5) Building Act 2011 – a person to whom a power or duty is delegated under this section cannot delegate that power or duty.
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with copies of permits and approvals granted and any other evidentiary documents.
DATE ADOPTED:	31/07/2012
LAST REVIEWED:	16/06/2014 18/11/2013

30. HEALTH ACT 1911

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Section 26 Health Act 1911 – a local government may appoint and authorise any person to be its deputy.
DELEGATED TO:	Chief Executive Officer; and Manager Regulatory Services.
POWER/AUTHORITY DELEGATED:	<p>In respect to Parts IV, V, VI, VII, VIII and IX of the Health Act 1911, the local government will deputise the Chief Executive Officer and the Manager Regulatory Services to act on its behalf.</p> <p>Note, that where applicable this extends to the Health Local Laws 2012.</p>
CONDITIONS:	The delegation to initiate legal action for breaches of the Health Act 1911 and associated health legislation on behalf of the Shire of Roebourne is limited to the Chief Executive Officer only.
REFERENCES:	Health Local Laws 2012
POWER TO SUB-DELEGATE:	No
RECORD OF USE:	Details of decisions made/functions carried out are to be recorded in writing and retained in the Shire's record keeping system including copies of any approvals for applications and the like and any other evidentiary documents.
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	16/06/2014 17/06/2013

31. PROSECUTIONS UNDER THE FOOD ACT 2008

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Section 118(2)(b) Food Act 2008 - a function conferred or imposed on a local government (as enforcement agency) may be delegated.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Section 125 Food Act 2008 Authority to institute proceedings for a breach under the Food Act 2008 .
CONDITIONS:	Subject to s.118(3) and s.118(4) Food Act 2008 .
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	N/A
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with any evidentiary documents.
DATE ADOPTED:	16/11/2009
LAST REVIEWED:	16/06/2014 17/06/2013

32. PROHIBITION ORDERS UNDER THE FOOD ACT 2008

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Section 118(2)(b) Food Act 2008 - a function conferred or imposed on a local government (as enforcement agency) may be delegated.
DELEGATED TO:	Chief Executive Officer; and Director Development Services.
POWER/AUTHORITY DELEGATED:	Section 65(1) Food Act 2008 Authority to serve a prohibition order on the proprietor of a food business in accordance with s.65(1). Section 66 Food Act 2008 Authority to give a certificate of clearance in accordance with s.66. Section 67(4) Food Act 2008 Authority to provide written notification in accordance with s.67(4).
CONDITIONS:	Subject to s.118(3) and s.118(4) Food Act 2008 .
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	N/A
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with copies of orders, certificates and any other evidentiary documents.
DATE ADOPTED:	16/11/2009
LAST REVIEWED:	16/06/2014 17/06/2013

33. REGISTRATION OF A FOOD BUSINESS UNDER THE FOOD ACT 2008

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Section 118(2)(b) Food Act 2008 - a function conferred or imposed on a local government (as enforcement agency) may be delegated.
DELEGATED TO:	Chief Executive Officer; Manager Regulatory Services; and Coordinator Environmental Health Services.
POWER/AUTHORITY DELEGATED:	Section 110 Food Act 2008 Authority to grant/refuse applications for the registration of a food business in accordance with s.110. Section 112 Food Act 2008 Authority to vary the conditions of, or cancel, the registration of a food business in accordance with s.112.
CONDITIONS:	Subject to s.118(3) and s.118(4) Food Act 2008 .
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	N/A
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with copies of approvals and any other evidentiary documents.
DATE ADOPTED:	17/06/2013
LAST REVIEWED:	16/06/2014 17/06/2013

34. TOWN PLANNING APPROVALS

DELEGATED BY: Local Government

POWER TO DELEGATE: ***Clause 9.2.1 Town Planning Scheme No.8*** – a Council may delegate the exercise of any of its powers or the discharge of any of its duties under the Scheme as specified in clause 9.2.1.

DELEGATED TO: Chief Executive Officer

POWER/AUTHORITY DELEGATED: Authority to:

- Determine all applications for planning approval under the Town Planning Scheme No. 8 ("Scheme") where the proposed use is a P, IP, AA or SA use listed in the zoning table.
- Determine all applications for Performance Criteria based applications for variations under the provisions of the Residential Design Codes.
- Pursuant to clause 4.7 of the Scheme refuse an application for planning approval where an applicant has failed to provide further information within 60 days, 90 days or an extended timeframe considered reasonable, whichever is appropriate.
- Request further information in relation to applications for planning approval.
- Determine the requirement for the advertising of an application for planning approval in accordance with the provisions of the Scheme.
- Determine the extent and nature of information to be made available to notified parties and in the case of full public notification, the public, in relation to a planning application.
- Determine applications, [including applications for advertisements](#), where the recommendation is consistent with the Scheme and Council adopted policy, and where no third party objections have been received.
- Determine planning applications where objections received cannot be substantiated on planning grounds.
- Determine applications for a change to condition/s of planning approvals.
- ~~Determine minor proposed amendments to development plans.~~

Authority to:

- Determine all applications for planning approval under the Town Planning Scheme No. 8
- ("Scheme") where the proposed use is a P, IP, AA or SA use listed in the zoning table.

- Request further information in relation to applications for planning approval.
- Determine the requirement for the advertising of an application for planning approval in accordance with the provisions of the Scheme.
- Determine the extent and nature of information to be made available to notified parties and in the case of full public notification, the public, in relation to a planning application.
- Determine applications where the recommendation is consistent with the Scheme and Council adopted policy, and where no third party objections have been received.
- Determine planning applications where objections received cannot be substantiated on planning grounds.

CONDITIONS:

- The approval (including amendment) of planning applications up to \$7,000,000.00 will be subject to no objections of a substantive nature, as determined by the Chief Executive Officer, being received. If an objection determined to be substantive is received the application will be referred to Council for determination.
- Transient workforce accommodation within 20 kilometres of all gazetted townships shall be determined by Council where the proposal does not fall within a transient workforce accommodation zone, and includes the provision of 16 or more beds.
- If the proposed amendment will alter the intent of the adopted or endorsed Development Plan or will impede the ability to meet the objectives of the adopted or endorsed Development Plan it shall be referred to Council for determination.
- Where the Chief Executive Officer in consultation with the Shire President has requested the matter be referred to Council for consideration, the application shall be determined by Council.

REFERENCES:

N/A

POWER TO SUB-DELEGATE:

Yes - **Clause 9.2.2 Town Planning Scheme No.8** – the CEO may delegate to any employee of the Council the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under clause 9.2.1.

SUB-DELEGATED TO:

Director Development Services;
Manager Planning Services; and

[Principal Statutory Planner](#)~~Statutory Planning Coordinator~~.

**CONDITIONS OF SUB-
DELEGATION:**

The following condition shall apply to the [Principal Statutory Planner](#)~~Statutory Planning Coordinator~~ in place of the first condition above:

The approval of any planning application (including amendment) will be subject to the cost of development of land being no greater than \$3,000,000.00 and no objections of a substantive nature, as determined by the Chief Executive Officer, being received. If an objection determined to be substantive is received the application will be referred to Council for determination.

RECORD OF USE:

Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the Local Government (Administration) Regulations 1996 are met.

DATE ADOPTED:

20/10/2003

LAST REVIEWED:

[16/06/2014](#)~~17/06/2013~~

35. TOWN PLANNING – AUTHORITY TO DETERMINE APPLICATIONS FOR EXTENSION OF THE PERIOD FOR APPROVAL OF DEVELOPMENTS

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Clause 9.2.1 Town Planning Scheme No.8 – a Council may delegate the exercise of any of its powers or the discharge of any of its duties under the Scheme as specified in clause 9.2.1.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Authority to determine applications for the extension of the approval period.
CONDITIONS:	N/A
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes - Clause 9.2.2 Town Planning Scheme No.8 – the CEO may delegate to any employee of the Council the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under clause 9.2.1.
SUB-DELEGATED TO:	Director Development Services; Manager Planning Services; and Principal Statutory Planner Statutory Planning Coordinator.
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the Local Government (Administration) Regulations 1996 are met.
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	16/06/2014 17/06/2013

36. TOWN PLANNING – SUBDIVISIONS

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Clause 9.2.1 Town Planning Scheme No.8 – a Council may delegate the exercise of any of its powers or the discharge of any of its duties under the Scheme as specified in clause 9.2.1.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	<p>1. Subdivision Referrals (Green Title and Survey Strata)</p> <p>Authority to make recommendations on any subdivision proposal referred to Council by the Western Australian Planning Commission.</p> <p>2. Subdivision Clearances</p> <p>Authority to certify the clearance of Local Government conditions required by the Western Australian Planning Commission for subdivision approval.</p>
CONDITIONS:	<p>1. Subdivision Referrals (Green Title and Survey Strata)</p> <p>Recommendations are to be consistent with any policy and/or development plan adopted by Council for the land proposed to be subdivided.</p> <p>2. Subdivision Clearances</p> <p>N/A</p>
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes - Clause 9.2.2 Town Planning Scheme No.8 – the CEO may delegate to any employee of the Council the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under clause 9.2.1.
SUB-DELEGATED TO:	Director Development Services; Manager Planning Services; and Principal Statutory Planner Statutory Planning Coordinator .
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the Local Government (Administration) Regulations 1996 are met.

DATE ADOPTED:

20/10/2003

LAST REVIEWED:

[16/06/2014](#)~~17/06/2013~~

37. TOWN PLANNING – MAKING SUBMISSIONS ON BEHALF OF COUNCIL

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Clause 9.2.1 Town Planning Scheme No.8 – a Council may delegate the exercise of any of its powers or the discharge of any of its duties under the Scheme as specified in clause 9.2.1.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	<p>Authority to make written and verbal submissions, including objections and recommendation of conditions in relation to planning related initiatives and applications referred to the Shire by the State, State Departments and Agencies including:</p> <ul style="list-style-type: none">• Applications for subdivision referred to the Council by the Western Australian Planning Commission;• Applications for planning approval referred to the Council by the Department of Housing;• Applications for mining tenement referred to the Council by the Department of Mines and Petroleum;• Applications for native vegetation removal or other matters referred to the Council by the Environment Protection Authority or Department of Environment and Conservation;• Proposed lease or licence of Crown land referred to the Council by the Department of Regional Development and Lands; and• Appearing in the Mining Warden's Court in support of submissions including objections.
CONDITIONS:	<p>Shire submissions in relation to a mining and infrastructure proposal that is the subject of an existing or proposed State Agreement shall be endorsed by Council.</p> <p>Shire submissions supporting mining tenement applications that fall within land reserved under the Town Planning Scheme No.8 or vested with the Shire under the Land Administration Act 1997 shall be determined by Council.</p> <p>Shire submissions supporting mining tenement applications that fall within a gazetted townsite shall be endorsed by Council.</p>
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes- Clause 9.2.2 Town Planning Scheme No.8 – the CEO may delegate to any employee of the Council the exercise of any of the CEO's powers or

the discharge of any of the CEO's duties under clause 9.2.1.

SUB-DELEGATED TO:

Director Development Services;

Manager Planning Services;

[Principal Statutory Planner](#)~~Statutory Planning Coordinator~~;

Senior Strategic Planner; and

Lands Officer.

RECORD OF USE:

Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the **Local Government (Administration) Regulations 1996** are met.

DATE ADOPTED:

20/8/2012

LAST REVIEWED:

[16/06/2014](#)~~17/06/2013~~

38. TOWN PLANNING – DEVELOPMENT AND PERFORMANCE BONDS

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Clause 9.2.1 Town Planning Scheme No.8 – a Council may delegate the exercise of any of its powers or the discharge of any of its duties under the Scheme as specified in clause 9.2.1.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Authority to: <ul style="list-style-type: none">• Calculate and require development and performance bonds by way of a condition of planning approval or as a mechanism for clearing of conditions of approval; and• Release development and performance bonds when associated conditions of approval have been met.
CONDITIONS:	N/A
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes - Clause 9.2.2 Town Planning Scheme No.8 – the CEO may delegate to any employee of the Council the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under clause 9.2.1.
SUB-DELEGATED TO:	Director Development Services; Manager Planning Services; and Principal Statutory Planner Statutory Planning Coordinator .
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the Local Government (Administration) Regulations 1996 are met.
DATE ADOPTED:	20/8/2012
LAST REVIEWED:	16/06/2014 17/06/2013

39. TOWN PLANNING – RESPONDING TO APPEALS LODGED WITH THE STATE ADMINISTRATIVE TRIBUNAL

DELEGATED BY: Local Government

POWER TO DELEGATE: **Clause 9.2.1 Town Planning Scheme No.8** – a Council may delegate the exercise of any of its powers or the discharge of any of its duties under the Scheme as specified in clause 9.2.1.

DELEGATED TO: Chief Executive Officer

POWER/AUTHORITY DELEGATED: Authority to:

- enter into mediation facilitated by the State Administrative Tribunal where a town planning decision has been appealed; and
- agree to the outcome of a mediated decision on an appeal to a planning decision where the decision falls within the usual powers of delegation.

CONDITIONS: Where a decision on a planning application which is the subject of appeal has been determined by Council, any written or verbal submission on the appeal shall be endorsed by Council if it changes the intent of Council's decision.

REFERENCES: **Planning and Development Act 2005**

POWER TO SUB-DELEGATE: Yes - **Clause 9.2.2 Town Planning Scheme No.8** – the CEO may delegate to any employee of the Council the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under clause 9.2.1.

SUB-DELEGATED TO: Director Development Services;
Manager Planning Services, [Principal Statutory Planner](#)~~Statutory Planning Coordinator~~, Senior Statutory Planners, Senior Strategic Planners.

RECORD OF USE: Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the **Local Government (Administration) Regulations 1996** are met.

DATE ADOPTED: 20/8/2012

LAST REVIEWED: [16/06/2014](#)~~17/06/2013~~

40. TOWN PLANNING – WRITTEN DIRECTIONS IN RELATION TO UNAUTHORISED DEVELOPMENT

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Section 5.42 Local Government Act 1995 – a local government may delegate to the CEO the exercise of any of its powers or any of its duties as specified in s.5.42.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Section 214 (2), (3) and (5) Planning and Development Act 2005 Authority to issue written directions under the above sections.
CONDITIONS:	The matter shall be determined by Council where the Chief Executive Officer in consultation with the Shire President, has requested the matter be referred to the Council for consideration.
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	No - Clause 9.2.1 Town Planning Scheme No.8 – The authority to deal with a direction under S.214 of the Act may only be delegated to the CEO. Yes – s.5.44 Local Government Act 1995 – a CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under the Local Government Act 1995.
SUB-DELEGATED TO:	Director Development Services; Manager Planning Services; and Statutory Planning Coordinator.
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the Local Government (Administration) Regulations 1996 are met.
DATE ADOPTED:	20/8/2012
LAST REVIEWED:	16/06/2014 17/06/2013

41. TOWN PLANNING – DEVELOPMENT PLANS

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Clause 9.2.1 Town Planning Scheme No.8 – a Council may delegate the exercise of any of its powers or the discharge of any of its duties under the Scheme as specified in clause 9.2.1.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	<p>Delegation of power to:</p> <ul style="list-style-type: none">• Advertise development plans for public inspection;• Request further information in relation to the assessment of development plans;• Consider submissions in relation to development plans; and• Refer Council endorsed development plans to the Western Australian Planning Commission for approval.• Determine minor proposed amendments to development plans.
CONDITIONS:	Development plans must be referred to Council for consideration and endorsement.
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes - Clause 9.2.2 Town Planning Scheme No.8 – the CEO may delegate to any employee of the Council the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under clause 9.2.1.
SUB-DELEGATED TO:	Director Development Services; Manager Planning Services; and Principal Statutory Planner Statutory Planning Coordinator.
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the Local Government (Administration) Regulations 1996 are met.
DATE ADOPTED:	20/8/2012

LAST REVIEWED:

[16/06/2014](#)~~17/06/2013~~

42. TOWN PLANNING – DETAILED AREA PLANS

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Clause 9.2.1 Town Planning Scheme No.8 – a Council may delegate the exercise of any of its powers or the discharge of any of its duties under the Scheme as specified in clause 9.2.1.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	<p>Delegation of power to:</p> <ul style="list-style-type: none">• Determine whether and to what extent detailed area plans require advertising;• Request further information in relation to the assessment of detailed area plans;• Consider submissions in relation to detailed area plans; and• Determine applications for adoption and endorsement of detailed area plans and impose conditions.
CONDITIONS:	Where the CEO has requested that a matter be referred to Council for consideration or determination the plan shall be considered by the Council.
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes - Clause 9.2.2 Town Planning Scheme No.8 – the CEO may delegate to any employee of the Council the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under clause 9.2.1.
SUB-DELEGATED TO:	Director Development Services; Manager Planning Services; and Principal Statutory Planner Statutory Planning Coordinator .
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the Local Government (Administration) Regulations 1996 are met.
DATE ADOPTED:	20/8/2012

LAST REVIEWED:

[16/06/2014](#)~~17/06/2013~~

43. SHIRE OF ROEBOURNE TOWN PLANNING SCHEME NO.8 – AUTHORITY TO APPOINT OFFICERS - POWERS OF ENTRY

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Clause 9.2.1 Town Planning Scheme No.8 – a Council may delegate the exercise of any of its powers or the discharge of any of its duties under the Scheme as specified in clause 9.2.1
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Authority to authorise an officer of the Council to carry out the functions detailed in clause 9.1(c) of the Town Planning Scheme No.8 .
CONDITIONS:	N/A
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes - Clause 9.2.2 Town Planning Scheme No.8 – the CEO may delegate to any employee of the Council the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under clause 9.2.1.
SUB-DELEGATED TO:	Not sub-delegated.
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the Local Government (Administration) Regulations 1996 are met.
DATE ADOPTED:	17/06/2013
LAST REVIEWED:	16/06/2014 17/06/2013

44. TOWN PLANNING – DECISIONS RELATING TO RESIDENTIAL FRONTAGE – HEIGHT OF BUILDINGS AND STRUCTURES

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Clause 9.2.1 Town Planning Scheme No.8 – a Council may delegate the exercise of any of its powers or the discharge of any of its duties under the Scheme as specified in clause 9.2.1.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Authority to determine applications for garages, carports, boatports, and non-habitable outbuildings where a wall height of greater than 3.6 metres is proposed, where no objections have been received.
CONDITIONS:	N/A
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes - Clause 9.2.2 Town Planning Scheme No.8 – the CEO may delegate to any employee of the Council the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under clause 9.2.1.
SUB-DELEGATED TO:	Director Development Services; Manager Planning Services; and Principal Statutory Planner Statutory Planning Coordinator .
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the Local Government (Administration) Regulations 1996 are met.
DATE ADOPTED:	20/05/2013
LAST REVIEWED:	16/06/2014 17/06/2013

45. INVITING EXPRESSIONS OF INTEREST AND DETERMINING EVALUATION CRITERIA

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Section 5.42 Local Government Act 1995 – a local government may delegate to the CEO the exercise of any of its powers or any of its duties as specified in s.5.42.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Regulations 21 to 24 Local Government (Functions & General) Regulations 1996 <ul style="list-style-type: none">• Authority to invite Expressions of Interest in accordance with regulation 21, where the estimated value of the proposed purchase does not exceed \$1million (excluding GST); and• Authority to determine appropriate expression of interest evaluation criteria.
CONDITIONS:	N/A
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes – s.5.44 Local Government Act 1995 – a CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under the Local Government Act 1995 .
SUB-DELEGATED TO:	Not sub-delegated
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with any evidentiary documents such as relevant expression of interest documentation. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the Local Government (Administration) Regulations 1996 are met.
DATE ADOPTED:	18/12/2013
LAST REVIEWED:	16/06/2014 18/12/2013

46. APPOINTMENT OF CASUAL EMPLOYEES

DELEGATED BY:	Chief Executive Officer
POWER TO DELEGATE:	Section 5.44 Local Government Act 1995 – a CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties as specified in s.5.44.
DELEGATED TO:	Director Community Services, Director Development Services, Director Strategic Projects & Infrastructure and Director Corporate Services.
POWER/AUTHORITY DELEGATED:	Section 5.36 (3) Local Government Act 1995 Authority to appoint Casual Employees and authorise their conditions of contract.
CONDITIONS:	<ul style="list-style-type: none">• The appointment must be in writing and is to be for a maximum period of twelve (12) months;• The position classification must be equivalent to Level 5 and below; and• All appointments must be within budget allocation.
REFERENCES:	Shire of Roebourne Recruitment, Selection & Induction Guidelines; and Shire of Roebourne Enterprise Agreement.
POWER TO SUB-DELEGATE:	No
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Shire's record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the Local Government (Administration) Regulations 1996 are met.
DATE ADOPTED:	17/03/2014
LAST REVIEWED:	16/06/2014 17/03/2014

APPENDIX - OTHER DELEGATIONS BY COUNCIL RESOLUTION

Date	Resolution	Item	Delegation
16/08/2010	151257	12.1	Delegate authority to the Chief Executive Officer to extend these arrangements until such time as the hangar building being constructed by CHC has been completed and is operational in accordance with their lease with the intended development completion date contained within the lease of 31 December 2010.
20/12/2010	151482	13.2	Grant delegated authority to the Chief Executive Officer to commence legal action where it is deemed that a breach of the Planning and Development Act has occurred and all other enforcement methods have failed. This includes failure to comply with Notice served under Section 214(2) of the Planning and Development Act 2005.
14/02/2011	151523	16.1	Council delegates authority to the Chief Executive Officer to carry out the above amendments [lease term and area variations] to the lease held between Bristow Helicopters Australia Pty Ltd and the Shire of Roebourne.
16/05/2011	151633	13.9	Delegate authority to the Chief Executive Officer to consider and decide the Application for Planning Approval for the construction of Transient Workforce Accommodation at Lot 520 Madigan Road, Gap Ridge.
20/06/2011	151666	12.6	That the Council resolves to: <ol style="list-style-type: none"> 1. Adopt the Karratha City Centre Infrastructure Works (KCCIW) Place Team 'Terms of Reference' in order to grant decision making delegation to the KCCIW Place Team with respect to the implementation of the Karratha City Centre Master Plan. 2. Grants the Chief Executive Officer delegation to determine whether matters that aren't specifically addressed by the Terms of Reference either require Council resolution or whether the Place Team is delegated to decide on the matter in accordance with the Terms of Reference. 3. Advises the Chief Executive Officer that it may remove the Place Team's delegation by way of further resolution.
18/07/2011	151722	12.4	That Council by Simple Majority pursuant to Section 3.5 of the Local Government Act, 1995 RESOLVES to ADOPT the Madigan Road East Development Plan following any modifications considered necessary, including the provision and extent of active open space, and grant delegation to the CEO to undertake these modifications.
19/09/2011	151784	13.3	[Proposed Transient Workforce Accommodation — Lot 369 Wickham Drive Wickham] DELEGATE authority to make final determination on Planning Application P2525 to the Chief Executive Officer subject to the resolution of matters pertaining to the servicing of the proposed development with the necessary water supply and sewer service. Adequate evidence of such a resolution must be submitted to the Shire and must indicate Water Corporations agreement to supply water to the proposed development prior to any planning approval being granted. Notwithstanding any resolution by Council to grant „in principle“ support for Planning Application P2525, should such an agreement through resolution between the proponent and the Water Corporation not be forthcoming, the Shire may decide to refuse Application for Planning Approval P2525.

Date	Resolution	Item	Delegation
19/09/2011	151786	13.5	<p>[Proposed Transient Workforce Accommodation—Lot 777 Cajuput Way, Wickham]</p> <p>DELEGATE authority to make final determination on Planning Approval P2499 to the Chief Executive Officer. Approval may only be granted subject to the resolution of matters pertaining to the servicing of the proposed development with the necessary water supply and sewer service. Adequate evidence of such a resolution must be submitted to the Shire and must indicate Water Corporations agreement to supply water to the proposed development prior to any planning approval being granted. Notwithstanding any resolution by Council to grant „in principle“ support for Planning Application P2499, should such an agreement through resolution between the proponent and the Water Corporation not be forthcoming the Shire may decide to refuse Application for Planning Approval P2499.</p>
19/09/2011	151789	13.8	<p>[Wickham South Stage 1 Civil Works]</p> <p>That Council by Simple Majority RESOLVES to:</p> <ol style="list-style-type: none"> 1. SUPPORT „in principal“ the development application P2516 lodged by Taylor Burrell Barnett on behalf of Rio Tinto for Stage 1 Civil works associated with the development of a 279 lot subdivision in accordance with the Wickham South Development Plan. 2. DELEGATE authority to the CEO to finally decide application P2516 subject to the following conditions including any necessary amendments or additions and upon confirmation from the Water Corporation that suitable water and waste water services can be provided to the development.
19/09/2011	151804	19.3	<p>[Tender 01-11/12 Transformational Project Management Consultancy]</p> <p>That Council by Simple Majority RESOLVES to:</p> <ol style="list-style-type: none"> 1. Nominate Integral Development Associates Pty Ltd ABN 41 008 738 672 as the preferred consultant for Tender 01-11/12 - Transformational Project Management Consultancy 2. Authorise the Chief Executive Officer to negotiate deliverables with Integral Development Associates Pty Ltd, including, but not limited to: <ol style="list-style-type: none"> a) Clearly defined processes, inputs, and outputs/outcomes aligned to the five key focus areas identified in the tender specification b) Clearly assigned roles, responsibilities, timelines, and cost structure for delivery 3. Delegate authority to the Chief Executive Officer to award Tender 01-11/12 based on the outcomes of the negotiations and provided negotiations are within Councils budget allocation
24/10/2011	151856	13.7	<p>That Council by ABSOLUTE Majority pursuant to the Local Government Act 1995 RESOLVES to DELEGATE authority to the Chief Executive Officer to sign the Gap Ridge Industrial Estate Development Plan once the recommended modifications have been made.</p>
24/10/2011	151859	13.8	<p>That Council by Absolute Majority pursuant to the Local Government Act, 1995 RESOLVES to:</p> <ol style="list-style-type: none"> 1. DELEGATE authority to the Chief Executive Officer to finally adopt Local Planning Policy DP15—Gap Ridge Industrial Estate Development Requirements if no public submissions or comments are received as a result of public advertising.
21/11/2011	151902	17.4	<p>[Request for Heavy Vehicle Usage (Permit Support) for MOF Road]</p> <p>That Council by ABSOLUTE Majority RESOLVES to agree to allow Restricted Access Vehicle movements on Shire of Roebourne Roads subject to the following:</p>

Date	Resolution	Item	Delegation
			<p>1. For any Heavy Vehicle Operator requiring Restricted Access Vehicle Permit Support on a non-Restricted Access Vehicle Route for repetitive freight cartage movements (such as fuel deliveries having 3-4 truck movements per week over a defined period), be approve by the Shire of Roebourne Chief Executive Officer under delegated authority.</p> <p>2. For any Heavy Vehicle Operator or Associated Companies requiring Restricted Access Vehicle Permit Support for any 'campaign or cyclic' cartage operations, or of heavy vehicles that have excessive axle loads or require specialist axle configurations to accommodate the intended heavy loads which seek the use of the Shire of Roebourne's Roads, are to be presented to Council for resolution and;</p> <p>a. That delegated authority to use the Shire of Roebourne Road network for all heavy vehicle usage over long periods is determined via Council resolution.</p> <p>b. That, prior to any cartage occurring, a Road Maintenance Agreement is reached to provide Road Maintenance Services on the specific road(s).</p> <p>c. Throughout the cartage period the company must indemnify the Shire of Roebourne against all associated liability, claim or loss against Shire of Roebourne that is directly or indirectly a result of the road condition or the cartage operation being performed.</p> <p>d. That a security or performance bond be lodged in respect of the road infrastructure throughout the entire cartage period requested that will be used in the case of any unrepaired damage that occurs and is not addressed appropriately or in a timely manner.</p> <p>e. That Restricted Access Vehicle Permit Support is granted in allotments of 6 monthly periods until cartage completion.</p> <p>f. That the Chief Executive Officer be the delegated authority to approve the Restricted Access Vehicle Permit Support 6 monthly renewals and all associated agreements in (b), (c) and (d) above.</p>
19/12/2011	151936	11.5	<p>[Proposed Utility Installations (Substations)—Telstra]</p> <p>2. GRANT delegation to the Chief Executive Officer to make final determination on Planning Applications P2700 and P2701 subject to additional information being submitted by the proponent and following assessment of this information.</p> <p>3. GRANT delegation to the Chief Executive Officer to prepare and negotiate a lease between the Shire and the proponent for the placement of utility installations (substations) at portion of Lot 262 Dampier Road, Baynton (Reserve 41146) and a portion of Lot 503 Balmoral Road, Millars Well (Reserve 40041), subject to a final determination granting Planning Approval to P2700 and P2701.</p>
19/12/2011	151962	17.10	<p>[Variation to Lot 16 Lease Area – Air BP, Karratha Airport]</p> <p>DELEGATE AUTHORITY to the Chief Executive Officer to execute the deed of variation to the lease.</p>
19 March 2012	151933	10.4	<p>[Lease for Karratha Agistment Centre]</p> <p>That Council by ABSOLUTE Majority pursuant to Section 3.58 of the Local Government Act 1995 RESOLVES to:</p> <p>a. ACKNOWLEDGE the submission received from the Karratha Agistment Centre;</p> <p>b. ADVERTISE, for a period of two weeks, Council's intention to enter into a lease agreement with the Karratha Agistment Centre for a period of 10 years with a further option of 10 years by mutual agreement based on an annual lease fee of \$10.00 with the lessee responsible for all outgoings relating to the premises;</p> <p>c. DELEGATE to the Chief Executive Officer authority to negotiate details of the lease agreement (noting that items 2 (caretaker on site), 3 (relocation costs at end of term) and 4 (compensation if lease is terminated) detailed in the Applicant's submission are not supported by Council)</p>

Date	Resolution	Item	Delegation
			and lease boundaries, providing no substantial submissions are received and investigations on lot 3920 of Reserve 30649 are of a favourable nature.
19 March 2012	151940	11.5	[Supplementary Accommodation – Lot 1 and 2 Bond Place Pegs Creek] That Council by ABSOLUTE Majority pursuant to Clause 3.2.6(a) of the Shire of Roebourne Town Planning Scheme No. 8 RESOLVES to: 1. SUPPORT “Supplementary Accommodation” as being a use that is consistent with the objective and purposes of the “Residential” zone. 2. ADVERTISE the applications for “Supplementary Accommodation” on Lots 1 (No. 1A) and 2 (No. 28B) Bond Place, Pegs Creek for a period of no less than 14 days in accordance with Clause 4.3.3 of Town Planning Scheme No. 8. 3. DELEGATE authority to the Chief Executive Officer to consider the Applications and issue a determination if no objections are received during the advertising period.
16 April 2012	151991	11.8	[Road Maintenance Agreement] That Council by ABSOLUTE majority pursuant to Part 4 of the Local Government (Functions and Administration) regulations and sections 3.57 and 6.11 of the Local Government Act 1995 RESOLVES to: 1. Endorse the Road Maintenance Agreement which comprises the Cash Contribution Deed, Road Maintenance Deed and associated Road Maintenance Guideline documents and endorse the processes involved. 2. Delegate authority to the Acting Chief Executive Officer to negotiate Road Maintenance Agreements with Heavy Vehicle Transport Operators or Companies seeking access to the Shire of Roebourne Road Network, for Heavy Vehicle Road access. 3. Establish a reserve account for the purpose of Heavy Haulage Roads and provide one month’s local public notice seeking submissions from the Community.
21 May 2012	152052	12.1	[Request for Restricted Access Vehicle Permit, King Bay Road] DELEGATE authority to the Chief Executive Officer, in the event that Heavy Vehicle Operators attempt to avoid Road Maintenance Agreement negotiations with the Shire of Roebourne, to request MRWA Heavy Vehicle Operations Branch to list on their website the user condition of CA07 to the Shire of Roebourne Road/s in question.
21 May 2012	152061	12.11	[Supplementary Accommodation – Lot 760 Baynton Drive, Baynton] That Council by ABSOLUTE Majority of s.5.42(1) of the <i>Local Government Act 1995</i> GRANT delegated authority to the Chief Executive Officer to determine applications for planning approval for ‘Supplementary Accommodation’ in the ‘Residential’ and ‘Urban Development’ zones where they are consistent with Draft Local Planning DP16 – Supplementary Accommodation.

Date	Resolution	Item	Delegation
21 May 2012	125066	12.14	[Retrospective Application – Transient Workforce Accommodation – Lot 551 Balmoral Rd and Pt Lot 557 Crane Circle, Pegs Creek] That Council by ABSOLUTE MAJORITY of s.5.42 (1) of the <i>Local Government Act 1995</i> RESOLVES TO GRANT delegated authority to the Chief Executive Officer to initiate enforcement and legal proceedings in accordance with Part 13 of the <i>Planning and Development Act 2005</i> if any of the conditions of approval of Planning Approval P2657 are not completed to satisfaction of the Responsible Authority.
21 May 2012	152067	12.15	[Storm Surge Scheme Risk Amendment and Interim Policy] DELEGATE AUTHORITY to the CEO to obtain further legal advice on the draft planning policy and incorporate any necessary adjustments prior to public exhibition and to determine whether a planning scheme amendment is also required.
21 May 2012	152077	18.6	[Review of POS] DELEGATE authority to the acting Chief Executive Officer to commence discussions with the Department of Regional Development and Lands with regards to the Process for land acquisition.
18 June 2012	152095	13.2	[Local Planning Strategy Project] DELEGATE authority to the Acting Chief Executive Officer to approve all contract documentation, tender appraisals and tender selection related to the preparation of the Local Planning Strategy Project.
18 June 2012	152100	13.7	[Eight Grouped Dwellings — Lot 504 Bowerbird Drive Nickol] That Council by ABSOLUTE MAJORITY pursuant to Cl9.2.1 of the Shire of Reeboorne Town Planning Scheme No. 8 GRANT Delegated Authority to the Chief Executive Officer with respect to any minor variations to the Lot 504, Nickol Development Plan with respect to the built form provisions only.
18 June 2012	152101	14.1	[Lease of Part Lot 6 — Karratha Airport] That Council by ABSOLUTE Majority pursuant to Section 3.58 of the <i>Local Government Act 1995</i> RESOLVES to: 1. AGREE to advertise the intent to enter into a lease of Part Lot 6 at the Karratha Airport being 100m2 of building and an agreed area (m2) of land once confirmed to Toll Transport Pty Ltd (ACN 006 604 191) for a three (3) year term with two (2) additional terms of one (1) year at a rate of \$45,000 per annum for year one (building only) plus GST and \$30 per (m2) for land area net of outgoings and subject to annual CPI increases; 2. DELEGATE AUTHORITY to the Chief Executive Officer to execute a lease agreement upon closure of the advertising period subject to no adverse submissions being received and leasing conditions being to the satisfaction of the Chief Executive Officer; and 3. DELEGATE AUTHORITY to the Chief Executive Officer to endorse each one year additional term.

Date	Resolution	Item	Delegation
18 June 2012	152107	19.3	<p>EOI 15-11/12 Leasing of Property – Karratha Airport</p> <p>That Council by SIMPLE Majority pursuant to Section 3.57 of the Local Government (Functions and Administration) Regulations RESOLVES that:</p> <p>1. Council delegates authority to the Acting Chief Executive Officer to negotiate a land only lease with Northwest Aviation Services ABN 20 073 203 157 for the lease of the land the cool room occupies (Part lot 6) and a land and building lease for the plant storage area (Part Lot 5 – ET02) both for a period of 3 years with a view to achieve \$10,000 per annum in rent exclusive of GST and outgoings for the plant room and \$1,980 per annum in rent exclusive of GST and outgoings for the land only occupied by the cool room. Northwest Aviation Services has provided the most advantageous submission in line with aviation operations to the Shire of Roebourne based on the assessment of the compliance criteria, qualitative criteria and pricing structures offered under EOI 15-11/12 LEASING PROPERTY AT KARRATHA AIRPORT. Further, it is recommended that the land only lease for the cool room include provision for the Shire of Roebourne to purchase the cool room building from the tenant at the end of the lease period at a value equal to or less than replacement value.</p> <p>3. Council delegate authority to the Acting Chief Executive Officer to execute an agreement with the organisation that offers the most advantageous outcome for the freight shed (ET01).</p>
16 July 2012	152145	11.2	<p>[Lease of Former Staff Car Park – Karratha Airport – St John's Ambulance and RFDS]</p> <p>3. DELEGATE AUTHORITY to the Acting Chief Executive Officer to execute a lease agreement [with St John's Ambulance] upon closure of the advertising period subject to no adverse submissions being received and leasing conditions being to the satisfaction of the Acting Chief Executive Officer; and</p> <p>4. DELEGATE AUTHORITY to the Chief Executive Officer to endorse each additional term in accordance with the executed lease document.</p>
20 August 2012	152180	9.6	<p>That Council by ABSOLUTE Majority pursuant to Section 3.58 of the Local Government Act 1995 RESOLVES to:</p> <p>1. ENDORSE entering into a lease agreement for Lot 3897 with Karratha Community Association (or other incorporated organisation with similar objectives) for the purposes of a Community Garden.</p> <p>2. AUTHORISE the Chief Executive Officer via delegated authority, to negotiate and authorise details of the lease agreement and lease boundaries on Lot 3897.</p> <p>3. ADVERTISE the above lease agreement seeking public submissions and report back to Council only where submissions object to terms of lease resolved in resolution one.</p> <p>4. APPROVE the use of Council's Volunteers Register by the Karratha Community Garden Group until 31 December 2012 or until the group becomes incorporated – whichever comes first.</p>
	152195	10.5	<p>That Council by SIMPLE Majority pursuant to Clause 4.5.1 of the Shire of Roebourne Town Planning Scheme No.8 RESOLVES to Grant APPROVAL to Planning Application P2820 for the development of an additional 27 person accommodation units on Lot 564 Hall Street and associated Waste Water Treatment Plant and treated waste water dispersal areas on Lot 563 Nairn Street, for a previously approved (P2345) Transient Workforce Accommodation facility, with the following relevant conditions;</p> <p>a) The approved building works and layout shall not be altered without the prior written consent of Planning Services.</p> <p>b) Detailed elevations and floor plans of the Recreation building, gym building, workshop and accommodations units, both standard and accessible, must be submitted to and approved by the Shire prior to any construction of these buildings on site.</p>

Date	Resolution	Item	Delegation
20 August 2012			<p>e) All buildings associated with the Transient Workforce Accommodation component of the development are to cease operations six (6) years from the date of this decision notice and rehabilitation of the site (including removal of these buildings) is to be completed within one (1) year following this six (6) year period.</p> <p>a. Note: Should the proponent seek to extend this time period the proponent is to submit a written application to Planning Services for consideration prior to the six (6) year period expiring.</p> <p>d) A site rehabilitation plan (SRP) is to be submitted to Council for endorsement, three (3) months prior to ceasing operations, as outlined in Condition 2. The rehabilitation endorsed under the SRP is to be completed to the Shire's satisfaction within the timeframe stated within Condition No.2 and in accordance with works specified in the endorsed SRP.</p> <p>e) The proponent must amalgamate Lot 563 Nairn Street and Lot 564 Hall Street or alternatively undertake a legal arrangement whereby a caveat is placed on both Lot titles to assure that neither Lot 563 Nairn Street nor Lot 564 Hall Street may be sold separately, unless the operation of the Transient Workforce Accommodation component of this development has ceased operation. In either instance the amalgamation or legal arrangement must be undertaken and evidence of this undertaking must be presented to the Shire prior to the occupation of any accommodation units of the Transient Workforce Accommodation.</p> <p>f) The development must be connected to the Water Corporations reticulated water supply and proper approvals gained from the Water Corporation to undertake this.</p> <p>g) The onsite Waste Water Treatment Plant and associated waste water dispersal land areas must be maintained at all times and all necessary approvals for such infrastructure is to be gained from the Department of Health prior to occupation of any accommodation units.</p> <p>h) Prior to occupation of the accommodation units the Recreation building (as marked on the attached stamped plans), is to be constructed to a Building Code of Australia importance level four [4] or alternatively the proponent is to provide the Shire with a 'Plan' demonstrating how occupants of the accommodation units will be sheltered during and following a cyclonic event. Such a 'Plan' must be endorsed by the Shire prior to any occupation of the accommodation units.</p> <p>i) The accommodation units shall not be occupied until the approved recreation building, patio and barbeque area, bin compound, sealed and lit parking areas and onsite sewage treatment system are constructed and deemed operational by the Shire.</p> <p>j) No kitchen or laundries facilities are to be provided on site unless otherwise approved by the Shire.</p> <p>k) A Site Management Plan is to be submitted to and endorsed by Planning Services prior to any occupation of accommodation commencing. Management of the facility shall ensure adherence to the Site Management Plan at all times. The Site Management Plan must address the following matters:</p> <p>i) Behaviour;</p> <p>ii) Safety;</p> <p>iii) Consumption of liquor;</p> <p>iv) Noise emissions;</p> <p>v) Supervision;</p> <p>vi) Hours of operation;</p> <p>vii) Provision of recreational facilities.</p> <p>viii) Catering and laundry service arrangements for occupants (including evidence of contractual agreements for a person/s or entity to provide these services to the occupants).</p> <p>ix) Contractual evidence of the person/s or entity providing general management of the site.</p>

Date	Resolution	Item	Delegation
			<p>l) A detailed landscaping and reticulation plan is to be submitted to and endorsed by the Shire prior to occupation of the accommodation units. The elements of the endorsed landscaping and reticulation plan are to be planted and installed within 3 months of the first occupation of the accommodation units.</p> <p>m) The landscaping, in accordance with the endorsed plan/s, being maintained to the satisfaction of the Shire.</p> <p>n) All buildings are to have a minimum Finished Floor Level of 8.625m AHD.</p> <p>o) A detailed Stormwater Management Plan and Sediment and Erosion Control Plan are to be submitted to and endorsed by the Shire prior to any works beginning on site and are to include plans for both Lot 564 Hall Street and Lot 563 Nairn Street. These plans are to include methods of achieving the required minimum Finished Floor Level of all buildings at 8.625m AHD without impacting upon surrounding sites.</p> <p>p) The ongoing use and development of the site shall not cause erosion or degradation to the subject or surrounding land. The development site shall have adequate storm water management and erosion control measures in place during construction and operational phases to prevent scouring and dust nuisance problems occurring.</p> <p>q) A minimum of 25 parking bays, including one accessible parking bay constructed in accordance with the Building Code of Australia are to be constructed. All bays with the exception of the accessible parking bay must have minimum dimensions of 5.5m length and 2.7m width. The design of the parking area and service/washdown bay are to be generally in accordance with the attached stamped plans.</p> <p>r) All vehicular access and maneuvering areas shall be constructed in accordance with the Shire of Roebourne's Type "A" (two coat seal) or "Type C" (asphalt surfaced commercial/industrial pavements) pavement construction specifications.</p> <p>a. Note: Council's pavement specifications include requirements relating to drainage, kerbing, line marking, bollards and construction methods (in addition to pavement construction).</p> <p>s) The car parking areas, access driveways and building entry areas are to be lit in accordance with Australian Standard AS1158 Lighting for Roads and Public Spaces and; thereafter, maintained to the satisfaction of Planning Services.</p> <p>Note: Any external lighting shall be installed and maintained so as to avoid distracting passing motorists or causing nuisance to neighbours.</p> <p>t) The number of 'accessible' accommodation rooms is to be provided in accordance with the provisions of the Building Code of Australia.</p> <p>u) An Insect Management Plan is to be submitted to and endorsed by the Shire prior to occupation of any accommodation units.</p> <p>v) A rubbish pickup compound must be provided. The rubbish pickup compound must be suitably screened, constructed with concrete flooring of not less than 75 mm in thickness graded to a minimum 100 mm industrial floor waste gully connected to an onsite effluent system and be provided with a tap with adequate mains supply to the satisfaction of Planning Services.</p> <p>w) No goods, materials or vehicles are to be stored or parked permanently in the designated parking bays, landscaped areas, or within access driveways.</p> <p>x) This decision to approve will expire if the development has not substantially commenced and is in continuation within two [2] years of the date of</p>

Date	Resolution	Item	Delegation
			<p>this decision.</p> <p>Note: Planning Services will consider extensions to the approval period for up to two [2] years provided a written request is received no later than the original or extended date of expiry.</p> <p>2. That Council by ABSOLUTE Majority pursuant to Clause 4.5.1 of the Shire of Roebourne Town Planning Scheme No.8 RESOLVES to DELEGATE authority to the Chief Executive Officer to negotiate a monetary contribution from the applicant in relation to the approved Transient Workforce Accommodation Facility in accordance with the Shire's adopted Development Contribution Policy.</p>
20 August 2012	152196	10.6	<p>That the Council by ABSOLUTE Majority pursuant to Section 3.18 of the Local Government Act 1995 and in accordance with Part 5 of the Planning and Development Act 2005, initiate an Amendment to the Shire of Roebourne Town Planning Scheme No. 8 as follows:</p> <p>1. Initiate the proposed Shire of Roebourne Town Planning Scheme No. 8 Amendment 26 to rezone a portion of Lot 4638 Mystery Road and a part of the Mystery Road Reserve from Conservation, Recreation and Natural Landscapes Reserve and District Roads Reserve to Urban Development – Special Control Area – Development Area (10).</p> <p>2. Direct the Chief Executive Officer to refer the Scheme Amendment documents to the Environmental Protection Authority for its assessment in accordance with Section 48 of the Environmental Protection Act 1986;</p> <p>3. Subject to the advice from the Environmental Protection Authority that under s.48A of the Environmental Protection Act 1986 the Amendment is not subject to formal environment assessment, direct the Chief Executive Officer to advertise the Amendment in accordance with the requirements of the Town Planning Regulations 1967.</p> <p>4. Delegate authority to the Chief Executive Officer to write to the Western Australian Planning Commission seeking a relaxation in the period of advertising of the planning scheme amendment pursuant to clause 25 (j) (v) of the Town Planning Regulations 1967.</p>
20 August 2012	152197	10.7	<p>1. That Council by SIMPLE Majority pursuant to Clause 7.2.13 of the Shire of Roebourne Town planning Scheme No.8 RESOLVES to ADOPT the proposed amendments to the endorsed Wickham South Development Plan, as depicted in Attachment 2 to this report and that the adopted amended Development Plan is forwarded to the Western Australian Planning Commission for final endorsement.</p> <p>2. That Council by ABSOLUTE Majority pursuant to 5.42(1) of the Local Government Act 1995 RESOLVES to: GRANT delegated authority to the Chief Executive Officer for the determination of minor proposed amendments to Development Plans.</p> <p>The limits to delegation are that the proposed amendment will alter the intent of the adopted or endorsed Development Plan or will impede the ability to meet the objectives of the adopted or endorsed Development Plan.</p> <p>3. That Council be provided with a briefing on the findings and implications of the Rio Tinto Wickham South Motorcross Noise Impacts Report.</p>
20 August 2012	152199	10.9	<p>That Council by ABSOLUTE Majority pursuant to Section 3.18 of the Local Government Act 1995 RESOLVES to provide the Chief Executive Officer with delegated authority to determine and implement parking and stopping zones within the Shire as per Local Law 1.7 of the Shire of Roebourne Parking and Parking Facilities Local Law 2010.</p>
20 August 2012	152204	11.2	<p>That Council by Absolute Majority in accordance with section 5.42 of the Local Government Act 1995 RESOLVES to DELEGATE Authority to the Chief Executive Officer on behalf of Council to:</p> <p>a. NEGOTIATE with relevant agencies an amicable and cost effective outcome for the modification of reserves associated with the creation of a public access from the intersection of Dampier Highway and Broadhurst Road through Lot 520 vested with the Department of Training and Workforce Development to the Karratha Leisure Complex site on adjoining Lot 521 vested with the Shire of Roebourne.</p> <p>b. NEGOTIATE a timely resolution to incorporate improved pedestrian crossing access across Dampier Highway near Broadhurst Road intersection with Main Roads WA for development prior to the opening of the Karratha Leisure Complex.</p>

Date	Resolution	Item	Delegation
			c. REPORT back to Council on outcomes from the above negotiations and to inform Council on decisions required associated with any additional financial implications and statutory regulatory requirement.
17 September 2012	152226	9.3	<p>1. That Council by SIMPLE Majority pursuant to Section 3.58 of the Local Government Act 1995 RESOLVES to:</p> <p>a. AGREE to excise the portion of land highlighted on Deposited Plan 219757 from Reserve 38919 and be amalgamated into adjoining Reserve 40185.</p> <p>b. INSTRUCT the Chief Executive Officer to liaise with the Department of Regional Development and Lands to finalise land excision and amalgamation.</p> <p>c. AGREE to enter into a new lease with the Karratha Football & Sporting Club Inc. for Lot 4288 on Reserve 40185 to include highlighted portion of land on Deposited Plan 219757 under the following conditions:-</p> <p>i. Lease fee at a peppercorn rental of \$10 per annum</p> <p>ii. Lease period for 5 years with the option of a 5 year extension by mutual agreement</p> <p>iii. The lessee be responsible for all outgoings relating to the premises.</p> <p>d. INSTRUCT the Chief Executive Officer to advertise the proposed lease intentions for a minimum of 2 weeks; and</p> <p>2. That Council by ABSOLUTE Majority pursuant to Section 3.58 of the Local Government Act 1995 RESOLVES to DELEGATE the Chief Executive Officer to finalise the lease with the Karratha Football & Sporting Club Inc. should no substantial public submissions be received following the 2 week advertising period, including the Karratha Volunteer Fire and Rescue Service in the discussions.</p>
15 October 2012	152278	10.8	<p>1. That Council by SIMPLE Majority pursuant to Section Clause 5.7.3 of the Shire of Roebourne Local By Law relating to Signage, Hoardings and Bill Posting RESOLVES to APPROVE the proposed signage subject to the following conditions:</p> <p>a. The development shall occur in accordance with the stamped approved plans unless otherwise required or agreed in writing by the Shire of Roebourne.</p> <p>b. Each sign shall display the signage licence number in the bottom left hand corner at a minimum character height of 25mm.</p> <p>c. Rio Tinto indemnifies Council for any claims arising from signage located in the Saylor Park Drainage and Recreation Reserve.</p> <p>d. All signage is removed after 24 months from the date of approval unless otherwise required by or agreed in writing with the Shire of Roebourne.</p> <p>2. That Council by ABSOLUTE Majority pursuant to Sections 5.16, 5.42 and 5.46 of the Local Government Act 1995 RESOLVES to DELEGATE AUTHORITY to the CHIEF EXECUTIVE OFFICER to determine applications under the Local By Law relating to Signage, Hoardings and Bill Posting.</p>
15 October 2012	152281	10.11	<p>1. In accordance with Regulation 10 of the Local Government (Administration) Regulations 1996, that the following four Councillors:</p> <p>a) Cr Lockwood</p> <p>b) Cr Smeathers</p> <p>c) Cr Miller</p> <p>d) Cr Pritchard</p>

Date	Resolution	Item	Delegation
			<p>AGREE to CONSIDER to RESCIND in part, of Resolution 151902 determined at the Council Meeting held on 21 November 2011.</p> <p>2. That Council by ABSOLUTE majority in accordance with Regulation 10 of the Local Government (Administration) Regulations 1996, RESOLVES to RESCIND in part, motion 151902 agreed on 21 November 2011 identified as</p> <p>a. For any heavy vehicle operator or associated companies requiring Restricted Access Vehicle Permit Support for any 'campaign or cyclic' cartage operations, or of heavy vehicles that have excessive axle loads or require specialist axle configurations to accommodate the intended heavy loads which seek the use of the Shire of Roebourne's roads are to be presented to Council for resolution, and;</p> <p>b. That delegated authority to use the Shire of Roebourne road network for all heavy vehicle usage over long periods is determined via Council resolution.</p>
15 October 2012	152282	10.11	<p>3. That Council by ABSOLUTE Majority pursuant to Section 3.18 of the Local Government Act 1995 RESOLVES to:</p> <ul style="list-style-type: none"> • AMEND Resolution 151902 dated 21 November 2011 as follows: <ul style="list-style-type: none"> a. For any heavy vehicle operator or associated companies requiring Restricted Access Vehicle Permit Support for any 'campaign or cyclic' cartage operations, or of heavy vehicles that have excessive axle loads or require specialist axle configurations to accommodate the intended heavy loads which seek the use of the Shire of Roebourne's roads are to be presented to Chief Executive Officer for decision, and; c. That delegated authority to use the Shire of Roebourne road network for all heavy vehicle usage over long periods is determined by the Chief Executive Officer under delegated authority." <p>4. That Council by ABSOLUTE Majority pursuant to Section 3.18 of the Local Government Act 1995 RESOLVES to:</p> <ul style="list-style-type: none"> a. SUPPORT the "Interim Permit Support for Restricted Access Vehicles" received from Toll Mining Services West. b. SUPPORT the "Interim permit Support for Restricted Access Vehicles" received from WBHO-Civil. c. AUTHORISE the signing of the "Interim Permit Support for Restricted Access Vehicles" by the Chief Executive Officer.
15 October 2012	152283	11.1	<p>1. That Council by SIMPLE Majority pursuant to Section 3.57 of the Local Government Act 1995 RESOLVES to AUTHORISE the Chief Executive Officer to call tenders for the construction of additional evaporation pond(s) at the Seven Mile Waste Facility.</p> <p>2. That Council by ABSOLUTE Majority pursuant to Section 3.57 of the Local Government Act 1995 RESOLVES to DELEGATE authority to the Chief Executive Officer to award tenders for the construction of additional evaporation pond(s) at the Seven Mile Waste Facility providing the preferred tenderer provides the most advantageous outcomes to Council in accordance the with the tender selection criteria and the tender price is within the current budget allocation.</p>
19 November 2012	152302	8.5	<p>That Council by ABSOLUTE Majority pursuant to Section 3.18 and Section 5.42 of the Local Government Act 1995 RESOLVES to:</p> <p>1. NOTE progress on the development of business cases for Shire allocations under Stage One of the Residential Infill Program and Lot 209 Norrie Court, Millars Well and Lot 4686 Tambrey Drive, Nickol, parks decommissioned pursuant to Council's resolution (Resolution No. 152077) in May 2012 on the rationalisation of Public Open Space;</p> <p>2. ENDORSE progression by APP Corporation (a Council preferred Project Management Services Contractor) to a full business case for Lot 683 Gregory Way, Bulgarra (Rex Webb Park) predicated on development at R30 (i.e. Option 1); and</p> <p>3. DELEGATE AUTHORITY to the Chief Executive Officer to INITIATE Planning Scheme amendments for sites 1, 2, 3, 5, and 7 of the Residential Infill Program and Lot 209 Norrie Court, Millars Well and Lot 4686 Tambrey Drive, Nickol (subject to allocation from the Department of Regional</p>

Date	Resolution	Item	Delegation
			Development and Lands) to rezone the sites as development areas in accordance with the Shire of Roebourne Town Planning Scheme No.08, Part VII Special Control Areas.
19 November 2012	152313	10.3	That Council by SIMPLE Majority pursuant to Section 48(1) of the Cat Act 2011 RESOLVES to DELEGATE authority to the Chief Executive Officer to approve and authorise classes of persons to perform particular functions under the Cat Act 2011.
19 November 2012	152315	10.5	That Council by ABSOLUTE Majority pursuant to Section 3.58 (2) & Section 5.42 of the Local Government Act 1995 RESOLVES to: 1. APPROVE the disposal of the cable and PVC pipe by public tender and for the resultant income to be allocated into a reserve for potential future Cossack Infrastructure; and 2. DELEGATE authority to Chief Executive Officer to accept or decline offers made by the tenderers.
19 November 2012	152316	10.6	1. That Council by SIMPLE Majority pursuant to Section 2.7 of the Local Government Act 1995 RESOLVES to ADOPT revised Council Policy TE5 – Subdivisional Guidelines and Outstanding Works Bonding Policy. 2. That Council by ABSOLUTE Majority pursuant to Section 5.42 of the Local Government Act 1995: a. RESOLVES to DELEGATE to the Chief Executive Officer, on application from a developer, to determine the retrospective application of the two year defects liability period to developments currently subject to a defects liability period of 36 months; and b. DIRECTS that any decision by the Chief Executive Officer to retrospectively apply the two year defects liability period to developments currently subject to a defects liability period of 36 months does not incur costs to Council.
19 November 2012	152319	11.2	That Council by ABSOLUTE Majority pursuant to Section 3.58 and 6.12 of the Local Government Act, 1995 RESOLVES to: 1. APPROVE the offering of licences to rental car companies for areas of the airport currently vacant, surplus and including part area of Lot 16 (after it is relinquished by Air BP) noting that; a) The proposed licence(s) be limited to a maximum of 1 year in duration and then on a month to month basis; and b) The land portions be offered in their current state; and 2. ENDORSE publicly advertising the above proposed licences to the party or parties, at the negotiated rate or rates (targeting \$2,000 per vehicle per annum and or \$5 per day per vehicle both plus GST), in accordance with Council policies; and 3. DELEGATE AUTHORITY to the Chief Executive Officer to execute the licence(s) documents upon closure of the advertising period subject to no submissions being received.
	152348	10.5	1. That Council by ABSOLUTE Majority pursuant to Section 3.18 of the Local Government Act, 1995 RESOLVES to DELEGATE authority to the CEO to incorporate any adjustments that may be necessary to this Planning Report and Development Plans prior to referral to the EPA and public exhibition. 2. That the Council by SIMPLE Majority pursuant to Section 3.18 of the Local Government Act 1995 and in accordance with Part 5 of the Planning and Development Act 2005 RESOLVES to:

Date	Resolution	Item	Delegation
17 December 2012			<p>a) Initiate Amendment 31 to the Shire of Roebourne Town Planning Scheme No. 8 as follows:</p> <p>I. Reclassifying the following land parcels from the 'Parks, Recreation and Drainage' reserve to the 'Urban Development' zone:</p> <p>A. Lot 613 Gleeson Place, Millars Well</p> <p>B. Lot 628 Burnside Close, Millars Well</p> <p>II. Amending 'APPENDIX 7 - DEVELOPMENT AREAS' by inclusion of the following Development Areas:</p> <p>Development Area</p> <p>Description of Land Base Zoning Development Plan Special Conditions</p> <p>DA 45 Lot 613 Gleeson Place, Millars Well Urban Development Applicable density Code R40</p> <p>Preparation of Development Plan which addresses:</p> <p>a. Building orientation</p> <p>b. Fencing to Dampier Road frontage</p> <p>c. Vehicle access and parking</p> <p>d. Applications for Planning Approval are required to address key information provided in Technical Reports and Site Analyses as set out in the Planning Report explaining Planning Scheme Amendment 31.</p> <p>DA 46 Lot 628 Burnside Close, Millars Well Urban Development Applicable density Code R40</p> <p>Preparation of Development Plan which addresses:</p> <p>a. Building orientation</p> <p>b. Fencing to adjoining reserve</p> <p>c. Applications for Planning Approval are required to address key information provided in Technical Reports and Site Analyses as set out in the Planning Report explaining Planning Scheme Amendments 31.</p> <p>III. Amending the Scheme Maps accordingly.</p> <p>b) Subject to a response from the Environmental Protection Authority advising that the Scheme Amendment does not warrant formal assessment, and confirmation of advertising period from the WAPC, proceed to advertise the scheme amendment, Planning Report and supporting documents in accordance with the Planning and Development Act 2005 and Regulation 25 of the Town Planning Regulations 1967.</p> <p>c) Adopt the following proposed Development Plans for public advertising concurrently with the related Scheme amendment as per clause 7.2.7 of the Scheme:</p> <p>I. DA 45 Lot 613 Gleeson Place, Millars Well</p> <p>II. DA 46 Lot 628 Burnside Close, Millars Well</p> <p>d) Notify owners and occupiers of neighbouring properties of the sites subject of the proposed Scheme amendments and proposed Development Plans directly regarding these proposed Scheme amendments and Development Plans during the public advertising period.</p>

Date	Resolution	Item	Delegation
17 December 2012	152349	10.6	<p>1. That Council by ABSOLUTE Majority DELEGATE authority to the Chief Executive Officer to take all steps necessary to obtain approvals under the Land Administration Act 1997 and Section 3.58 of the Local Government Act 1995 to prepare a Lease or Licence as appropriate to enter into with the Company for the temporary use of the former Rubbish Site shown on Plan PDE 0101470v4, for Council determination at the earliest Ordinary Meeting of Council in 2013.</p> <p>2. That Council by SIMPLE Majority RESOLVES:</p> <p>a) Pursuant to S144 of the Land Administration Act 1997 to CONSENT to the creation of an easement over portions of Crown Reserve 36889, Lot 134 on Deposited Plan 184076 for the purposes of a petroleum (gas) pipeline and delivery station, as shown on Plan PDE0101470v4.</p> <p>b) Pursuant to Section 87 (2) of the Land Administration Act 1997 to REQUEST the Minister for Regional Development and Lands to:</p> <p>(i) EXCISE the parts of Reserve 36889, Lot 134 on Deposited Plan 184076 as shown on Plan PDE0101470v4 for the purposes of inclusion into the Company's pending Cape Lambert Bulk Supply Substation Lease; and</p> <p>(ii) AMEND the Management Order to allow the Shire to enter into a Licence or Lease as appropriate, and Management Agreement for the remaining balance of the Reserve, being the area identified as the former Landfill Site.</p> <p>c) REQUEST the Chief Executive Officer to prepare a Lease or Licence as appropriate and Management Agreement for the Landfill Site in consultation with the Company. The Lease or Licence and Management Agreement to include but not be limited to:</p> <p>I. The Company providing and maintaining boundary fencing for site safety and security;</p> <p>II. The Shire undertaking an Environmental Audit in accordance with requirements of the Department of Environment and Conservation, at the expense of the Company [capped to \$200,000]. The Environmental Audit is to provide recommendations on:</p> <p>(i) a program of monitoring;</p> <p>(ii) site cover appropriate for the intended use as a lay down area;</p> <p>(iii) appropriate future uses; and</p> <p>(iv) details of any short term and longer term remediation works and maintenance; for consideration by the Shire; and</p> <p>III. The Company providing continued access including road construction by the Company;</p> <p>d) Upon incorporation of part of Lot 134 on Deposited Plan 184076 into the Rio Tinto Cape Lambert Bulk Supply Lease the Company shall initiate and fund an amendment to the Shire of Roebourne Town Planning Scheme No 8 to change the planning maps and text as required by the Shire of Roebourne.</p> <p>e) Prior to the commencement of works on the Petroleum (Gas) Pipeline and Delivery Station or Power Station enabled by the above resolutions, the Company shall submit a Traffic Management Plan for Boat Beach Road to ensure continued access to Boat Beach during the construction of the gas pipeline and Power Station, at no cost to and to the satisfaction of the Shire of Roebourne.</p>

Date	Resolution	Item	Delegation
18 February 2013	152408	10.8	<p>1. That Council by SIMPLE Majority pursuant to Section 3.18 of the Local Government Act, 1995 RESOLVES to:</p> <p>a) AGREE to the relinquishment of the vesting to the Shire of the Management Order (Crown Reserve 43715 over lot 4603) for Aged Persons Accommodation pursuant to Section 50 of the Land Administration Act 1997 ;</p> <p>b) AGREE to the cancellation of Reserve 43715 pursuant to Section 51 of the Land Administration Act 1997;</p> <p>c) AGREE to receiving a Crown Reserve with Management Order vesting for Health and Community on Site 5 proposed lot 7017 as shown in attachments 2 and 3;</p> <p>d) AGREE that the management Order on Site 5 proposed lot 7017 allow for power to lease (including sub lease) for a period of no more than 21 years for the purposes of Health and Community;</p> <p>e) Advise the Minister for Regional Development and Lands and Pilbara Development Commission of all items above.</p> <p>2. That Council by ABSOLUTE Majority pursuant to Section 3.18 of the Local Government Act 1995 DELEGATE AUTHORITY to the CHIEF EXECUTIVE OFFICER to do all things necessary to facilitate the land transactions associated with the establishment of a GP Super Clinic on Site 5 proposed lot 7017.</p> <p>3. That Council NOTE that a further report will be presented to Council for consideration regarding the proposed leasing arrangements once further negotiations have been held.</p>
18 February 2013	152413	11.4	<p>1. That Council by ABSOLUTE Majority pursuant to Section 3.18 of the Local Government Act 1995 DELEGATE AUTHORITY to the CEO to undertake all things necessary to formally create the new public access roadway from Dampier Hwy. to the Karratha Leisureplex site through the following process:</p> <p>a. Advise the Department of Training and Workforce Development that, based on their advice, Council seeks formal approval to create a new road reserve from Dampier Highway on the southern side of the Broadhurst Intersection extension to create a public access to the Karratha Leisureplex, the Karratha High School and Pilbara Institute within Lot 520 under the control of the Department of Training and Workforce Development.</p> <p>b. As a result of the above road reserve creation the Shire of Roebourne—</p> <p>i. will be seeking formal approval from the Department of Training and Workforce Development to re-vest the section of remaining Lot 520 on the eastern side of the proposed road reserve as an amalgamation within the Shires lot 521 (Karratha Leisureplex site)</p> <p>ii. Will agree to pay all associated cost for the formal changes to reserves and titles and shared costs with the Department of Education in the construction modifications of this section of the joint access road.</p> <p>iii. Will bear all future operational costs for the maintenance and liabilities of the section of road reserve created and the section of reserve re-vested into Lot 521. Such liability shall commence from the notice of formal agreement of the Department to permit public access on this section of road for all public users to all three agency sites until formal dedication is finalised through the Department of Regional Development and Lands</p> <p>c. When formal agreement is obtained from the Department of Training and Workforce Development on the above provisions the Shire of Roebourne will commence the formal process of dedication and naming of the Road Reserve and section of reserve transfer through the statutory provisions of the Local Government Act and Land Administration Act</p> <p>2. That Council by SIMPLE Majority receive the advice from MRWA on the planned road safety improvements to the pedestrian and cyclist crossing points on Dampier Highway on the east and west sides of Broadhurst Road.</p>
7 March 2013	152416	6.1	<p>That Council by ABSOLUTE Majority pursuant to Section 3.18 of the Local Government Act 1995 RESOLVES to:</p> <p>1. REAFFIRM Resolution 152359 from December 2012 OCM and commit \$250,000 to secure a headline act for the closing of 2013 REAF (Scenario 1).</p>

Date	Resolution	Item	Delegation
			2. DELEGATE authority to the Chief Executive Officer to enter into appropriate contracts to secure a music act for Red Earth Arts Festival closing event.
15 April 2013	152458	11.2	<p>1. That Council by SIMPLE Majority pursuant to Section 3.18 of the Local Government Act 1995 RESOLVES to REQUEST the Minister for Lands to:</p> <p>a) EXCISE approximately 4,112m² from Reserve 46607 (for the purposes of Recreation) as shown in Attachment 2, pursuant to Section 51 of the Land Administration Act 1997, and AMALGAMATE this portion into Reserve 46193 Lot 768 (Education - Primary School). In doing so, the Shire notes the following:</p> <p>(i) The Department of Education has agreed to EXCISE approximately 3,605m² from Reserve 46193 Lot 768 (Primary School) as shown in Attachment 2, pursuant to Section 51 of the Land Administration Act 1997, and AMALGAMATE this portion into existing Lot 291 (1,334m²) for a future 'Road Reserve';</p> <p>(ii) The RTIO under the State Agreement [Lease No I95322] has agreed to SURRENDER Lot 291 on Deposited Plan 185487 (1334m²) to be dedicated as the future Road Reserve; and</p> <p>(iii) The Shire notes that the Management Order for Reserve 46607 (Recreation) will automatically be REVOCED for the above portion of Crown Reserve 46607 pursuant to Section 50 of the Land Administration Act 1997.</p> <p>2. That Council by SIMPLE Majority pursuant to Section 3.18 of the Local Government Act 1995 RESOLVES to request the Minister for Lands to:</p> <p>a) CREATE a 'Drainage Reserve' of approximately 4,452m² over Unallocated Crown Land (UCL) Lot 292 with a Management Order in favour of the Shire.</p> <p>b) REQUEST Rio Tinto Iron Ore to PREPARE a Planning Scheme map amendment to update the new boundaries of the Carse Street and Primary School Reserves as detailed at the cost of the RTIO.</p> <p>3. That Council by SIMPLE Majority pursuant to Section 3.18 of the Local Government Act 1995 RESOLVES to</p> <p>a) ACCEPT in full the ONGOING control and maintenance of the proposed 4,452m² 'Drainage Reserve' located adjacent to the Carse Street extensions eastern boundary.</p> <p>b) ACCEPT in full the ONGOING control and maintenance of the Carse Street Road Reserve once constructed and dedicated at the expense of RTIO with the standard defects liability to apply, once it is dedicated in accordance with Section 28 (1) of the Land Administration Act.</p> <p>c) That Council by ABSOLUTE Majority RESOLVES:</p> <p>a) DELEGATE its decision making powers to the Shire's Chief Executive Officer in accordance with Section 5.42 of the Local Government Act 1995 in regard to:</p> <p>i. The provision to the State of a statutory declaration in relation to any unregistered interests over Lot 770 and in relation to any contamination;</p> <p>ii. The resolution of any outstanding land interest matters to facilitate the project as set out in Attachment 2;</p> <p>iii. The certification of works to the satisfaction of the Shire for the Carse Street extension, being generally in accordance with Plan WH-5610-C-00101 (as set out in Attachment 3), prepared by Serling dated 1 March 2013; and</p> <p>iv. The consideration of any future development applications that may arise in relation to the project; and</p> <p>v. No cost being borne by the Shire.</p>

Date	Resolution	Item	Delegation
17 June 2013	152553	12.12	That Council by ABSOLUTE Majority pursuant to Section 5.42 of the Local Government Act 1995 RESOLVES to DELEGATE Authority to the Chief Executive Officer to EXECUTE Lease deed of variations to the relevant lease documents to effect changes to tenant's leases at the Karratha Airport as an outcome of changes resulting from the terminal upgrade project.
15 July 2013	152573	11.3	<p>3. That Council by SIMPLE Majority pursuant to Section 5.36 of the Local Government Act 1995 RESOLVE to:</p> <p>a) AGREE to the creation of a new Crown Reserve for Health, Medical Residences, and Ancillary Services on Site 5 (proposed Lot 7017) as identified in blue colouring on Plan 5—GP Super Clinic Plan pursuant to section 41 of the Land Administration Act 1997;</p> <p>b) AGREE to accept a Management Order in favour of the Shire with power to lease for any term up to forty years on Site 5 (proposed Lot 7017) as identified in blue colouring on Plan 5—GP Super Clinic Plan pursuant to section 51 of the Land Administration Act 1997;</p> <p>c) REQUEST the Chief Executive Officer to advise the Department of Lands and the Pilbara Development Commission of the actions referred to in 3.a) and 3.b) above;</p> <p>4. That Council by SIMPLE Majority pursuant to Section 3.18 of the Local Government Act 1995 RESOLVES to:</p> <p>a) AGREE to close portions of Welcome Road and Bassot Road as identified in orange colouring on Plan 1—Road Closure Plan pursuant to section 58 of the Land Administration Act 1997;</p> <p>b) ADVERTISE the proposed road closures referred to in 4.a) above in a locally circulating newspaper for a minimum period of 35 days inviting the public to comment, pursuant to section 58(3) of the Land Administration Act 1997;</p> <p>c) REQUIRE that should any objection be received in response to the statutory advertising of an individual item relating to a proposed road closures referred to in 4.a) above and the objection be held following additional consultation with the objector, that it be referred back to the Council for consideration.</p> <p>d) ADVISE Department of Lands (formerly RDL State Land Services) that Council agrees to the proposed closure of the portions of Welcome Road and Bassot Road as identified in orange colouring on Plan 1—Road Closure Plan pursuant to section 58 of the Land Administration Act 1997 following the completion of the actions referred to in 4.b) above and providing no objections are received as referred to in 4.c) above;</p> <p>e) ADVISE Department of Lands (formerly RDL State Land Services) that Council agrees to accept care, control and management of the proposed road dedications as identified in brown colouring on Plan 2—Road Dedication Plan upon dedication pursuant to either section 28 or section 56 of the Land Administration Act 1997;</p> <p>f) ADVISE Department of Lands (formerly RDL State Land Services) that Council agrees to the relinquishment of the vesting to the Shire of the Reserve Management Order over Reserve 33666 pursuant to Section 50 of the Land Administration Act 1997, and issue of a new management order pursuant to section 46 of the Land Administration Act 1997;</p> <p>g) ADVISE Department of Lands (formerly RDL State Land Services) that Council agrees to amend Reserve 33666 to excise the land required for dedication of roads coloured brown on Plan 2—Dedication Plan, and the surplus land coloured orange on Plan 3—Relinquishment Plan, and include 294 square metres of road reserve and 283 square metres of Reserve 43715 coloured green on Plan 4—Amalgamation Plan pursuant to Section 51 of the Land Administration Act 1997;</p> <p>h) ADVISE Department of Lands (formerly RDL State Land Services) that Council agrees to cancel Reserve 43715;</p> <p>i) REQUEST the Chief Executive Officer to take all necessary steps under the Land Administration Act 1997 and Section 3.58 of the Local Government Act 1995 with regard to the actions referred to in 4.d) h) above.</p> <p>5. That Council by ABSOLUTE majority pursuant to section 3.18 of the Local Government Act 1995 RESOLVES to delegate to the Shire President and Chief Executive Officer the power to sign and seal lease documents in relation to the lease between the Shire of Roebourne and Pilbara Health Network for Site 5 (proposed Lot 7017) as identified in blue colouring on Plan 5—GP Super Clinic Plan.</p>

Date	Resolution	Item	Delegation
16 September 2013	152614	11.3	<p>That the Council by SIMPLE Majority pursuant to Section 3.18 of the Local Government Act 1995 and in accordance with Part 5 of the Planning and Development Act 2005 RESOLVES to:</p> <ol style="list-style-type: none"> 1. CONFIRM with the Department of Housing the preferred density coding for Lot 636 Nairn Street, Bulgarra given the property to the north is to be zoned Residential R50; 2. Subject to confirmation under 1. above, INITIATE Amendment 34 to the Shire of Roebourne Town Planning Scheme No. 8 as follows: <ol style="list-style-type: none"> a. Reclassifying the following land parcels from the 'Parks, Recreation and Drainage' reserve to the 'Urban Development' zone: <ol style="list-style-type: none"> I. Lot 601 Di Carlo Way, Nickel II. Lot 623 Gawthorne Drive, Millars Well III. Lot 636 Nairn Street, Bulgarra b. Amending 'APPENDIX 7 – DEVELOPMENT AREAS' by inclusion of the following development areas: REFER TABLE IN MINUTES. c. Amending the Scheme Maps accordingly. 3. AUTHORISE the Shire President and Chief Executive Officer to EXECUTE three (3) copies of the amendment documents in accordance with the Town Planning Regulations 1967 (as amended). 4. Subject to a response from the Environmental Protection Authority advising that the Scheme Amendment does not warrant formal assessment, and confirmation of advertising period from the WAPC, ADVERTISE the scheme amendment, Planning Report and supporting documents in accordance with the Planning and Development Act 2005 and Regulation 25 of the Town Planning Regulations 1967. 5. ADOPT the related Development Plans for public advertising concurrently with the related Scheme amendment as per clause 7.2.7 of the Scheme: <ol style="list-style-type: none"> I. Lot 601 Di Carlo Way, Nickel II. Lot 623 Gawthorne Drive, Millars Well III. Lot 636 Nairn Street, Bulgarra 6. NOTIFY owners and occupiers of neighbouring and nearby properties of the sites subject of the proposed Scheme amendments and proposed Development Plans directly regarding these proposed Scheme amendments and development plans during the public advertising period. 7. Excision and cancellation of the recreation designation for portion of Lot 3031 (R48792) Gawthorne Drive to facilitate access to the northern portion of Lot 620 as delineated on the proposed Development Plan prepared for Lot 620. <p>That Council by ABSOLUTE Majority pursuant to Section 5.42 of the Local Government Act, 1995 RESOLVES to DELEGATE AUTHORITY to the CEO to incorporate any necessary adjustments as set out in this Agenda Item Report to the Planning Reports and Development Plans prior to referral to the EPA and public exhibition.</p>
16 September 2013	152622	12.2	<ol style="list-style-type: none"> 1. That Council by SIMPLE Majority pursuant to Section 9.49A(2) of the Local Government Act 1995, RESOLVES to AUTHORISE the affixation of the Common Seal of the Shire of Roebourne to the funding agreements for: <ol style="list-style-type: none"> a) Dampier Boat Ramp Upgrade; and b) Karratha Back Beach Boat Ramp Study 2. That Council by ABSOLUTE Majority pursuant to Section 5.42 of the Local Government Act 1995, DELEGATE authority to the Chief Executive Officer to award a contract for the Dampier Boat Ramp Upgrade Project providing the preferred tendered price is within Council's budget allocation.
16 September 2013	152628	17.4	<ol style="list-style-type: none"> 1. That Council by ABSOLUTE Majority pursuant to Function and General Regulations 1996, Division 2, 11 (f) of the Local Government Act 1995 RESOLVES to enter into exclusive negotiations with Onyx Australia PTY LTD to manage the Leisureplex and the Pam Buchanan Family Centre kiosk facilities without going through a competitive tender process, as Council believes that based on previous tender processes and extensive discussions and negotiations there is unlikely to be any other potential supplier for this service.

Date	Resolution	Item	Delegation
			<p>2. That Council by ABSOLUTE Majority pursuant to Section 3.18 and 3.58 of the Local Government Act 1995 RESOLVES to:</p> <p>a) DELEGATE to the Chief Executive Officer to negotiate a lease agreement to operate the Leisureplex and the Pam Buchanan Family Centre kiosk facilities with Onyx Pty Ltd in line with the lease conditions / level of service, as summarised below:</p> <p>Lease conditions</p> <p>1 Term of agreement • 2 years plus a 2 year option by mutual agreement</p> <p>• Annual CPI increases after 2 years</p> <p>2 Payment of outgoings</p> <p>Lessee to be responsible for outgoings including</p> <p>• Electricity</p> <p>• Waste</p> <p>• Internal cleaning</p> <p>3 Annual Financial arrangements</p> <p>• Leisureplex — 82m2 at \$400 per square metre</p> <p>• Pam Buchanan — 45m2 at \$300 per square metre</p> <p>• Initial three month exemption of lease fees</p> <p>• No more than eight (8) commercial bookings per annum without the prior approval of the Chief Executive Officer.</p> <p>4 Mtce responsibility Lessee responsible for all service, repairs, replacement equal to or less than \$2000 for a single item.</p> <p>5 Café / Function Room signage Naming of the Café and signage area by approval of the CEO.</p> <p>Service level issues</p> <p>1 Minimal hours of operation Leisureplex — 9.30am — 5.30pm, 7 days per week</p> <p>Pam Buchanan — 8.30am — 3.30pm Mon – Friday</p> <p>2 Level of Service outside of minimal operation Patrons will always have access to drink/snack alternatives (most notably via vending machines) during centre operational hours (Leisureplex only).</p> <p>3 Sales data Provided on a monthly basis to lessor.</p> <p>4 Liquor Licence Shire supports the Lessee obtaining a Special Facilities Licence with conditions as determined by the CEO.</p> <p>b) DELEGATE to the Chief Executive Officer to undertake the disposal of property (kiosk/café facilities at the Leisureplex and the Pam Buchanan Family Centre) and seek public submissions as per Section 3.58 (3) of the Local Government Act 1995</p> <p>c) Should no submissions of significance be received during the advertising period the Chief Executive Officer may finalise and seal the lease agreement with Onyx Pty Ltd.</p>
28 October 2013	152648	11.3	<p>KARRATHA CITY CENTRE ROAD NAMING</p> <p>That Council by SIMPLE Majority pursuant to Section 3.18 of the Local Government Act 1995 RESOLVES to:</p> <p>1. SUPPORT the Road names as considered by the Karratha City Centre Road Naming Workshop to now be submitted and considered formally by the Geographic Names Committee and the Minister if required as appropriate as follows:</p> <p>a) Basset Road to become Welcome Road;</p> <p>b) Part Welcome Road (east) to become Hillview Road;</p> <p>c) Macroy Street to become Mallina Street;</p> <p>d) Part Sherlock Crescent to become Sherlock Street;</p> <p>e) Crane Circle to become Crane Street (Subject to future works);</p>

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			<p>f) Road 1 to become Karratha Terrace incorporating:</p> <ul style="list-style-type: none"> - Part Sherlock Crescent; and - Part Frinderstein Way <p>g) Road 2 to become Nickol Bay Road incorporating:</p> <ul style="list-style-type: none"> - Part Balmoral Road (from Dampier Highway to City Centre); - Part Searipple Road (from Mystery Road to City Centre); and - Mystery Road <p>h) Road 3 to become Macroy Street;</p> <p>i) Road 4 to become Owen Road (Subject to future works);</p> <p>j) Road 5 to become Bassett Crescent (Subject to future works);</p> <p>k) Road 7 to become Barlow Lane;</p> <p>This is the lane between the Hotel Site Lot 7078 and Best Western Lot 7042</p> <p>l) Karratha Road to become DeWitt Road.</p> <p>2. SUPPORT writing to the Geographic Names Committee Board and the Minister for Lands to advocate for Nickol Bay Road in recognition that it has already met some resistance at officer level at Geographic Names Committee.</p> <p>3. SUPPORT a suitable alternative road name of Bayview Road or other names recognising the proximity of Nickol Bay or a seaside theme in the event that the first preference of Nickol Bay Road meets future resistance from the Geographic Names Committee and resistance from the Minister for Lands.</p> <p>4. SUPPORT development of a Community Engagement Strategy for those likely to be impacted from the changes at an appropriate time.</p> <p>5. DELEGATE to the CEO the authority to pursue any required or outstanding lands administration matters such as road dedications, road closures or other such actions as maybe required including returning discontinued Road names to a pool of approved names to be utilised in the future.</p>
28 October 2013	152652	12.1	<p>KARRATHA FLYING SERVICES - REQUEST TO SUBLEASE LOT LA.08 KARRATHA AIRPORT</p> <p>That Council by ABSOLUTE Majority pursuant to Section 3.58 of the Local Government Act 1995, Disposing of Property, RESOLVES to:</p> <ol style="list-style-type: none"> 1. APPROVE the request by Karratha Flying Services to pursue a sublease for lot LA.08 at Karratha Airport, in accordance with Clause 8 of the Lease agreement between the Shire of Roebourne and the Karratha Flying Services. 2. DELEGATE authority to the CEO to approve any proposed sublease that is consistent with Clause 8 of the Lease with Karratha Flying Services.
28 October 2013	152653	12.2	<p>KARRATHA 7 MILE LANDFILL FACILITY REDEVELOPMENT</p> <p>That Council by ABSOLUTE Majority pursuant to Section 6.8 and Section 5.42 of the Local Government Act 1995 RESOLVES to DELEGATE authority to the CEO to appoint tenderers for the approved 7 Mile Landfill Redevelopment works, up to an amount of \$500,000 per tender, provided each tender is within the overall project budget allocation.</p>
18 November 2013	152684	11.5	<ol style="list-style-type: none"> 1. That Council by SIMPLE Majority pursuant to Section 3.18 of the Local Government Act 1995 RESOLVES to: <ol style="list-style-type: none"> a) ACCEPT the option of a reserve creation for access purposes over existing Hearson Cove Road alignment on the basis that future construction in the dedicated road reserve will be at the cost of the future developer of Site F. b) SEEK the Department of Lands approval for creation of a reserve for access purposes over necessary land parcels to formalise the current constructed alignment of Hearson Cove Road. c) CONSULT with stakeholders advising them that the Department of Lands preference is for a creation of a reserve for access purposes as opposed to an

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			<p>easement or licence. If there is agreement from stakeholders then pursue this creation of reserve option, if there is any disagreement then suggest that the Department of Lands then support the easement or licence options as they are legitimate options available under the Land Administration Act 1997.</p> <p>d) ADVISE Landcorp and Department of State Development and Department of Lands that future removal of the reserve, easement or licence and any future hard surfaces on the land at Lot 537 (Site F) shall be at the cost of the developer at the time of, and in connection with construction of the alternative road in the dedicated road reserve by the developer, including intersection upgrade works.</p> <p>e) NOTE that Burrup industry stakeholders and the Department of Parks and Wildlife will be consulted prior to road construction regarding opportunities for cost sharing to deliver road/ tourism infrastructure.</p> <p>2. That Council by ABSOLUTE Majority pursuant to Section 5.42 of the Local Government Act 1995 RESOLVES to DELEGATE to the CEO the power to undertake all necessary actions to create a reserve, easement or licence for the existing alignment of Hearson Cove Road.</p>
18 November 2013	152689	12.3	<p>That Council by ABSOLUTE Majority pursuant to Section 3.58 and 6.12 of the Local Government Act, 1995 RESOLVES to:</p> <p>1. APPROVE the offering of Leases to Rental Car companies for areas of the airport identified in the attachment and including part area of Lot 16 (after it is relinquished by Air BP) noting that:</p> <p>a) The proposed Lease(s) be limited to a maximum of 2 years in duration and then on a year by year basis; and</p> <p>b) The land portions be offered in their current unimproved state;</p> <p>c) The lease fee be set at a minimum \$30 per square metre.</p> <p>2. ENDORSE establishment of the above proposed Leases to the party or parties, at the negotiated rate or rates, in accordance with Council policies; and</p> <p>3. DELEGATE AUTHORITY to the Chief Executive Officer to execute the Lease(s) documents upon closure of the advertising period subject to no objections being received.</p>
28 January 2014	152737	10.3	<p>1. That Council by ABSOLUTE Majority pursuant to Section 51 and Section 87 of the Land Administration Act 1997 and Section 3.58 of the Local Government Act 1995 RESOLVES to:</p> <p>a) SUPPORT the request from Wickham Pony Club Inc.;</p> <p>b) INSTRUCT the Chief Executive Officer to request the Department of Lands amalgamate Lot 127 on Deposited Plan 183559, Wickham with land parcel of Lot 179 on Reserve 39140 for the purpose of Equestrian; noting conditions contained within Heritage Survey undertaken with Ngarluma Aboriginal Corporation;</p> <p>c) INSTRUCT the Chief Executive Officer to advertise the proposed lease intentions for a minimum of 2 weeks; and</p> <p>d) DELEGATE the Chief Executive Officer to finalise alterations to Wickham Pony Club Inc. current lease to include Lot 127, Wickham.</p> <p>2. That Council by SIMPLE Majority pursuant to Section 9.49A(2) of the Local Government Act 1995, RESOLVES to AUTHORISE the affixation of the Common Seal of the Shire of Roebourne to the lease of Lot 179 and Lot 127, Wickham to Wickham Pony Club Inc.</p>
28 January 2014	152748	12.4	<p>That Council by ABSOLUTE Majority pursuant to Section 3.58 (2) and Section 5.42 of the Local Government Act 1995 RESOLVES to:</p> <p>1. INSTRUCT the Chief Executive Officer to undertake the required public notice process in order to advertise the intent to dispose of the Chlorinator Building,</p>

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			<p>Fencing & Barb Wire and Filtration System to Water Corporation;</p> <p>2. DELEGATE AUTHORITY to the Chief Executive Officer to organise the transfer of the Chlorinator Building, Fencing & Barb Wire and Filtration System to Water Corporation at the closure of the advertising period, subject to no adverse submissions being received; and</p> <p>3. APPROVE the disposal of the Chlorinator Building, Fencing & Barb Wire and Filtration System which has a book value of \$93,000 and disposal value of nil dollars (\$0).</p>
28 January 2014	152751	12.7	<p>1. That Council by SIMPLE Majority pursuant to Section 3.57 of the Local Government Act 1995 RESOLVES to:</p> <p>a) ENDORSE the scope of works as outlined in this report for the Passenger Screening Authority Service and Equipment Request For Tender</p> <p>b) APPROVE the utilisation of the PRC to call and manage the Passenger Screening Authority Service and Equipment Request for Tender as the Master Contract Holder.</p> <p>c) NOTE that a further report will be presented to Council to consider entering in to a subcontract for the Passenger Screening Authority Service and Equipment;</p> <p>d) NOTE that the funding requirements will be required in the 2014/15 Budget and that the Screening equipment and Service costs are budget neutral and will in due course be recovered from airlines and ultimately the travelling public through screening Fees and Charges once resolved by Council; and</p> <p>e) RECOMMEND the following Selection Criteria be adopted by the PRC as detailed below:</p> <p>Criteria Weighting</p> <p>Previous experience of the Tenderer in the provision of security screening services/ screening equipment, and referee reports 15%</p> <p>Ability to Service Requirements;</p> <p>Ability to provide sufficient resources to perform the duties as specified;</p> <p>Experience of personnel providing services;</p> <p>The availability and commitment of all personnel nominated as key personnel for the Contract. 25%</p> <p>Local preference 5%</p> <p>Price 55%</p> <p>2. That Council by ABSOLUTE Majority pursuant to Section 5.42 of the Local Government Act 1995 RESOLVES to DELEGATE Authority to the CEO to finalise the scope of works and selection criteria with the Pilbara Regional Council for the Passenger Screening Authority Service and Equipment Request for Tender.</p>
17 February 2014	152763	10.1	<p>1. That Council by SIMPLE Majority pursuant to Section 3.18 of the <i>Local Government Act 1995</i> RESOLVES to:</p> <p>a) ADOPT the Roebourne Skatespace concept design as presented in Attachment 2;</p> <p>b) INSTRUCT the Chief Executive Officer to enter into a Memorandum of Understanding with the Luke Adams Foundation based on the following terms;</p> <p>i. The Luke Adams Foundation will design, construct and project manage the delivery of a community kitchen space with Roebourne.</p> <p>ii. The allocation of sponsorship funds will not exceed \$165,000.00 as per the 2013/14 budget allocation with payments being made at agreed milestones.</p> <p>iii. The Luke Adams Foundation must complete the project with in the 2013/14 year and acquit the fund appropriately.</p> <p>c) NOTE the community kitchen design provided by the Luke Adams Foundation.</p> <p>2. That Council by SIMPLE Majority pursuant to Section 11 (2)(b) of the <i>Local Government Act 1995</i> RESOLVES to:</p> <p>a) INSTRUCT the Chief Executive Officer to approach WALGA preferred suppliers of landscape infrastructure for the construction of the Roebourne Skatespace via a formal quotation process;</p> <p>3. That Council by ABSOLUTE Majority pursuant to Section 5.42 of the <i>Local Government Act 1995</i> RESOLVES to:</p>

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			<p>a) DELEGATE authority to the Chief Executive Officer to award the construction of the Roebourne Skatespace following a formal quotation process providing the following terms are achieved:</p> <p>i. The allocated budget of \$600,000.00 is not exceeded.</p> <p>ii. The preferred supplier is deemed advantageous after addressing the following selection criteria when addressing the specified scope of works:</p> <p>Selection Criteria Weighting</p> <p>Demonstrated Understanding 10%</p> <p>Relevant Experience 20%</p> <p>Timeline 25%</p> <p>Price 45%</p>
17 February 2014	152774	17.1	<p>1. That Council by SIMPLE Majority pursuant to Section 3.58 of the <i>Local Government Act 1995</i> RESOLVES to:</p> <p>a) AUTHORISE the Chief Executive Officer to negotiate with the Qantas and Virgin Airlines exclusively to lease partial terminal space for individual airline lounges including all lease conditions and costs; and</p> <p>b) APPROVE the negotiation of leases with Qantas and Virgin Airlines at a rate that is not lower than the amount that is specified in the Karratha Airport Terminal Business Case;</p> <p>2. Subject to the outcome above, Council by ABSOLUTE Majority pursuant to Section 3.58(3) of the Local Government Act 1995 DELEGATES authority to the Chief Executive Officer to finalise lease negotiations with Qantas and Virgin Airlines, publicly advertise the proposed leases, seek public submissions and subject to no submissions being received, authorise the execution of lease agreements; or</p> <p>3. Should submissions be received, these will be reported back to Council for consideration.</p>
17 March 2014	152795	12.8	<p>That Council by ABSOLUTE Majority pursuant to Section 3.58 and 5.42 of the Local Government Act 1995 RESOLVES to:</p> <p>1. APPROVE the disposal of the following plant:</p> <p>a) P818 MacDonald Johnston Road Sweeper;</p> <p>b) P897 Mack Prime Mover;</p> <p>c) P8006 Tennant Footpath Sweeper; and</p> <p>2. APPROVE the delegation of authority to the Chief Executive Officer to accept or decline offers.</p>
17 March 2014	152796	12.9	<p>That Council by ABSOLUTE Majority pursuant to Sections 3.58 and 5.42 of the Local Government Act 1995 RESOLVES to:</p> <p>1. APPROVE the disposal of P8002 Bomag refuse compactor;</p> <p>2. APPROVE the delegation of authority to the Chief Executive Officer to accept or decline offers for the disposal of P8002; and</p> <p>3. APPROVE the purchase of the new refuse compactor and allocate funds in the 2014/15 Budget for the estimated cost of \$1,000,000 funded from the Waste Reserve as identified in the 10 year Plant Replacement Program.</p>
29 April 2014	152818	12.2	<p>That Council by ABSOLUTE Majority pursuant to Section 3.58 of the Local Government Act, 1995 RESOLVES to:</p> <p>1. PROVIDE public notice of the proposed lease, seek public submissions and subject to no significant submission being received, authorise the execution of the lease, noting:</p> <p>a) The proposed Lease be limited to a maximum of ten (10) years with the option of two concurrent five year terms by mutual agreement;</p> <p>b) The land portion be offered in its current state; and</p>

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			<p>c) Telstra will make all improvements, connections and provide the infrastructure required at their own cost.</p> <p>2. DELEGATE AUTHORITY to the Chief Executive Officer to finalise lease negotiations with Telstra subject to no submissions of significance being received.</p>
19 May 2014	152836	9.3	<p>That Council by SIMPLE Majority pursuant to Section 3.58 of the Local Government Act 1995 RESOLVES to:</p> <p>1. ADVERTISE its intention to lease part of the premises known as the "Roebourne Shire Offices" in Roe Street, Roebourne to Ngarliyarndu Bindirri Aboriginal Corporation on the basis of:</p> <p>a) The INITIAL TERM being for a period up to 2 years with three 1 year options each at the sole discretion of the Shire;</p> <p>b) The RENTAL being at a reasonable commercial market value rental to be negotiated between NBAC and the Shire of Roebourne;</p> <p>c) The AREA of lease continues to be limited to Rooms 1, 2, 3 and 4 with common use access to Kitchen and Toilet facilities;</p> <p>d) COSTS continue to be borne for Cleaning and Utility charges for power and water to be split 67% NBAC and 33% Shire; and</p> <p>e) COSTS to refurbish leased area to be fully borne by the NBAC with any structural changes requiring Shire approval and upon expiration of the lease, NBAC remove any structural changes and return to the original condition.</p> <p>2. DELEGATE authority to the Chief Executive Officer to finalise the new lease agreement in the absence of any substantive public submissions.</p>
19 May 2014	152845	12.1	<p>1. That Council by SIMPLE Majority pursuant to Section 3.57 of the Local Government Act 1995 RESOLVES to APPOINT Peter Hunt Architect ABN 67 297 805 649 as the preferred tenderer for the Karratha Cultural Precinct Project Architect based on the assessment of the compliance criteria, qualitative criteria and pricing structures offered under RFT 34- 13/14 Karratha Cultural Precinct Project Architect.</p> <p>2. That Council by ABSOLUTE Majority pursuant to Section 5.42 of the Local Government Act 1995 RESOLVES to DELEGATE authority to the Chief Executive Officer to negotiate the contract terms and preferred sub-consultants to within \$55,000 of the tendered sum of \$1,255,190.55 (excluding GST).</p>