



Ordinary Council Meeting

***Attachment Booklet
June 2026***

ATTACHMENT BOOKLET – June 2026

Item	Description
8.1	Ordinary Council Meeting Minutes – 26 May 2026
8.2	Agenda Forum Notes – 16 June 2026
FIN 01-06/26	Accounts for Payment – May 2026
FIN 02-06/26	Monthly Financial Statements for the Period Ended April 2026
DEV 01-06/26	May 2026 Development Delegated and Authorised Authority Report
DEV 02-06/26	Attachment 1: Shire of Irwin Local Public Health Plan 2026-2031
	Attachment 2: Schedule of Submissions
DEV 03-06/26	Attachment 1: Subdivision Plan
	Attachment 2: Road naming plan
CEO 01-06/26	Attachment 1: Draft Privacy and Responsible Information Sharing Policy
	Attachment 2: Privacy and Responsible Information Sharing: Discussion Paper
	Attachment 3: Information Privacy Principles
	Attachment 4: Privacy and Responsible Information Sharing Act 2024
CEO 02-06/26	Attachment 1: Shire of Irwin ARIC Draft Terms of Reference
	Attachment 2: DLGIRS Implementation Guide: Audit, Risk and Improvement Committees
CEO 03-06/26	Attachment 1: Register of Delegations 2026
	Attachment 2: Register of Delegations – Review Information



Ordinary Council Meeting

23 June 2026

Item 8.1

Ordinary Council Meeting Minutes
26 May 2026



SHIRE OF IRWIN
DONGARA-PORT DENISON

A BRILLIANT BLEND

MINUTES

ORDINARY COUNCIL MEETING

Tuesday 26 May 2026



Disclaimer

The Shire of Irwin:

- advises that the purpose of an Ordinary Council Meeting is to discuss and, where possible, make resolutions about items appearing in the agenda. No person should rely on or act on the basis of any decision, advice or information provided by an Elected Member or Officer, or on the content of any discussion occurring during the course of the meeting. No person should rely on the decisions made by Council until formal written advice from the Council is received by that person.
- expressly disclaims any liability for any loss or damage whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Agenda Forums, Council or Committee Meetings.
- disclaims any liability for any loss arising from any person or body relying on any statement, discussion, recommendation or decision in the audio recording. Council minutes provide the definitive record of Council's resolutions.

Nature of Council's Role in Decision Making

Advocacy	When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
Executive	The substantial direction setting and oversight role of the Council e.g., performance of the Local Government's function under law, administration of Local Laws, adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
Legislative	Includes adopting local laws and local planning schemes.
Review	When Council reviews decisions made by Officers.
Quasi-judicial	When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g., local planning applications, building permits, other permits/licences (e.g. under the Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

By allocating these roles, the Shire ensures that the Council's decision-making is structured and aligned with its legal responsibilities, allowing it to effectively govern, serve its community, and maintain compliance with applicable laws.

Notes for Members of the Public

Meeting Formalities

Shire of Irwin Council Meetings are governed by legislation and regulations. During the meeting, no member of the public may interrupt the meeting proceedings or enter into conversation.

Members of the public shall ensure that their mobile phones are switched off and not used during any Shire meeting.

Members of the public are hereby advised that in line with Council Policy CP48 – Recording of Council Minutes, no person is to use any electronic, visual or audio recording device or instrument to record the proceedings of a Council Meeting without the written permission of the Council.

Audio Recordings

This Meeting will be audio recorded. The recording will be made publicly available on the Shire's website within ten (10) days of the meeting being held.

Table of Contents

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS.....	3
2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE.....	3
3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	4
4. PUBLIC QUESTION TIME.....	4
5. DECLARATIONS OF INTEREST.....	5
6. APPLICATIONS FOR LEAVE OF ABSENCE.....	5
7. PETITIONS AND DEPUTATIONS.....	5
8. CONFIRMATION OF MINUTES AND TABLING OF AGENDA FORUM NOTES.....	5
8.1 Minutes of the Ordinary Council Meeting held 28 April 2026.....	5
8.2 Agenda Forum Notes – 19 May 2026.....	5
9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION.....	5
10. REPORTS OF OFFICERS AND COMMITTEES.....	6
10.1 Finance Reports.....	6
FIN 01-05/26 Accounts for Payment - April 2026.....	6
FIN 02-05/26 Monthly Financial Statements - March 2026.....	8
10.2 Development Reports.....	11
DEV 01-05/26 April 2026 Development Delegated and Authorised Authority Report.....	11
10.3 Operations Reports.....	12
10.4 Community Services Reports.....	12
10.5 Office of the CEO Reports.....	12
CEO 01-05/26 Updated Code of Conduct for Council Members, Committee Members and Candidates.....	12
10.6 Committee Reports.....	14
10.6.1 Audit Committee Meeting.....	14
11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	14
12. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN.....	14
13. URGENT BUSINESS APPROVED BY PERSON PRESIDING OR BY DECISION.....	14
14. MATTERS FOR WHICH THE MEETING IS CLOSED TO THE PUBLIC.....	14
15. CLOSURE.....	14

MINUTES

of the

ORDINARY COUNCIL MEETING

held

Tuesday, 26 May 2026

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Presiding Member welcomed Councillors, Staff and the Gallery Member and declared the meeting open at 5.00pm.

2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Members

Councillor I Scott
Councillor A J Gillam
Councillor P Summers
Councillor J Melsom
Councillor S Hansen
Councillor L Berecz
Councillor L Musulin

Shire President
Deputy Shire President

Staff

Mr M Battilana
Mr M Connell
Mr M Jones
Miss P Machaka
Ms F Boksmati
Ms S Mearns

(Acting) Chief Executive Officer
Manager Development
Manager Operations
Manager Finance
Manager Community Services
Executive Assistant

Guests

Nil

Apologies

Mr S D Ivers
Mr M Antony

Chief Executive Officer
Community Emergency Services Manager

Approved Leave of Absence

Nil

Gallery

Denise Criddle

29 Smith Street, Dongara

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Question: Mr Ian Maluish, 5 Abbot Terrace, Port Denison
What is the total budget for the ERP Project?

Response: A response was provided to Mr Maluish via email as per following:

Thank you for reaching out to us in relation to your questions not being recorded correctly in the OCM Minutes from the meeting held on 26 April 2026.

Please find following actual spends on the Project to date.

<i>Financial Year</i>	<i>Actual Spend</i>
<i>2024/25</i>	<i>\$143,845</i>
<i>2025/26</i>	<i>\$333,667</i>

Therefore, the total expenditure to date is \$477,512 which is within the budget (being \$600,250) over the same two financial years.

Both the actual and budgeted figure include a one-off implementation/deployment cost and an annual licence cost.

I can also advise that the ERP Tender and evaluation process identified the preferred respondent's tendered price being significantly lower than the next lowest tendered price (for both implementation/deployment and annual licence).

As you will be aware, the Shire is legally unable to release all tender information due to privacy and commercial in confidence legislation.

4. PUBLIC QUESTION TIME

Question: Denise Criddle, 29 Smith Street, Dongara
There is an area of land* just past the Priory Lodge which has been signposted as private property and there is no access to 'get through there' at all. Why is it signed posted as private property?

Response: The Shire President advised that this question would be taken on notice and will be available in the Minutes of this meeting as a record of public questions.

Update: Written response posted to Ms Criddle on 3 June 2026 as follows:

Response: Lot 3 St Dominics Road, Port Denison is a freehold lot that has recently been purchased. Under the Caravan Parks and Camping Grounds Regulations 1997 a person may camp for up to 5 nights in any period of 28 consecutive days on land the person owns or has a legal right to occupy.

The owners of Lot 3 St Dominics Road, Port Denison are entitled to display signage identifying their land as 'Private Property'. While access to the river is not restricted, community members must not enter or cross Lot 3 St Dominics Road and are required to access the river by alternative routes around the property.

**Lot 3 St Dominics Road, Port Denison*

5. DECLARATIONS OF INTEREST

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. PETITIONS AND DEPUTATIONS

Nil

8. CONFIRMATION OF MINUTES AND TABLING OF AGENDA FORUM NOTES**8.1 Minutes of the Ordinary Council Meeting held 28 April 2026**

The Minutes of the Ordinary Council Meeting held 28 April 2026 are included in the *Attachment Booklet – May 2026*.

COUNCIL DECISION	010526
MOVED: Cr Musulin	SECONDED: Cr Gillam
That Council by Simple Majority confirms the Minutes of the Ordinary Council Meeting held 28 April 2026.	
VOTING DETAILS:	CARRIED: 7/0
For: Cr Scott, Cr Gillam, Cr Summers, Cr Berecz, Cr Hansen, Cr Musulin, Cr Melsom	
Against: Nil	

8.2 Agenda Forum Notes – 19 May 2026

At the Agenda Forum held 19 May 2026, Shire Officers presented background information and answered questions on items to be considered at the May 2026 Ordinary Council Meeting.

Notes from the Agenda Forum are included in the *Attachment Booklet – May 2026*.

COUNCIL DECISION	020526
MOVED: Cr Hansen	SECONDED: Cr Gillam
That Council by Simple Majority confirms the Notes of the Agenda Forum held 19 May 2026.	
VOTING DETAILS:	CARRIED: 7/0
For: Cr Scott, Cr Gillam, Cr Summers, Cr Berecz, Cr Hansen, Cr Musulin, Cr Melsom	
Against: Nil	

9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

4 May 2026	Shire President and Acting CEO met with a representative from Thinktribe in relation to the North Midlands Destination Strategy
11 May 2026	Shire President attended the state Budget Briefing in Geraldton
19 May 2026	Shire President and Acting CEO met with representatives from BIA Energy

10. REPORTS OF OFFICERS AND COMMITTEES

10.1 Finance Reports

FIN 01-05/26 Accounts for Payment - April 2026	
Author:	S Clarkson, Senior Finance Officer
Responsible Officer:	P Machaka, Manager Finance
File Reference:	2.0057
Council Role:	Executive
Voting Requirements:	Simple Majority

Report Purpose:

For Council to receive the list of accounts paid under delegated authority during April 2026.

COUNCIL DECISION		030526																						
MOVED: Cr Gillam	SECONDED: Cr Summers																							
<p>That Council, by Simple Majority, receives the Accounts paid during April 2026 as contained in FIN01-05/26 Attachment 1 of the Attachment Booklet – May 2026 represented by:</p>																								
<table border="1"> <thead> <tr> <th>Payment Type/Numbers</th> <th>Total Amount</th> </tr> </thead> <tbody> <tr> <td>EFT 00000009/1 – 00000013/52</td> <td>\$892,194.25</td> </tr> <tr> <td>Muni Cheques – 32265 – 32265</td> <td>\$86,159.98</td> </tr> <tr> <td>Direct Debit – Telstra</td> <td>\$1,968.73</td> </tr> <tr> <td>Direct Debit – WA Treasury Corporation</td> <td>\$137,512.52</td> </tr> <tr> <td>Direct Debit – Credit Card</td> <td>\$13,772.82</td> </tr> <tr> <td>Direct Debit – N-Able Pty Ltd</td> <td>\$2,636.79</td> </tr> <tr> <td>Direct Debit – Australian Phone Company</td> <td>\$225.23</td> </tr> <tr> <td>Direct Debit – Telair Pty Ltd</td> <td>\$2,560.90</td> </tr> <tr> <td>Direct Debit – Bonds Administrator</td> <td>\$1,600.00</td> </tr> <tr> <td>Grand Total</td> <td>\$1,138,631.22</td> </tr> </tbody> </table>			Payment Type/Numbers	Total Amount	EFT 00000009/1 – 00000013/52	\$892,194.25	Muni Cheques – 32265 – 32265	\$86,159.98	Direct Debit – Telstra	\$1,968.73	Direct Debit – WA Treasury Corporation	\$137,512.52	Direct Debit – Credit Card	\$13,772.82	Direct Debit – N-Able Pty Ltd	\$2,636.79	Direct Debit – Australian Phone Company	\$225.23	Direct Debit – Telair Pty Ltd	\$2,560.90	Direct Debit – Bonds Administrator	\$1,600.00	Grand Total	\$1,138,631.22
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VOTING DETAILS:	CARRIED: 7/0																							
For:	Cr Scott, Cr Gillam, Cr Summers, Cr Berecz, Cr Hansen, Cr Musulin, Cr Melsom																							
Against:	Nil																							

Background:

A list of accounts paid under delegated authority is attached showing all payments made during the month of April 2026.

Officer's Comment:

Changes to the format of the list of payments has been made to be aligned with Section 13(1) of the Local Government (Financial Management) Regulations.

Consultation:

Nil

Statutory Environment:

The *Local Government (Financial Management) Regulations 1996* provides as follows:

13. *Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.*
- (1) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared*
- (a) *the payee's name;*
 - (b) *the amount of the payment;*
 - (c) *the date of the payment; and*
 - (d) *sufficient information to identify the transaction.*
- (3) *A list prepared under sub-regulation (1) or (2) is to be —*
- (a) *presented to the council at the next ordinary meeting of the council after the list is prepared; and*
 - (b) *recorded in the minutes of that meeting.*

Policy Implications:

Under Delegation CEO101 Council has delegated authority to the Chief Executive Officer to authorise payments from the municipal or trust fund.

Financial/Resource Implications:

Nil

Strategic Implications:

Our Brilliant Future – Strategic Community Plan 2021 – 2031

Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles

Strategy 4.3.2 Adopt and follow better practice processes

Attachments:

Attachment Booklet – May 2026

FIN01-05/26 Attachment 1: Accounts for Payment – April 2026

FIN 02-05/26 Monthly Financial Statements - March 2026	
Author:	P Machaka, Manager Finance
Responsible Officer:	S Ivers, Chief Executive Officer
File Reference:	2.0057
Council Role:	Executive
Voting Requirements:	Simple Majority

Report Purpose:

For Council to consider and receive the Monthly Financial Statements for the period 1 July 2025 to 31 March 2026.

COUNCIL DECISION		040526
MOVED: Cr Summers	SECONDED: Cr Melsom	
That Council, by Simple Majority, receives the Monthly Financial Statements for the period 1 July 2025 to 31 March 2026 as contained in FIN02-05/26 Attachment 1 of the Attachment Booklet – May 2026.		
VOTING DETAILS:	CARRIED: 7/0	
For:	Cr Scott, Cr Gillam, Cr Summers, Cr Berecz, Cr Hansen, Cr Musulin, Cr Melsom	
Against:	Nil	

Background:

The Monthly Financial Statements to 31 March 2026 are prepared in accordance with the requirements of the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996* and includes the following statutory reports:

- Statement of Financial Activity by Nature
- Statement of Financial Position
- Explanation of Material Variances
- Net Current Funding Position

The Statements also include various other financial information not required by legislation, but for Council information.

Officer's Comment:

The financial position to the end of March 2026 is detailed in the attached report and summarised as per following:

31/03/2026	YTD Budget	YTD Actual
Operating Revenue	10,513,725	10,552,379
Operating Expenditure	(10,947,726)	(10,279,533)
Net Operating	(434,001)	272,846
Non-Operating Revenue	725,898	765,629
Non-Operating Expenditure	(2,375,749)	(2,239,275)
Net Non-Operating	(1,649,851)	(1,473,646)
Cash at Bank		1,801,552
Cash at Bank Restricted		373,935
Reserve Bank		1,060,227
Total Cash Funds		3,235,714

Consultation:

Nil

Statutory Environment:

Local Government Act 1995

- Section 6.4 Financial report

Local Government (Financial Management) Regulations

- Section 34 Financial activity statement report provides as follows:

- (1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail -
 - (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
 - (b) budget estimates to the end of the month to which the statement relates;
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
 - (e) the net current assets at the end of the month to which the statement relates.
- (2) Each statement of financial activity is to be accompanied by documents containing -
 - (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
 - (b) an explanation of each of the material variances referred to in sub-regulation (1)(d); and
 - (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity must be shown according to the nature classification.
- (4) A statement of financial activity, and the accompanying documents referred to in sub-regulation (2), are to be -

- (a) presented to the council - at an ordinary meeting of the council within 2 months after the end of month to which the statement relates; and
(b) recorded in the minutes of the meeting at which it is presented.

Policy Implications:

Nil

Financial/Resource Implications:

Any issues in relation to expenditure and revenue allocations or variance trends are identified and addressed each month or at budget review.

Strategic Implications:

Our Brilliant Future - Strategic Community Plan 2021 – 2031

Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles

Strategy 4.3.2 Adopt and follow better practice processes

Attachments:

Attachment Booklet – May 2026

FIN02-05/26 Attachment 1: Financial Statements for the Period Ended 31 March 2026.

10.2 Development Reports

DEV 01-05/26 April 2026 Development Delegated and Authorised Authority Report	
Author:	M Connell, Manager Development
Responsible Officer:	S Ivers, Chief Executive Officer
File Reference:	3.00125
Council Role:	Executive
Voting Requirements:	Simple Majority

Report Purpose:

For Council to receive the April 2026 Development Delegated and Authorised Authority Report.

COUNCIL DECISION		050526
MOVED: Cr Musulin	SECONDED: Cr Berecz	
That Council by Simple Majority, receives the April 2026 Development Delegated and Authorised Authority Report, as contained in DEV 01-05/26 Attachment 1.		
VOTING DETAILS:	CARRIED: 7/0	
For:	Cr Scott, Cr Gillam, Cr Summers, Cr Berecz, Cr Hansen, Cr Musulin, Cr Melsom	
Against:	Nil	

Background:

Local governments utilise levels of delegated authority to undertake day-to-day statutory functions, thereby allowing Council to focus on policy development, representation, strategic planning and community leadership, with the organisation focussing on the day-to-day operations of the Shire.

The use of delegated authority means the large volume of routine work can be effectively managed and acted on promptly, which in turn facilitates efficient service delivery to the community.

In addition, as of 1 July 2024, the determination of development applications for single houses or any development associated with a single house (excluding development associated with a heritage place), can now only be done by the CEO or authorised employees of the local government.

Officer's Comment:

This report presents the details of development functions made under delegated or authorised authority for the month of April 2026, with 5 building permits/certificates, 7 single house applications and 1 application for development approval having been issued.

Consultation:

Nil.

Statutory Environment:

- *Local Government Act 1995*
- *Local Government (Administration) Regulations 1996*
- *Planning and Development (Local Planning Schemes) Regulations 2015*

Policy Implications:

Nil.

Financial/Resource Implications:

Nil.

Strategic Implications:

Our Brilliant Future – Strategic Community Plan 2021 – 2031

Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles

Strategy 4.3.2 Adopt and follow better practice processes

Attachments:

Attachment Booklet – May 2026

DEV 01-05/26 Attachment 1: April 2026 Development Delegated and Authorised Authority Report

10.3 Operations Reports

Nil

10.4 Community Services Reports

Nil

10.5 Office of the CEO Reports

CEO 01-05/26 Updated Code of Conduct for Council Members, Committee Members and Candidates	
Author:	S Mearns, Executive Assistant
Responsible Officer:	S Ivers, Chief Executive Officer
File Reference:	3.00121
Council Role:	Executive
Voting Requirements:	Absolute Majority

Report Purpose:

For Council to adopt, by Absolute Majority, the updated Code of Conduct for Council Members, Committee Members and Candidates, revised in response to recent local government reforms and to ensure alignment with the requirements and intent of the *Local Government (Model Code of Conduct) Regulations 2021*.

COUNCIL DECISION	060526
MOVED: Cr Melsom	SECONDED: Cr Gillam
That Council;	
<ol style="list-style-type: none"> by Absolute Majority adopts the updated Code of Conduct for Council Members, Committee Members and Candidates in accordance with CEO 01-05/26 Attachment 1; and notes the amendments made to the Code of Conduct for Council Members, Committee Members and Candidates. 	
VOTING DETAILS:	CARRIED: 7/0
For:	Cr Scott, Cr Gillam, Cr Summers, Cr Berecz, Cr Hansen, Cr Musulin, Cr Melsom
Against:	Nil

Background:

Recent reforms to the local government sector in Western Australia, including the establishment of the Local Government Inspector and the strengthening of governance and accountability frameworks, have reinforced the importance of maintaining contemporary and compliant Codes of Conduct.

While the Code of Conduct for Council Members, Committee Members and Candidates is prescribed under the *Local Government (Model Code of Conduct) Regulations 2021*, these reforms have introduced enhanced oversight, expanded complaint mechanisms, and increased expectations regarding the behaviour and conduct of elected members.

Accordingly, it is necessary to review and update the Shire's Code of Conduct for Council Members, Committee Members and Candidates to ensure alignment with the current legislative environment, reflect the role of the Local Government Inspector, and support best practice in governance, transparency and accountability.

Officer's Comment:

Proposed changes to the current Code of Conduct for Council Members, Committee Members and Candidates reflect the new requirements as provided by legislation. The Code of Conduct for Council Members, Committee Members and Candidates 2026 includes the following differences only:

1. Addition of Clauses 11(4),(5)&(6);
2. Addition of entire Clause 14A;
3. Addition of entire Clause 14B;
4. Addition of Clause 15(3); and
5. Changes to the legislation references in the Notes under Division 4.

Shire Officers are to ensure that Committee Members of the following Shire of Irwin Committees are provided with an updated copy of the Code of Conduct, as required:

- Audit Committee*
* *Councillors are advised that an Agenda item will be presented at the June 2026 Ordinary Council Meeting proposing changes to the function of the Shire of Irwin Audit Committee, together with a renaming to reflect Risk and Improvement responsibilities.*
- Work Health & Safety (WHS) Committee
- Local Emergency Management (LEM) Committee
- Community Assistance Scheme & Events (CASE) Committee

Consultation:

WALGA

Statutory Environment:

Under the *Local Government (Model Code of Conduct) Regulations 2021*, the Shire of Irwin is required to have a Code of Conduct for Council Members, Committee Members and Candidates.

Policy Implications:

There are no direct policy implications attached to this report.

Financial/Resource Implications:

Nil

Strategic Implications:

Our Brilliant Future – Strategic Community Plan 2021 – 2031

Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles

Strategy 4.3.2 Adopt and follow better practice processes

Attachments:

Attachment Booklet – May 2026

CEO 01-05/26 Attachment 1: Updated Code of Conduct for Council Members, Committee Members and Candidates

CEO 01-05/26 Attachment 2: Amended Local Government Model Code of Conduct Regulations 2021

10.6 Committee Reports**10.6.1 Audit Committee Meeting**

The Minutes of the Shire of Irwin Audit Committee Meeting held 5 May 2026 have been provided as Attachment 10.6.1 in Attachment Booklet – May 2026.

COUNCIL DECISION		070526
MOVED: Cr Gillam	SECONDED: Cr Summers	
That Council by Simple Majority receives the minutes of the Shire of Irwin Audit Committee Meeting held 5 May 2026.		
VOTING DETAILS:	CARRIED: 7/0	
For:	Cr Scott, Cr Gillam, Cr Summers, Cr Berecz, Cr Hansen, Cr Musulin, Cr Melsom	
Against:	Nil	

11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

13. URGENT BUSINESS APPROVED BY PERSON PRESIDING OR BY DECISION

Nil

14. MATTERS FOR WHICH THE MEETING IS CLOSED TO THE PUBLIC

Nil

15. CLOSURE

There being no further business, the Presiding Member closed the meeting at 5.14pm.



Ordinary Council Meeting

23 June 2026

Item FIN 01-06/26
Accounts for Payment
May 2026

Shire of Irwin

*List of Accounts paid May 2026 for presentation to the
Council Meeting 23 June 2026*

MUNICIPAL/(TRUST) PAYMENTS				
EFT/CHQ #	DATE	PAYEE	DESCRIPTION	PAYMENTS
00000014/1	15/05/2026	AUSTRALIAN AUDIT PTY LTD T/AS AUSTRALIAN AUDIT	INTERNAL AUDIT	6,297.50
00000014/2	15/05/2026	AGWEST MACHINERY	PARTS	2,962.85
00000014/3	15/05/2026	AMPAC DEBT RECOVERY (WA) PTY LTD	DEBT RECOVERY SERVICES	1,056.40
00000014/4	15/05/2026	ATOM	CONSUMABLES	137.73
00000014/5	15/05/2026	AUSTRALIA POST	POSTAL CHARGES	186.30
00000014/6	15/05/2026	AVON WASTE	WASTE	5,451.60
00000014/7	15/05/2026	BABA MARDIA ROAD SERVICES	TRAFFIC MANAGEMENT	4,470.63
00000014/8	15/05/2026	BADGELINK	NAME BADGES	47.40
00000014/9	15/05/2026	BLACKWOODS	CONSUMABLES	2,252.34
00000014/10	15/05/2026	TARTS & CO	WREATHS	390.00
00000014/11	15/05/2026	BRAND MECHANICAL SERVICES	MATERIALS	40,986.00
00000014/12	15/05/2026	CLEANPAK TOTAL SOLUTIONS	EQUIPMENT	1,714.70
00000014/13	15/05/2026	CORSIGN WA	SIGNAGE	121.00
00000014/14	15/05/2026	CIVIC WORKFORCE MANAGEMENT	CONSULTANCY SERVICES - HR	5,561.00
00000014/15	15/05/2026	DAZFAB ENGINEERING	MAINTENANCE	1,969.00
00000014/16	15/05/2026	DONGARA FREIGHT	FREIGHT CHARGES	520.80
00000014/17	15/05/2026	LANDGATE - WESTERN AUSTRALIAN LAND INFORMATION AUTHORITY	INTERIM VALUATIONS	78.74
00000014/18	15/05/2026	DARK HORSE HIRE	EVENT SERVICE	870.10
00000014/19	15/05/2026	DONGARA FENCING	FENCING	3,141.60
00000014/20	15/05/2026	DONGARA BOBCAT & CONTRACTING SERVICES	MATERIALS	3,421.00
00000014/21	15/05/2026	DONGARA BODY BUILDERS	REPAIRS	4,584.80
00000014/22	15/05/2026	DONGARA DRILLING & ELECTRICAL	PLUMBING	9,716.67
00000014/23	15/05/2026	DONGARA DENISON SMASH REPAIRS	INSURANCE EXCESS	300.00
00000014/24	15/05/2026	TYREPOWER DONGARA	MATERIALS	734.00
00000014/25	15/05/2026	DONGARA LOCAL RAG	ADVERTISING	1,046.00
00000014/26	15/05/2026	DONGARA DISTRICT HIGH SCHOOL P & C	DONATION	1,000.00
00000014/27	15/05/2026	DONGARA HOTEL MOTEL	LAND USE AGREEMENT	1,041.67
00000014/28	15/05/2026	FIRST HEALTH SERVICES	PRACTICE MANAGEMENT	14,162.50
00000014/29	15/05/2026	GERALDTON AUTO WHOLESALERS	SERVICE	805.02
00000014/30	15/05/2026	CITY OF GREATER GERALDTON	WASTE	15,529.12
00000014/31	15/05/2026	GERALDTON TROPHY & ENGRAVING CENTRE	MATERIALS	20.00
00000014/32	15/05/2026	REFUEL AUSTRALIA	FUEL	16,111.93
00000014/33	15/05/2026	GOVERNMENT FRAMEWORKS.COM INC	SUBSCRIPTION	5,498.90
00000014/34	15/05/2026	GHD PTY LTD	DETAILED DESIGN	53,882.98
00000014/35	15/05/2026	THINK WATER MID WEST	CONSUMABLES	533.40
00000014/36	15/05/2026	INCITE SECURITY	ELECTRICAL	1,903.88
00000014/37	15/05/2026	INSIDE OUT CLEAN	CLEANING	500.00
00000014/38	15/05/2026	IQTECH SOLUTIONS	PRINTER CHARGES	542.93
00000014/39	15/05/2026	IRWIN SHIRE - RATES	PAYROLL DEDUCTIONS	1,120.00
00000014/40	15/05/2026	READYTECH - IT VISION AUSTRALIA PTY LTD	SYSTEM EXTRACT	20,137.26
00000014/41	15/05/2026	JCI LOCKSMITHS	MAINTENANCE	601.00
00000014/42	15/05/2026	KENNEDYS (AUSTRALASIA) PARTNERSHIP OFFICE ACCOUNT	LEGAL	1,455.30
00000014/43	15/05/2026	LG BEST PRACTICES PTY LTD	PAYROLL AND TRAINING SERVICES	7,722.00
00000014/44	15/05/2026	SHIRE OF IRWIN - LOTTO FUND	PAYROLL DEDUCTIONS	70.00
00000014/45	15/05/2026	LUCINDAS EVERLASTINGS	STOCK	401.00
00000014/46	15/05/2026	MACS AUSTRALIA GROUP PTY LTD	EQUIPMENT HIRE	1,298.53
00000014/47	15/05/2026	MCLEODS BARRISTERS & SOLICITORS	LEGAL	1,531.20
00000014/48	15/05/2026	METRO COUNT VEHICLE CLASSIFIER SYSTEMS	REPAIRS	759.00
00000014/49	15/05/2026	MIDWEST FIRE PROTECTION & SAFETY SERVICES	SERVICING	841.27
00000014/50	15/05/2026	MIDWEST SAFETY AND TRAINING PTY LTD	TRAINING	1,628.00
00000014/51	15/05/2026	MIDWEST SOLAR AND WATER	PLUMBING	6,263.95
00000014/52	15/05/2026	OFFICEWORKS	STATIONERY	106.85
00000014/53	15/05/2026	ONSHORE CABINETS AND FURNITURE	MAINTENANCE	1,217.00
00000014/54	15/05/2026	ORACLE CORPORATION AUSTRALIA PTY LIMITED	LICENCE	4,546.61
00000014/55	15/05/2026	PIXIES SCREEN PRINTS	UNIFORMS	4,409.50
00000014/56	15/05/2026	SONY PICTURES RELEASING PTY LTD	RENTAL HIRE	1,280.00
00000014/57	15/05/2026	SUPAFIT SEAT COVERS PTY LTD	EQUIPMENT	730.95
00000014/58	15/05/2026	DONGARA IGA	CONSUMABLES	783.55
00000014/59	15/05/2026	SUPAGAS PTY LIMITED	RENTAL CHARGES	3,462.78
00000014/60	15/05/2026	DONGARA TENNIS CLUB	DONATION	400.00
00000014/61	15/05/2026	TEAM GLOBAL EXPRESS PTY LTD	FREIGHT CHARGES	78.75
00000014/62	15/05/2026	UNIVERSAL PICTURES INTERNATIONAL	RENTAL HIRE	915.75
00000014/63	15/05/2026	VANGUARD PRINT	HANDLING FEE AND TRANSPORT FEE	170.54
00000014/64	15/05/2026	THE WALT DISNEY COMPANY (AUSTRALIA) PTY LTD	FILM RENTAL	521.99
00000014/65	15/05/2026	WA RETURN RECYCLE RENEW LIMITED	CONSUMABLES	980.00
00000014/66	15/05/2026	SYNERGY	ELECTRICITY CHARGES	40,973.28
00000014/67	15/05/2026	WESTRAC EQUIPMENT	PARTS	4,769.11
00000014/68	15/05/2026	WOODLANDS DISTRIBUTORS AND AGENCIES PTY LTD	CONSUMABLES	917.40
00000014/69	15/05/2026	WINC AUSTRALIA PTY LTD	PRINTER CHARGES	398.85
00000014/70	15/05/2026	CRAIG LINK	ELECTRICAL	1,684.10
00000014/71	15/05/2026	SCINTEX PTY LTD	EQUIPMENT	634.56
00000014/72	15/05/2026	ALLUSED PTY LTD T/A AU BUCKETS & EQUIPMENT	EQUIPMENT	19,596.50
00000014/73	15/05/2026	STAMPS N STUFF	PUBLICATIONS	48.00
00000014/74	15/05/2026	K WATHERSTON	REIMBURSEMENT	180.00
00000014/75	15/05/2026	C BROWNSEA	REFUND	90.00
00000014/76	15/05/2026	H CRIDDLE	REFUND	282.00
00000014/77	15/05/2026	CANCELLED		0.00

Shire of Irwin

*List of Accounts paid May 2026 for presentation to the
Council Meeting 23 June 2026*

MUNICIPAL/(TRUST) PAYMENTS			
EFT/CHQ #	DATE	PAYEE	PAYMENTS
00000014/78	15/05/2026	B MELBIN	REFUND 2,874.28
00000014/79	15/05/2026	CUSTOM MADE STAMPS	MATERIALS 84.95
00000015/1	25/05/2026	BLACKWOODS	EQUIPMENT 214.40
00000015/2	25/05/2026	DEPARTMENT OF LOCAL GOVERNMENT, INDUSTRY REGULATION AND SAFETY	BUILDING SERVICES LEVY 3,044.65
00000015/3	25/05/2026	DATA#3 LIMITED	SUBSCRIPTION 24,839.46
00000015/4	25/05/2026	DONGARA DRILLING & ELECTRICAL	ELECTRICAL 170.50
00000015/5	25/05/2026	CITY OF GREATER GERALDTON	WASTE 4,673.22
00000015/6	25/05/2026	ONSHORE CABINETS AND FURNITURE	MAINTENANCE 492.00
00000015/7	25/05/2026	ORACLE CORPORATION AUSTRALIA PTY LIMITED	LICENCE 125.27
00000015/8	25/05/2026	TELCO ANTENNAS PTY LTD	EQUIPMENT 8,686.80
00000015/9	25/05/2026	ZETTAGRID PTY LTD	SUBSCRIPTION 8,045.46
00000015/10	25/05/2026	MAJOR LOSS BUILDERS	PROGRESS CLAIM - REPAIRS 33,438.90
00000015/11	25/05/2026	JETTY AND MARINE CONSTRUCTIONS PTY LTD	PROGRESS CLAIM - BOATING FACILITY 216,754.26
32266	01/05/2026	SHIRE OF IRWIN	CONTAINER DEPOSIT SCHEME 6,927.20
DD 04052026-2	04/05/2026	TELSTRA AUSTRALIA	PHONE CHARGES 110.00
DD 25052026	25/05/2026	TELSTRA AUSTRALIA	DATA CHARGES 90.00
DD 04052026	04/05/2026	WA TREASURY CORPORATION	LOAN 99 44,623.21
DD 07052026	07/05/2026	WA TREASURY CORPORATION	LOAN 93 20,727.35
CC 04052026	04/05/2026	NAB BUSINESS VISA	NAB BUSINESS VISA TRANSACTIONS 13,881.20
DD 17052026	18/05/2026	N-ABLE PTY LTD	MONTHLY IT CHARGES 2,645.02
DD 04052026-1	04/05/2026	AUSTRALIAN PHONE COMPANY PTY LTD	PHONE CHARGES 225.23
DD 15052026	15/05/2026	TELAIR PTY LTD	INTERNET CHARGES 1,495.99
DD 15052026-1	15/05/2026	TELAIR PTY LTD	MOBILE & DATA CHARGES 1,280.77
DD 01052026	01/05/2026	PRECISION CHOICE	SUPERANNUATION 29,040.47
DD 14052026	14/05/2026	PRECISION CHOICE	SUPERANNUATION 27,567.08
DD 01052026	01/05/2026	AUSTRALIAN RETIREMENT TRUST SUPER SAVINGS	SUPERANNUATION 372.60
DD 01052026-1	01/05/2026	AUSTRALIAN SUPER	SUPERANNUATION 2,710.33
DD 01052026-2	01/05/2026	AWARE SUPER PTY LTD	SUPERANNUATION 22,374.87
DD 01052026-3	01/05/2026	CBUS SUPER	SUPERANNUATION 296.43
DD 01052026-4	01/05/2026	HOSTPLUS	SUPERANNUATION 1,902.05
DD 01052026-5	01/05/2026	HUB 24 SUPER FUND	SUPERANNUATION 663.72
DD 01052026-6	01/05/2026	MERCER	SUPERANNUATION 282.45
DD 01052026-7	01/05/2026	GESB SUPER	SUPERANNUATION 253.26
DD 01052026-8	01/05/2026	REST SUPERANNUATION	SUPERANNUATION 274.24
DD 01052026-9	01/05/2026	SIGNATURE SUPER	SUPERANNUATION 723.63
DD 01052026-10	01/05/2026	MYNORTH SUPER	SUPERANNUATION 902.73
DD 15052026-2	15/05/2026	AUSTRALIAN RETIREMENT TRUST SUPER SAVINGS	SUPERANNUATION 331.20
DD 15052026-3	15/05/2026	AUSTRALIAN SUPER	SUPERANNUATION 3,130.24
DD 15052026-4	15/05/2026	AWARE SUPER PTY LTD	SUPERANNUATION 21,191.56
DD 15052026-5	15/05/2026	CBUS SUPER	SUPERANNUATION 291.56
DD 15052026-6	15/05/2026	HOSTPLUS	SUPERANNUATION 1,786.99
DD 15052026-7	15/05/2026	HUB 24 SUPER FUND	SUPERANNUATION 631.97
DD 15052026-8	15/05/2026	MERCER	SUPERANNUATION 282.45
DD 15052026-9	15/05/2026	GESB SUPER	SUPERANNUATION 253.26
DD 15052026-10	15/05/2026	REST SUPERANNUATION	SUPERANNUATION 433.08
DD 15052026-11	15/05/2026	SIGNATURE SUPER	SUPERANNUATION 2,260.12
			<u>855,963.48</u>

Sundry Creditors as at 31/05/2026 255,403.21

The Payments included in the above list of Accounts Paid, have been authorised by the Chief Executive Officer under delegation from Council.

12 June 2026

DATE


Shane Ivers
Chief Executive Officer

Shire of Irwin

Corporate Credit Card Expenditure - Payment Reference CR020626

S.IVERS CREDIT CARD EXPENSES

Date	Payee	Description	Amount
29/04/2026	Badgingarra Roadhouse	Fuel	\$ 59.14
30/04/2026	Event Brite	Event Registration	\$ 40.00
30/04/2026	Air BnB	Accommodation	\$ 2,338.31
04/05/2026	Transport WA	Licence Renewal	\$ 47.70
04/05/2026	Google Cloud	Subscription	\$ 282.65
06/05/2026	Garmin	Subscription	\$ 50.00
07/05/2026	Starlink	Subscription	\$ 80.00
07/05/2026	JAMF Software	Subscription	\$ 344.81
08/05/2026	Spotify	Subscription	\$ 15.99
11/05/2026	NinjaOne	Subscription	\$ 129.48
12/05/2026	Petro Fuels	Fuel	\$ 154.88
13/05/2026	Booking.Com	Accommodation	\$ 1,431.70
15/05/2026	Remarkable	Subscription	\$ 6.68
18/05/2026	Apple	Subscription	\$ 1.49
18/05/2026	OpenAI	Subscription	\$ 317.50
18/05/2026	Links Modular	Subscription	\$ 297.15
19/05/2026	BP Denmark	Fuel	\$ 206.95
25/05/2026	Ubiquiti	Subscription	\$ 49.00
25/05/2026	Grammarly	Subscription	\$ 86.86
25/05/2026	Dongara Hotel Motel	Accommodation	\$ 2,700.00
28/05/2026	NAB	Card Fee	\$ 9.00
			\$ 8,649.29

P.MACHAKA CREDIT CARD EXPENSES

Date	Payee	Description	Amount
30/04/2026	Microsoft	Subscription	\$ 143.75
01/05/2026	Microsoft	Subscription	\$ 51.87
04/05/2026	SSL.Com	Subscription	\$ 50.72
04/05/2026	Amazon Web Services	Subscription	\$ 793.66
06/05/2026	Zoom.com	Subscription	\$ 1,711.02
08/05/2026	Microsoft	Subscription	\$ 98.53
11/05/2026	Microsoft	Subscription	\$ 13.20
11/05/2026	SprintZeal	Training	\$ 5,935.65
11/05/2026	Microsoft	Subscription	\$ 159.68
13/05/2026	HP Store	Equipment	\$ 1,549.00
14/05/2026	Microsoft	Subscription	\$ 34.67
20/05/2026	Microsoft	Subscription	\$ 285.19
28/05/2026	CodeTwo	Subscription	\$ 114.68
28/05/2026	NAB	Card Fee	\$ 9.00
			\$ 10,950.62

F.BOKSMATI CREDIT CARD EXPENSES

Date	Payee	Description	Amount
06/05/2026	Spotlight Pty Ltd	Materials	\$ 229.50
22/05/2026	SP Tapes Online	Consumables	\$ 68.52
25/05/2026	Dongara Hotel Motel	Consumables	\$ 20.00
	NAB	Card Fee	\$ 9.00
			\$ 327.02

M.ANTONY CREDIT CARD EXPENSES

Date	Payee	Description	Amount
06/05/2026	WALGA	Training	\$ 360.00
07/05/2026	Centreak Beach St	Accommodation	\$ 198.00
12/05/2026	Dongara Building & Trade	Equipment	\$ 286.60
18/05/2026	Dongara IGA	Consumables	\$ 85.80
18/05/2026	Jurien Bay Hotel Motel	Consumables	\$ 112.95
19/05/2026	Centreak Beach St	Accommodation	\$ 198.00
28/05/2026	K K L O Auto	Equipment	\$ 957.00
28/04/2026	NAB	Card Fee	\$ 9.00
			\$ 2,207.35

TOTAL PAYMENT TO CORPORATE CREDIT CARD ACCOUNT

\$ 22,134.28

Shire of Irwin

Fuel Card Transactions

May 2026

Date	Supplier	Registration	Description	Amount
01/05/2026	Refuel	1IGD339	Fuel	\$ 55.77
03/05/2026	Refuel	1IXG228	Fuel	\$ 190.27
03/05/2026	Refuel	510IR	Fuel	\$ 62.67
08/05/2026	Refuel	1IXG228	Fuel	\$ 173.04
08/05/2026	Refuel	1IGD339	Fuel	\$ 53.32
08/05/2026	Refuel	510IR	Fuel	\$ 120.54
09/05/2026	Refuel	500IR	Fuel	\$ 97.45
10/05/2026	Refuel	1IXG228	Fuel	\$ 159.15
10/05/2026	Refuel	510IR	Fuel	\$ 115.05
12/05/2026	Refuel	501IR	Fuel	\$ 107.00
12/05/2026	Refuel	505IR	Fuel	\$ 104.11
12/05/2026	Refuel	523IR	Fuel	\$ 116.26
12/05/2026	Refuel	1GGG514	Fuel	\$ 53.82
12/05/2026	Refuel	510IR	Fuel	\$ 74.07
15/05/2026	Refuel	505IR	Fuel	\$ 155.51
15/05/2026	Refuel	1IGD339	Fuel	\$ 28.30
16/05/2026	Refuel	1IXG228	Fuel	\$ 105.31
17/05/2026	Refuel	506IR	Fuel	\$ 70.25
17/05/2026	Refuel	505IR	Fuel	\$ 95.91
17/05/2026	Refuel	1IXG228	Fuel	\$ 128.89
19/05/2026	Refuel	Sundy Plant	Fuel	\$ 206.50
20/05/2026	Refuel	505IR	Fuel	\$ 112.75
23/05/2026	Refuel	510IR	Fuel	\$ 127.15
24/05/2026	Refuel	506IR	Fuel	\$ 70.49
25/05/2026	Refuel	505IR	Fuel	\$ 80.62
25/05/2026	Refuel	523IR	Fuel	\$ 154.00
26/05/2026	Refuel	1GGG514	Fuel	\$ 47.33
27/05/2026	Refuel	505IR	Fuel	\$ 154.93
27/05/2026	Refuel	1IXG228	Fuel	\$ 178.29
27/05/2026	Refuel	1IXG228	Adblue	\$ 29.42
27/05/2026	Refuel	1DPM958	Fuel	\$ 139.89
28/05/2026	Refuel	1IGD339	Fuel	\$ 71.51
29/05/2026	Refuel	501IR	Fuel	\$ 124.99
29/05/2026	Refuel	505IR	Fuel	\$ 109.59
29/05/2026	Refuel	511IR	Fuel	\$ 109.19
29/05/2026	Refuel	510IR	Fuel	\$ 69.76
30/05/2026	Refuel	510IR	Fuel	\$ 83.74
TOTAL PAYMENT FOR FUEL CARD TRANSACTIONS				\$3,936.84



Ordinary Council Meeting

23 June 2026

Item FIN 02-06/26
Monthly Financial Statement
April 2026



SHIRE OF IRWIN

MONTHLY FINANCIAL REPORT (Containing the Statement of Financial Activity) For the Period Ended 30 April 2026

LOCAL GOVERNMENT ACT 1995

LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

TABLE OF CONTENTS

Key Terms and Descriptions - Nature	2
Statement of Financial Activity by Nature	3
Statement of Financial Position	4
Note 1 Adjusted Net Current Assets	5
Note 3 Receivables	6
Note 5 Payables	7
Note 8 Capital Acquisitions	8
Note 15 Explanation of Material Variances	10

SHIRE OF IRWIN

KEY TERMS AND DESCRIPTIONS

FOR THE PERIOD ENDED 30 April 2026

NATURE DESCRIPTIONS

REVENUE

RATES

All rates levied under the Local Government Act 1995. Includes general, differential, specific area rates, minimum rates, interim rates, back rates, ex-gratia rates, less discounts offered. Exclude administration fees, interest on instalments, interest on arrears and service charges.

OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Refer to all amounts received as grants, subsidies and contributions that are not non-operating grants.

NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Amounts received specifically for the acquisition, construction of new or the upgrading of non-current assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

PROFIT ON ASSET DISPOSAL

Profit on the disposal of assets including gains on the disposal of long term investments. Losses are disclosed under the expenditure classifications.

FEES AND CHARGEES

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, other fees and charges.

SERVICE CHARGES

Service charges imposed under Division 6 of Part 6 of the Local Government Act 1995. Regulation 54 of the Local Government (Financial Management) Regulations 1996 identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal charges. Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

INTEREST EARNINGS

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

OTHER REVENUE / INCOME

Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates etc.

EXPENSES

EMPLOYEE COSTS

All costs associate with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc.

MATERIALS AND CONTRACTS

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information technology, rental or lease expenditures.

UTILITIES (GAS, ELECTRICITY, WATER, ETC.)

Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

INSURANCE

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

LOSS ON ASSET DISPOSAL

Loss on the disposal of fixed assets.

DEPRECIATION ON NON-CURRENT ASSETS

Depreciation expense raised on all classes of assets.

INTEREST EXPENSES

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

OTHER EXPENDITURE

Statutory fees, taxes, provision for bad debts, member's fees or State taxes. Donations and subsidies made to community groups.

SHIRE OF IRWIN
STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 April 2026

	<u>Adopted Annual</u> <u>Budget</u>	<u>Revised Annual</u> <u>Budget</u>	<u>YTD Budget</u>	<u>YTD Actual</u>	<u>Variance*</u>	<u>Variance*</u>	
	(a)		(b)	(c)	(c) - (b)	((c) - (b))/(b)	
	£	£	£	£	£	%	
OPERATING ACTIVITIES							
Revenue from operating activities							
General rates	7,641,077	7,295,694	7,246,577	7,203,434	(43,143)	(1%)	▼
Grants, subsidies and contributions	1,478,455	896,629	643,870	611,706	(32,164)	(5%)	▼
Fees and charges	2,627,912	2,709,216	2,335,499	2,551,145	215,646	9%	▲
Interest revenue	212,409	212,409	177,007	166,405	(10,602)	(6%)	▼
Other revenue	338,884	488,507	376,317	355,267	(21,050)	(6%)	▼
Profit on asset disposals	20,000	20,000	0	0	0		
	12,318,737	11,622,455	10,779,270	10,887,957	(108,687)		
Expenditure from operating activities							
Employee costs	(4,184,296)	(4,192,241)	(3,485,613)	(4,130,186)	(644,573)	18%	▼
Materials and contracts	(4,314,707)	(4,483,920)	(3,611,489)	(3,444,500)	166,989	(5%)	▲
Utility charges	(561,912)	(561,912)	(468,260)	(468,122)	138	(0%)	▲
Depreciation	(4,891,805)	(4,953,491)	(4,068,587)	(2,532,181)	1,536,406	(38%)	▲
Finance costs	(229,459)	(229,459)	(185,528)	(145,645)	39,883	(21%)	▲
Insurance	(273,429)	(273,429)	(227,847)	(260,973)	(33,126)	15%	▲
Other expenditure	(265,028)	(176,528)	(145,023)	(183,513)	(38,490)	27%	▼
Loss on asset disposals	0	(44,289)	(44,289)	(44,289)	0	(0%)	▲
	(14,720,636)	(14,915,269)	(12,236,636)	(11,209,409)	1,027,227		
Non cash amounts excluded from operating activities	4,877,141	4,983,116	4,073,923	2,581,774	0		
Amount attributable to operating activities	2,475,242	1,690,302	2,616,557	2,260,322	918,540		
INVESTING ACTIVITIES							
Inflows from investing activities							
Proceeds from capital grants, subsidies and contributions	9,525,442	10,216,881	838,000	863,994	25,994	3%	▼
Proceeds from disposal of assets	35,000	35,000	29,167	28,182	(985)	(3%)	▲
Proceeds from financial assets	55,187	55,187	45,989	17,542	(28,447)	(62%)	▼
Acquisition of property, plant and equipment	(1,299,628)	(2,930,835)	(830,889)	(872,513)	(41,624)	5%	▲
Acquisition of infrastructure	(11,129,428)	(9,708,129)	(1,965,590)	(1,472,841)	492,749	(25%)	▲
Amount attributable to investing activities	(2,813,427)	(2,331,896)	(1,883,323)	(1,435,636)	447,687		
FINANCING ACTIVITIES							
Inflows from financing activities							
Proceeds from new borrowings	1,940,000	1,800,000	0	0	0		
Transfer from reserves	25,000	25,000	0	0	0		
Payments for principal portion of lease liabilities	(35,948)	(35,948)	(23,952)	(32,891)	(8,939)	37%	▼
Repayment of borrowings	(872,956)	(872,956)	(727,463)	(720,886)	6,578	(1%)	▲
Transfer to reserves	(35,369)	(35,369)	(29,474)	(35,162)	(5,688)	19%	▼
Transfer from restricted cash (other)	86,246	102,916	0	0			
Amount attributable to financing activities	1,106,973	983,643	(780,890)	(788,938)	(8,049)		
MOVEMENT IN SURPLUS OR DEFICIT							
Surplus or deficit at the start of the financial year	(609,744)	(683,679)	(683,679)	(683,679)	0		
Amount attributable to operating activities	2,475,242	1,690,302	2,616,557	2,260,322	(356,235)		
Amount attributable to investing activities	(2,813,427)	(2,331,896)	(1,883,323)	(1,435,636)	447,687		
Amount attributable to financing activities	1,106,973	983,643	(780,890)	(788,938)	(8,049)		
Surplus or deficit after imposition of general rates	159,044	(341,630)	(731,335)	(647,932)	83,402		

SHIRE OF IRWIN
STATEMENT OF FINANCIAL POSITION
FOR THE PERIOD ENDED 30 April 2026

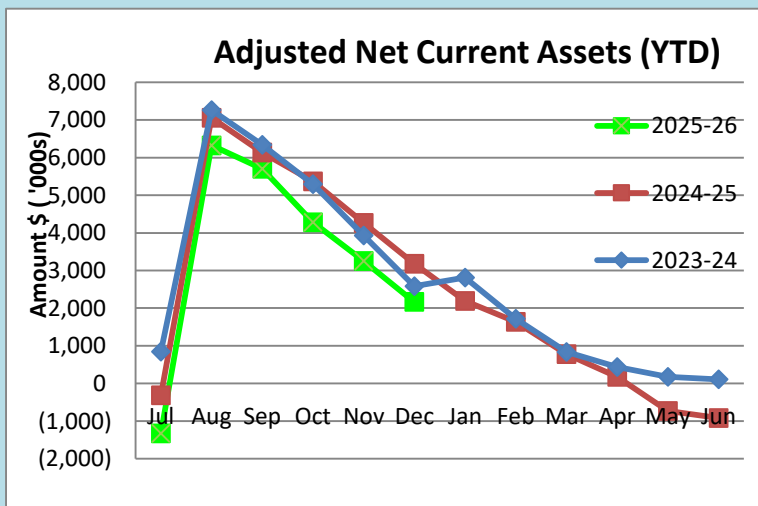
	30-Jun-25	30-Apr-26
	\$	\$
CURRENT ASSETS		
Cash and cash equivalents	2,424,015	2,450,154
Trade and other receivables	294,864	933,934
Other financial assets	45,939	71,938
Inventories	29,087	29,087
Contract assets	235,572	
TOTAL CURRENT ASSETS	3,033,992	3,485,114
NON-CURRENT ASSETS		
Trade and other receivables	62,814	62,814
Other financial assets	284,560	284,560
Property, plant and equipment	40,714,428	40,890,425
Infrastructure	62,681,644	62,302,657
Right-of-use assets	70,118	52,442
TOTAL NON-CURRENT ASSETS	103,813,565	103,592,898
TOTAL ASSETS	106,847,556	107,078,012
CURRENT LIABILITIES		
Trade and other payables	802,446	920,525
Other liabilities	1,070,759	1,123,720
Lease liabilities	35,949	3,058
Borrowings	861,790	140,904
Employee related provisions	782,938	782,938
TOTAL CURRENT LIABILITIES	3,553,882	2,971,145
NON-CURRENT LIABILITIES		
Lease liabilities	34,402	34,402
Borrowings	4,201,780	4,201,780
Employee related provisions	65,308	65,308
TOTAL NON-CURRENT LIABILITIES	4,301,490	4,301,490
TOTAL LIABILITIES	7,855,372	7,272,635
NET ASSETS	98,992,184	99,805,376
EQUITY		
Retained surplus	34,565,266	35,100,827
Reserve accounts	1,028,900	1,064,062
Revaluation surplus	63,640,487	63,640,487
TOTAL EQUITY	99,234,653	99,805,376

Adjusted Net Current Assets	Last Years Closing 30/06/2025	This Time Last Year 30/04/2025	Year to Date Actual 30/04/2026
	\$	\$	\$
Current Assets			
Cash Unrestricted	776,448	1,316,176	754,819
Cash Restricted - Reserves	1,028,900	1,346,888	1,064,062
Cash Restricted - General	373,935	373,935	373,935
Cash Restricted - Bonds & Deposits	244,731	244,911	257,338
Receivables - Rates	207	136,851	417,162
Receivables - Other	577,130	261,830	588,710
Inventories	29,087	35,881	29,087
Contract Assets	235,572	0	0
	3,266,010	3,716,472	3,485,114
Less: Current Liabilities			
Payables	(557,714)	(194,917)	(631,855)
Contract Liabilities	(1,039,428)	(1,225,753)	(1,123,721)
Financial Liabilities	(31,331)	(31,331)	(31,331)
Bonds & Deposits	(244,731)	(244,911)	(257,338)
Loan and Lease Liability	(897,739)	(137,816)	(143,962)
Provisions	(782,938)	(793,228)	(782,938)
	(3,553,882)	(2,627,957)	(2,971,146)
Less: Cash Reserves	(1,028,900)	(1,346,888)	(1,064,062)
Add Back: Component of Leave Liability not Required to be funded	155,227	181,289	160,532
Add Back: Loan and Lease Liability	897,739	137,816	143,962
Less : Loan Receivable - clubs/institutions	(45,939)	(9,873)	(28,398)
Less : Restricted Cash General	(373,935)	(373,935)	(373,935)
Net Current Funding Position	(683,679)	(323,076)	(647,933)

SIGNIFICANT ACCOUNTING POLICIES

Please see Note 1(a) for information on significant accounting policies relating to Net Current Assets.

The amount of the adjusted net current assets at the end of the period represents the actual surplus (or deficit if the figure is a negative) as presented on the Statement of Financial Activity



This Year YTD
Surplus(Deficit)
-\$.648M
Last Year YTD
Surplus(Deficit)
-\$.323M

Receivables - Rates & Rubbish	30 June 2025	30 Apr 26
Opening Arrears Previous Years	\$ 726,082	\$ 57,846
Levied this year	7,947,274	8,233,079
<u>Less</u> Collections to date	(8,615,510)	(7,964,256)
Equals Current Outstanding	57,846	326,669
Net Rates Collectable	57,846	326,669
% Collected	99.33%	96.06%

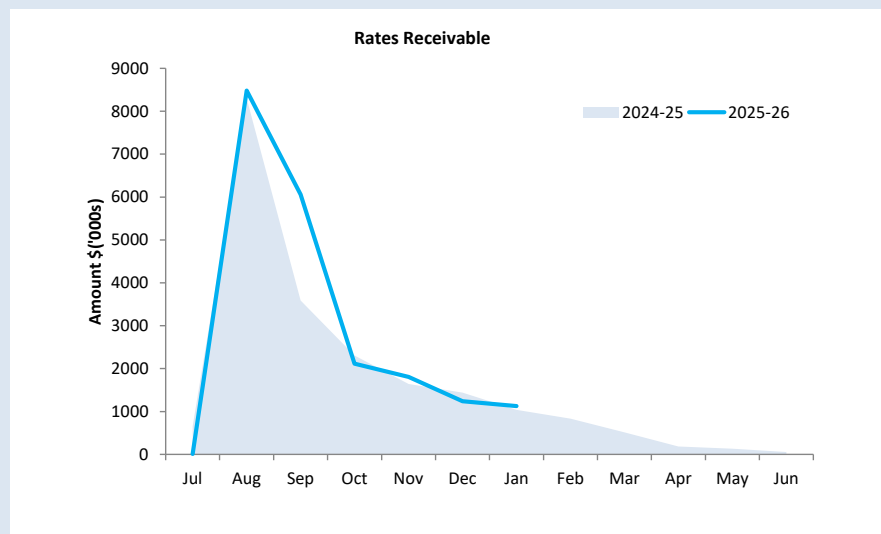
Receivables - General	Current	30 Days	60 Days	90+ Days	Total
Receivables - General	\$ 292,384	\$ 0	\$ 2,520	\$ 111,076	\$ 405,980
Percentage	72%	0%	1%	27%	
Balance per Trial Balance					
Sundry Debtors					405,980
Receivables - Other					158,331
Total Receivables General Outstanding					564,311
Amounts shown above include GST (where applicable)					

KEY INFORMATION

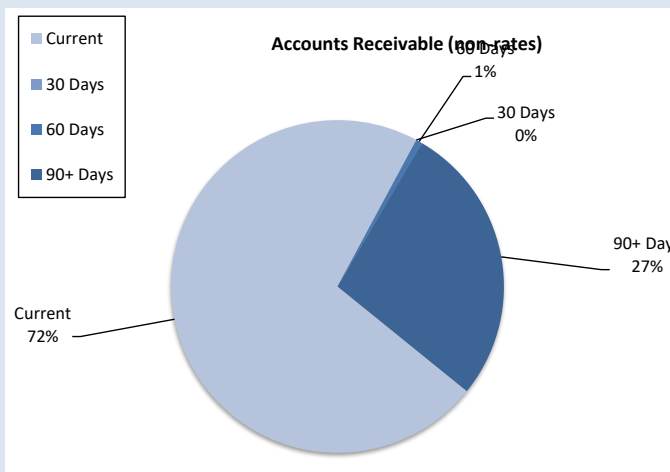
Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

SIGNIFICANT ACCOUNTING POLICIES

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business. Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets. Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.



Collected	Rates Due
96%	\$326,669



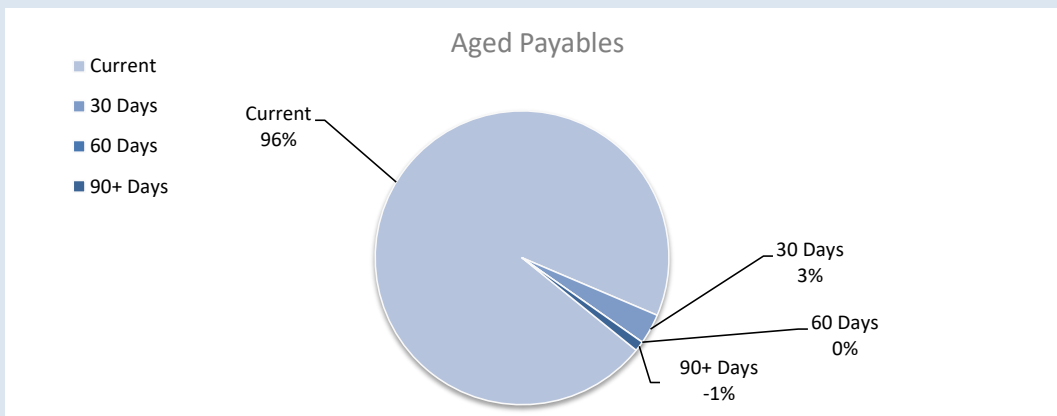
Debtors Due
\$564,311
Over 30 Days
28%
Over 90 Days
27%

Payables - General	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$
Payables (Sundry Creditors) - General	127,497	4,457	0	(1,455)	130,499
Percentage	97.7%	3.4%	0%	-1.1%	
Balance per Trial Balance					
Sundry creditors - General					130,499
Other creditors					629,878
ATO liabilities					119,331
Financial liabilities (Developer Contributions)					31,331
Other accruals/payables					9,485
Total Payables General Outstanding					920,524

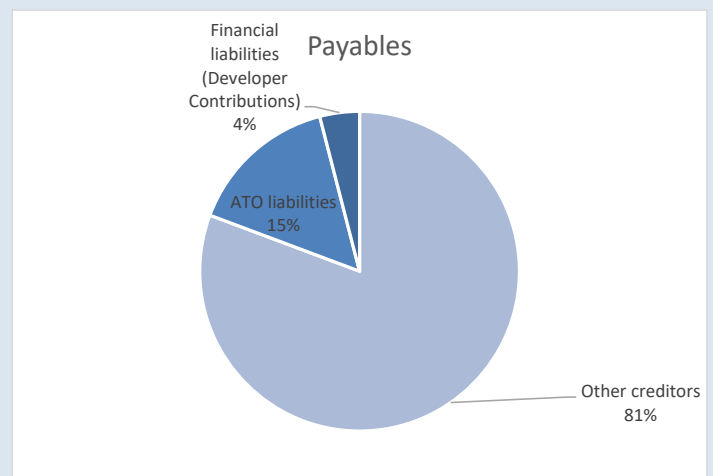
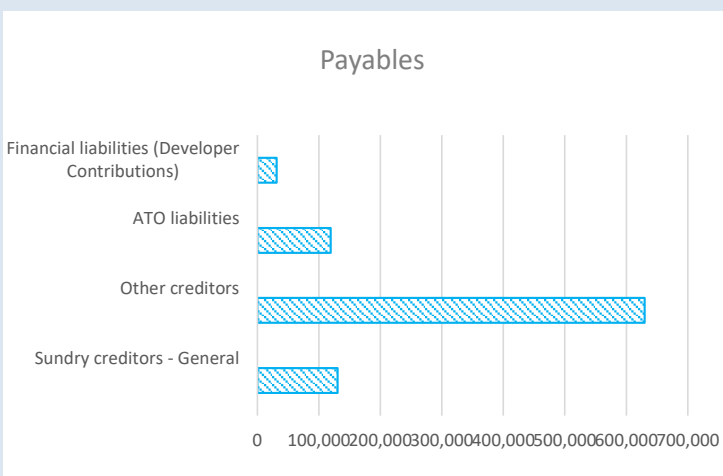
Amounts shown above include GST (where applicable)

KEY INFORMATION

Trade and other payables represent liabilities for goods and services provided to the Shire that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.



Creditors Due
\$920,524
Over 30 Days
2%
Over 90 Days
-1.1%



Assets	Adopted		Amended		Variance (Under)/Over
	Annual Budget	Annual Budget	YTD Budget	Total YTD	
	\$	\$	\$	\$	
Buildings					
Other Health					
1.00	DONGARA MEDICAL CENTRE	(5,000)	0	0	0
	Total - Other Health	(5,000)	0	0	0
0.80	BUILDING - THE VILLAGE - RENEWAL	(20,000)	(20,000)	(15,000)	(16,050)
	Total - Housing	(20,000)	(20,000)	(15,000)	(16,050)
Community Amenities					
Recreation And Culture					
1.00	DONGARA PUBLIC TOWN HALL	(239,477)	(276,041)	(239,608)	(277,396)
1.09	IRWIN REC CENTRE ROOF UPGRADE - PARTIALLY GRANT FUNDED	(70,000)	(41,311)	(38,500)	(44,963)
1.00	MUSEUM - OLD POLICE STATION	(8,000)	0	0	0
1.00	DENISON HOUSE - CAPITAL RENEWAL WORKS	(25,000)	(5,500)	(5,500)	(5,500)
	Total - Recreation And Culture	(342,477)	(322,852)	(283,608)	(327,859)
	Total - Buildings	(395,147)	(342,852)	(298,608)	(343,909)
	Total - Buildings	(395,147)	(342,852)	(298,608)	(343,909)
Plant & Equipment					
Fire Prevention					
0.36	CCTV	(160,000)	(160,000)	(60,000)	(57,750)
1.00	CESM STORAGE	(12,550)	(3,497)	0	(3,497)
	Total - Fire Prevention	(172,550)	(163,497)	(60,000)	(61,246)
Health					
1.00	DOCTORS VEHICLES	(68,431)	(68,257)	(51,323)	(68,570)
	Total - Health	(68,431)	(68,257)	(51,323)	(68,570)
TV RADIO - PLANT AND EQUIPMENT RENEWAL (CAPITAL)					
1.11	TV TOWER ANTENNA RENEWAL	(37,000)	(37,000)	(27,750)	(40,894)
	Total - TV RADIO - PLANT AND EQUIPMENT RENEWAL (CAPITAL)	(37,000)	(37,000)	(27,750)	(40,894)
Recreation & Culture					
0.00	DRIVE IN PROJECTOR	0	(231,000)	0	(231,000)
	Total - Recreation & Culture	0	(231,000)	0	(231,000)
Transport					
0.00	NEW PRIME MOVER	(370,000)	(341,127)	(341,127)	(341,127)
0.00	OTHER EQUIPMENT	0	(19,388)	0	0
1.00	SIDE TIPPING SEMI TRAILER	(140,000)	0	0	0
	Total - Transport	(510,000)	(360,515)	(341,127)	(341,127)
0.59	Total - Plant & Equipment	(787,981)	(860,269)	(480,200)	(511,838)
Furniture & Equipment					
Other Property & Services					
1.08	INFORMATION TECHNOLOGY HARDWARE >\$5K	(30,000)	(15,000)	(11,250)	(16,229)
1.00	E-LOCKING SYSTEM	(37,525)	0	0	0
0.01	CLEANING EQUIPMENT	(41,525)	(20,763)	(15,572)	(112)
	Total - Other Property & Services	(109,050)	(35,763)	(26,822)	(16,341)
0.46	Total - Furniture & Equipment	(139,050)	(35,763)	(26,822)	(16,341)
Roads					
1.00	POINT LEANDER DVE FOOTPATH	(89,800)	(89,800)	(89,800)	(89,629)
0.00	MOUNT ADAMS INTERSECTION	0	(252,000)	0	0
0.00	R2R - WARRADONG SPRINGS ROAD	(142,041)	(383,068)	0	0
0.00	R2R-BURMA ROAD	(180,728)	(196,423)	0	0
1.00	LUDLOW RD SLK 0.00 - SLK 0 - 2.96KM	(222,088)	0	0	0
0.66	R2R - WATER SUPPLY ROAD -SLK 5 - 11KM	(196,169)	(196,423)	(147,127)	(130,186)
0.70	RRG- WARRADONG SPRING SLK 0.46 - SLK 5.24 4.78KM	(280,255)	(280,255)	(210,191)	(195,602)
0.84	RRG- BURMA RD SOUTH SLK 17.5 -SLK 23.99 6.49KM	(293,982)	(293,982)	(220,487)	(247,097)
	Total - Transport	(1,405,063)	(1,691,951)	(667,605)	(662,514)
0.39	Total - Roads	(1,405,063)	(1,691,951)	(667,605)	(662,514)
Housing					
0.00	THE VILLAGE - SOAKWELLS & DOWNPIPES	(20,000)	(20,000)	(15,000)	0
0.26	TWO HENRY ROAD - LANDSCAPING	(18,000)	(18,000)	(13,500)	(4,600)
	Total - Housing	(38,000)	(38,000)	(28,500)	(4,600)
Recreation And Culture					
0.07	BOAT RAMP	(715,000)	(715,000)	0	(50,271)
0.00	UPGRADE OVAL LIGHTING - PORT DENISON OVAL	(20,000)	(20,000)	(15,000)	0
0.60	SHADE SAILS - PARKS	(15,000)	(15,000)	(11,250)	(8,985)
1.00	TOWN PARK CARPARK	(36,090)	0	0	0
0.06	FORESHORE - PRECINCT	(4,766,000)	(4,766,000)	(607,532)	(267,606)
	Total - Recreation And Culture	(5,552,090)	(5,516,000)	(633,782)	(326,862)
Transport					
0.72	SKATE PARK PRECINCT	0	(109,835)	(79,890)	(79,530)
0.00	DRAINAGE, KERBING & FOOTPATH RENEWAL	(44,862)	(22,431)	(16,823)	0
1.00	LINE MARKING	(22,000)	0	0	0
1.00	PT LEANDER BRIDGE	(10,000)	0	0	0

Assets	Adopted		Amended		Total YTD	Variance (Under)/Over
	Annual Budget	Annual Budget	YTD Budget			
	\$	\$	\$	\$	\$	\$
0.67 TECHNICAL STUDIES - INFRASTRUCTURE RENEWAL	(102,500)	(104,500)	(58,125)	(69,675)	11,550	
0.08 MILO CROSSING UPGRADE	(3,917,363)	(3,917,363)	(506,125)	(330,084)	(176,041)	
Total - Transport	(4,096,725)	(4,154,129)	(660,963)	(479,289)	(181,674)	
Economic Services						
1.00 ENTRY STATEMENT - LARRY LOBSTER	(15,000)	0	0	0	0	
Total - Economic Services	(15,000)	0	0	0	0	
0.08 Total - Infrastructure - Other	(9,701,815)	(9,708,129)	(1,323,244)	(810,751)	(488,594)	
0.19 Grand Total	(12,429,056)	(12,638,964)	(2,796,479)	(2,345,353)	(659,276)	
					0	

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.

	Var. \$	Var. %	Significant		Timing/ Permanent	Explanation of Variance
			Var. ▲▼	Var. S		
Expenditure from operating activities						
Employee Costs	(644,573)	18%	▼	S	Timing	Year to date Employee Costs are tracking above budget \$644,573 or 18%, The Shire's overall Employee Costs (Operating and Capital) are however still within budget. The cost allocation between capital and operating employee costs will be analysed before year end finalisation, to ensure correct allocation.
Depreciation on Non-Current Assets	1,536,406	(38%)	▲	S	Timing	Depreciation for January to April 2026 is yet to be processed and is awaiting finalisation of the new financial system.
Interest Expenses	39,883	43%	▲	S	Timing	Interest Expenses are lower than ytd budget by \$40k. This is a timing difference which is expected to reduce by the end of the financial year.
Insurance Expenses	(33,126)	15%	▼	S	Timing	This is a timing variance which is expected to reduce as the year progresses.
Other Expenditure	(38,490)	27%	▼	S	Timing	This is a timing variance which is expected to reduce as the year progresses.
Investing Activities						
Proceeds from Financial Assets	(28,447)	(62%)	▼	S	Timing	This is a timing variance which is expected to reduce as the year progresses.
Acquisition of infrastructure	492,749	(25%)	▲	S	Timing	Some works have experienced delays and have not progressed as anticipated resulting in an underspend within Acquisition of Infrastructure. Works Include Milo Crossing and the Foreshore. These works will be carried forward into the 2026/27 financial year.



Ordinary Council Meeting

23 June 2026

Item DEV 01-06/26
Development Delegated and
Authorised Authority Report
May 2026

May 2026 Development Delegated and Authorised Authority Report (Records of exercise of delegated and authorised powers or duties)

Function	Officer	Date of decision	Decision	Description	Address
Building Permit / Certificate	EHO / Building Surveyor	1 May 2026	Granted	Dwelling	Lot 378 (No. 5) Sunset Cove, Dongara
		1 May 2026	Granted	Shed & Carport	Lot 409 (No. 18) Osbourne Way, Port Denison
		4 May 2026	Granted	Carport	Strata Lot 27 (No. 123) Point Leander Drive, Port Denison
		4 May 2026	Granted	Shed & Carport	Lot 529 (No. 5) Emily Way, Dongara
		4 May 2026	Granted	Ancillary Dwelling	Lot 36 (No. 227) St Dominics Road, Springfield
		4 May 2026	Granted	Carport	Lot 127 (No. 48) Bottlebrush Cove, Springfield
		4 May 2026	Granted	Shed	Lot 27 (No. 30201) Brand Highway, Dongara
		7 May 2026	Granted	Carport	Lot 370 (No. 8) Cousins Street, Port Denison
		7 May 2026	Granted	Dwelling	Lot 738 (No. 18) Bertran Vista, Port Denison
		8 May 2026	Granted	Carport & Patio	Lot 34 (No. 67) Damia Circle, Port Denison
		18 May 2026	Granted	Shed	Lot 128 Loxton Drive, Bookara
		19 May 2026	Granted	Dwelling	Lot 152 (No. 3) Ayelia Parkway, Port Denison
		21 May 2026	Granted	Shed & Carport	Lot 44 (No. 4) Reeve Terrace, Port Denison
		22 May 2026	Granted	Shed	Lot 24 (No. 61) Tulloch Drive, Dongara
		25 May 2026	Granted	Dwelling & Ancillary Dwelling	Lot 320 (No. 10) Swan View, Dongara
28 May 2026	Granted	Dwelling Re-roof	Lot 288 (No. 25) Carnarvon Street, Port Denison		
Single House Application	Manager Development	8 May 2026	Granted	Outbuilding Addition	Lot 152 (No. 23) Money Street, Port Denison
		8 May 2026	Granted	Single House Additions	Lot 118 (No. 5) Short Street, Dongara
		20 May 2026	Granted	Single House & Ancillary Dwelling	Lot 320 (No. 10) Swan View, Dongara
		22 May 2026	Granted	Single House (Amended Plans)	Lot 247 (No. 7) Tyford Road, Dongara
Subdivision Clearance	Manager Development	21 May 2026	Granted	2 Rural Smallholdings Lots	Lots 12 & 23 (No. 272) Bonniefield Road East, Bonniefield



Ordinary Council Meeting

23 June 2026

Item DEV 02-06/26
Attachment 1
Shire of Irwin
Local Public Health Plan
2026 – 2031



Local Public Health Plan 2026 – 2031

Contents

Background _____ 2

Introduction _____ 3

Strategic Context and Vision _____ 4

Our Community’s Health and Wellbeing _____ 5

Our Action Plan _____ 6



Document control

Version	Decision date	Comment
1	28 April 2026 – Council Item No. DEV 02-04/26	Draft for public comment.

Background

The Public Health Act 2016 (**Act**) defines public health as the health of individuals in the context of:

- a. The wider health and wellbeing of the community; and
- b. The combination of safeguards, policies and programmes designed to protect, maintain, promote and improve the health of individuals and their communities and to prevent and reduce the incidence of illness and disability.

Part 5 of the Act requires a local public health plan (**Plan**) to be prepared by each local government.



Introduction

The work of the Shire of Irwin (**Shire**) is varied, but it touches almost all areas of the community's day to day life.

There are a number of initiatives and a variety of local programs and services that the Shire is already implementing that all have a big impact on the community's health and wellbeing including:

- ❖ **infrastructure and property services** including local roads, footpaths, drainage and waste collection;
- ❖ **recreation facilities** such as parks, sports fields and the Irwin Recreation Centre;
- ❖ **health services** such as water and food inspections, animal control and provision of public toilets;
- ❖ **community and cultural facilities** such as aged care and accommodation, the Dongara Public Library, Dongara Cemetery and the Irwin District Museum; and
- ❖ **planning and building services** including permits, approvals, enforcement and leasing of land for health related activities.

It must be acknowledged that many factors affecting health and wellbeing fall outside the scope of local government and that the delivery of many health services are facilitated by external agencies.

The intention of this Plan is to ensure that the Shire's resources are used in the most appropriate and efficient way to address the public health and wellbeing needs of the community, rather than increase the number of services provided.

Strategic Context and Vision

The brilliant future of the Shire is articulated in the Strategic Community Plan 2021 – 2031, which has the following vision:

“Provide a safe place to live, an exciting place to visit and a progressive place to work.”

The action plan has been developed with clear linkages to the objectives of the Strategic Community Plan which are:

Social	A friendly, safe and inclusive community enjoying a high quality lifestyle
Economic	A prosperous and diverse economy
Environment	Custodianship of our natural and built environment
Leadership	Leading the community with engaged and progressive governance

The Plan reflects the priorities identified in the community engagement of the Strategic Community Plan and has a focus on achieving long-term public health outcomes through the planning process which enables the Shire to:

- ❖ **assess** the public health needs of the community;
- ❖ **articulate** the public health priorities for the community;
- ❖ **allocate** resources to achieve those priorities; and
- ❖ **report** progress.

Our Community's Health and Wellbeing

When thinking about the public health and wellbeing of our community, it is important to consider the following lifestyle factors of the Shire's population.



Population

- ❖ 30.4% aged 65 years and over
- ❖ The State average is 16.1%



Nutrition

- ❖ 50.6% eat the recommended serves of fruit daily
- ❖ 90.7% eat less than the recommended serves of vegetables daily



Fast food

- ❖ Only 13.6% eat fast food weekly



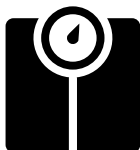
Physical activity

- ❖ 47.2% do the recommended amount of physical activity per week



Sedentary behavior

- ❖ 45.8% spend more than the recommended amount of time on screen-based leisure activities



Weight

- ❖ Higher obesity prevalence (38.4%)
- ❖ Lower prevalence of overweight (32.3%)
- ❖ Compared to the State



Smoking

- ❖ Higher prevalence (14.4%) of tobacco smoking compared to the State



Alcohol

- ❖ 27.5% drank at high risk levels for long-term harm (more than 2 standard drinks per day)



Mental health

- ❖ Lower prevalence (12.3%) of any mental health condition compared to the State



Injury

- ❖ Accidental falls were the leading cause of injury-related hospitalisations
- ❖ Transport accidents were the leading cause of injury-related deaths

Our Action Plan

In the following action plan, the role of the Shire is classified as follows depending on the degree of involvement:

- Deliver** Provide services that improve public health.
- Partner** Develop and maintain partnerships with others.
- Advocate** Promote awareness of public health matters to influence the decisions of others.



Social A friendly, safe and inclusive community enjoying a high quality lifestyle

No.	Action	Shire Role
1	Increase community participation by building the capacity of local clubs/groups and creating opportunities for social connection through a range of activities including arts, recreation and sport.	Partner
2	Support volunteering opportunities and encourage community/volunteer groups to deliver health and well-being activities.	Partner
3	Advocate for early childhood facilities, services and programs.	Advocate
4	Support and facilitate access to facilities and fitness/physical activities for seniors and people of all abilities to promote interdependence, social connection and well-being.	Deliver
5	Support and promote opportunities for youth development, participation and activities.	Partner
6	Partner with specialist organisations to support the delivery of mental health and well-being programs.	Partner
7	Support the delivery of aged and independent living accommodation options to enable aging in place.	Deliver
8	Support sustainable access to medical and primary health services including the Dongara Medical Centre.	Partner



Economic A prosperous and diverse economy

No.	Action	Shire Role
9	Partner with health promotion stakeholders and initiatives (such as LiveLighter, R U OK and Alcohol. Think Again) to promote healthy lifestyle messages.	Partner
10	Deliver events and programs that encourage community connection and reduce social isolation.	Deliver
11	Provide and manage the Irwin Recreation Centre as a key community health and well-being asset.	Deliver
12	Provide library services that support literacy, learning and social connection.	Deliver



Environment

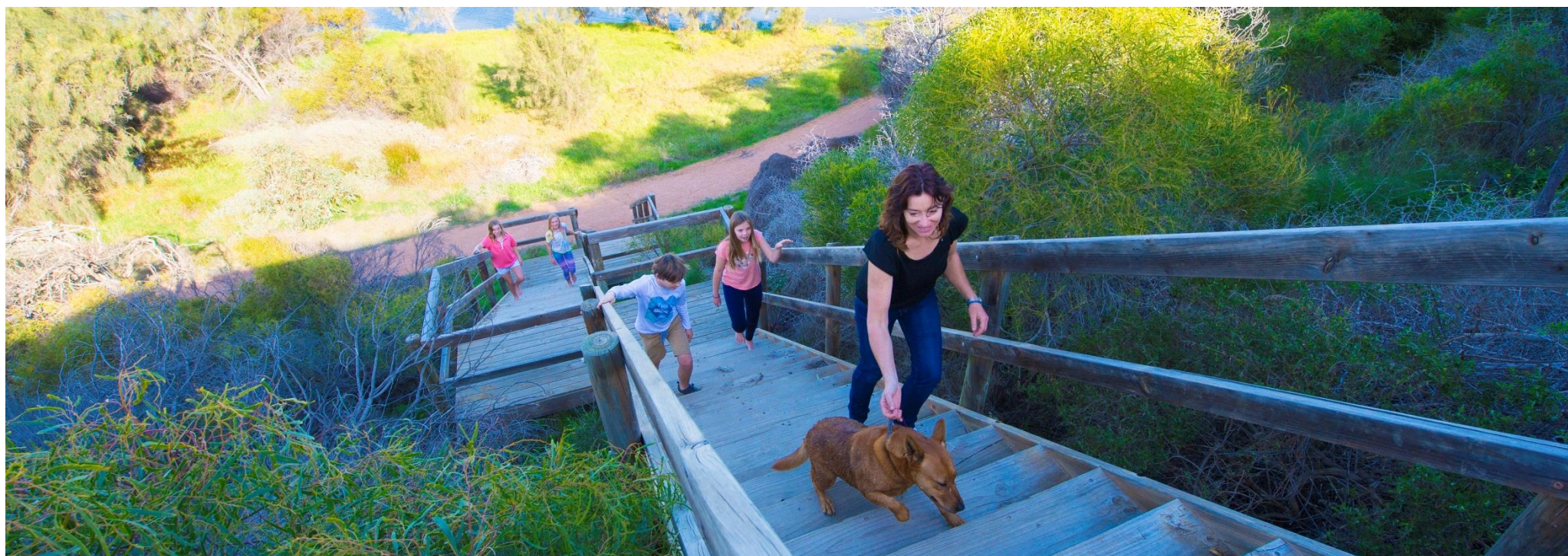
Custodianship of our natural and built environment

No.	Action	Shire Role
13	Manage and maintain the Shire’s recreation areas, sporting grounds and facilities.	Deliver
14	Maintain and further develop local roads, footpath networks and trails, ensuring accessibility and safety.	Deliver
15	Support progression of the Port Denison Foreshore Masterplan to activate the foreshore area promoting visitation and active lifestyles.	Deliver
16	Provide and maintain dog exercise areas and support responsible pet ownership.	Deliver



Leadership Leading the community with engaged and progressive governance

No.	Action	Shire Role
17	Maintain public health inspections and enforcement services to minimise harm from known risks to human health and safety.	Deliver
18	Support a healthy, safe and positive workplace for Shire staff including healthy food options, wellbeing initiatives and flu vaccinations.	Deliver
19	Ensure effective representation from the Shire to advocate and pursue funding opportunities for improved health outcomes for the community.	Advocate
20	Support community-led initiatives through the provision of community leases and implementation of the Community Assistance Scheme (CASE) .	Deliver
21	Coordinate emergency management services including the Shire’s volunteer bushfire brigades and Local Emergency Management Arrangements (LEMA).	Partner
22	Progress actions in the Disability Access and Inclusion Plan (DAIP) .	Deliver





Ordinary Council Meeting

23 June 2026

Item DEV 02-06/26
Attachment 2
Schedule of Submissions

Schedule of Submissions – Shire of Irwin Local Public Health Plan

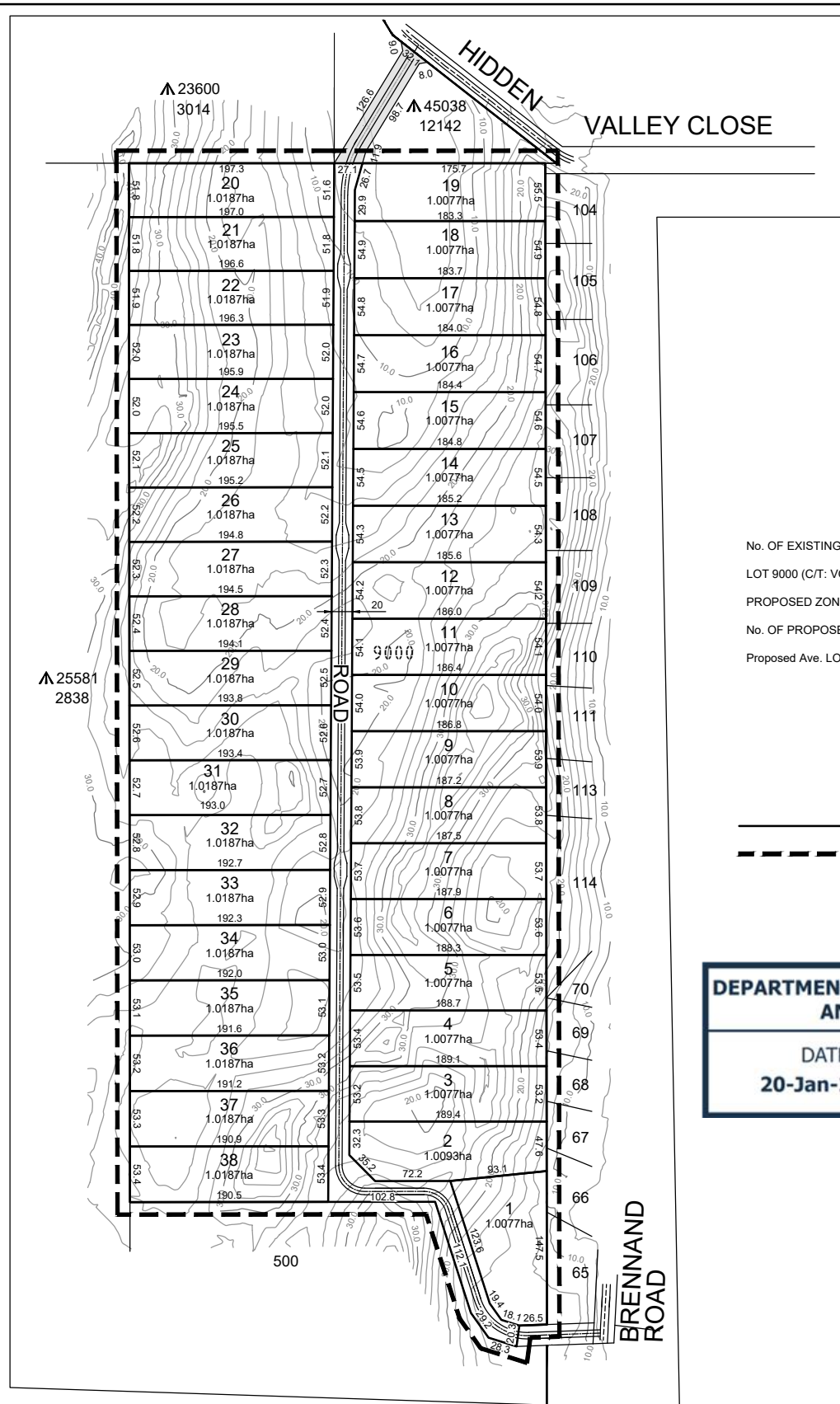
Submission Number	Submitter	Summary of Submission	Comment
1	Member of public	<p>The believe the Action Items listed for Delivery, Partnering or Advocating lack a basic level of prioritisation, budget cost estimates (if any) and targeted timeframes.</p> <p>Without this, it will be very difficult for the Shire to ensure the progress reporting of this plan can be effectively managed, monitored, and updated to ensure the plan is progressively achieved on behalf of the community.</p>	<p>Submission noted, no modification recommended.</p> <p>The action items listed in the ‘Our Action Plan’ are intentionally high-level strategic initiatives designed to provide flexibility in implementation.</p> <p>Detailed prioritisation, budget allocations, and delivery timeframes could potentially limit the Shire, agencies and stakeholders to respond to emerging needs, funding availability and changing priorities. Including excessive prescriptive detail at this stage could reduce adaptability and unnecessarily constrain implementation approaches.</p> <p>There are a number of initiatives and a variety of local programs and services that the Shire is already implementing through current budget allocations. The intention of the Plan is to ensure that the Shire’s resources are used in the most appropriate and efficient way, rather than increase the number of services provided.</p>
		<p>Does Action Item 17 also include the remediation/removal of all the Asbestos Containing Materials (ACM) that currently exist within the community facilities owned or managed by the Shire in accordance with the WA Government Guidelines.</p>	<p>Submission noted, no modification recommended.</p> <p>Action 17 states:</p> <p style="padding-left: 20px;"><i>Maintain public health inspections and enforcement services to minimise harm from known risks to human health and safety.</i></p> <p>The Shire has an Asbestos Management Plan as required under the <i>Work Health and Safety (General) Regulations 2022</i>.</p> <p>This plan has been developed to assist the Shire to comply with legislative requirements in the management of asbestos containing materials (ACM), in Shire owned or controlled buildings and workplaces.</p>



Ordinary Council Meeting

23 June 2026

Item DEV 03-06/26
Attachment 1
Subdivision Plan



No. OF EXISTING LOTS : 1

LOT 9000 (C/T: VOL: 4040 FOL: 4): 41.0503ha

PROPOSED ZONING : RURAL RESIDENTIAL

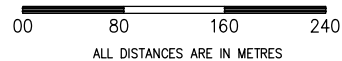
No. OF PROPOSED LOTS : 38

Proposed Ave. LOT SIZE : 1.0132ha

LEGEND

- SUBJECT BOUNDARY
- APPLICATION AREA

DEPARTMENT OF PLANNING, LANDS AND HERITAGE	
DATE	FILE
20-Jan-2026	202782



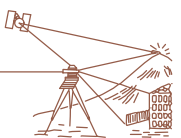
REVISIONS

1	22/12/25	DESIGN ROAD LINEWORK ADDED	BC
0	13/02/24	ORIGINAL ISSUE	DM

DESIGNED BY: BC	01/02/24	AREA FILE: Dongara
DRAWN BY: DM	13/02/24	CONT. INT'VAL: 2 m
CHECKED BY:	2025.12.2	V DATUM: AHD
APPROVED BY:	2024.09.11	H DATUM: JCG94
	+08'00"	FIELD Bk: N/A

HTD
SURVEYORS & PLANNERS
 HILLE, THOMPSON & DELFOS

24 Durlacher Street, GERALDTON W.A.
 PHONE: (08) 9921 3111
 EMAIL: htdsurveys@htds.com.au
 WEBSITE: http://www.htds.com.au



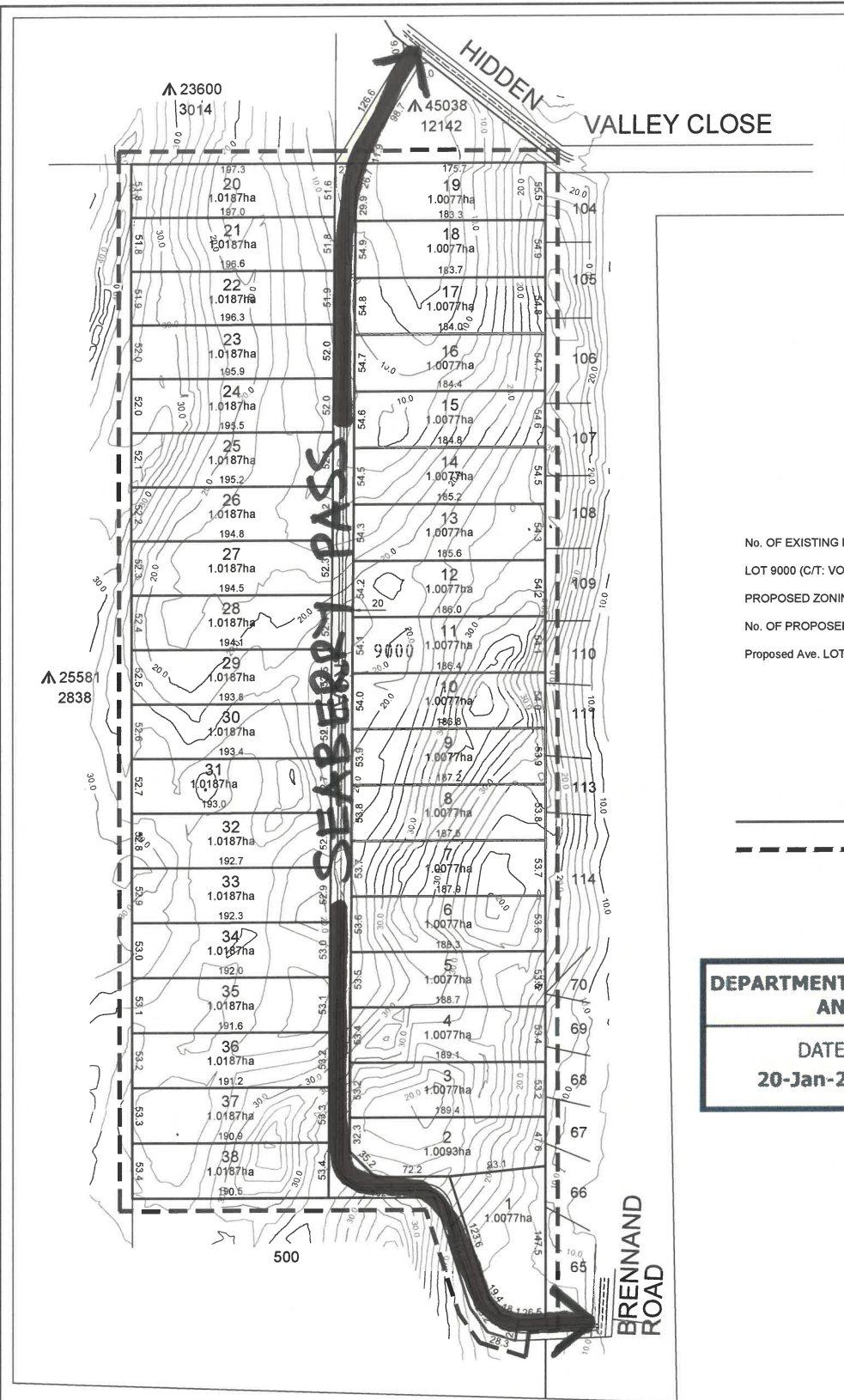
CLIENT: COASTAL DEVELOPMENTS (WA) PTY LTD	
LOT 9000 on DP 425414	
PLAN OF SUBDIVISION	
DONGARA - SHIRE OF IRWIN	
SCALE 1 : 4000 <small>ALL DISTANCES IN METRES</small>	DWG No: 05124PS1-1-1



Ordinary Council Meeting

23 June 2026

Item DEV 03-06/26
Attachment 2
Road naming plan



No. OF EXISTING LOTS : 1
 LOT 9000 (C/T: VOL: 4040 FOL: 4): 41.0503ha
 PROPOSED ZONING : RURAL RESIDENTIAL
 No. OF PROPOSED LOTS : 38
 Proposed Ave. LOT SIZE : 1.0132ha

LEGEND

- SUBJECT BOUNDARY
- - - - APPLICATION AREA

DEPARTMENT OF PLANNING, LANDS AND HERITAGE	
DATE	FILE
20-Jan-2026	202782

PROPOSED ROAD NAMING PLAN

REVISIONS			
1	22/12/25	DESIGN ROAD LINWORK ADDED	BC
0	13/02/24	ORIGINAL ISSUE	DM



DESIGNED BY: BC	01/02/24	AREA FILE: Dongara
DRAWN BY: DM	13/02/24	CONT. INT'VAL: 2 m
CHECKED BY:	2025.12.2	V DATUM: AHD
APPROVED BY:	2025.09.11	H DATUM: JCG94
	+08'00"	FIELD Bk: N/A

HTD
 SURVEYORS & PLANNERS
 HILLE, THOMPSON & DELFOS
 24 Durlacher Street, GERALDTON W.A.
 PHONE: (08) 9921 3111
 EMAIL: ht dsurveys@ht ds.com.au
 WEBSITE: http://www.ht ds.com.au

	CLIENT: COASTAL DEVELOPMENTS (WA) PTY LTD
	LOT 9000 on DP 425414 PLAN OF SUBDIVISION DONGARA - SHIRE OF IRWIN
	SCALE 1 : 4000 ALL DISTANCES IN METRES



Ordinary Council Meeting

23 June 2026

Item CEO 01-06/26

Attachment 1

Draft Privacy and Responsible
Information Sharing Policy

Policy Number	Policy Title
CP50	Privacy and Responsible Information Sharing

OBJECTIVE

The Shire of Irwin is committed to protecting your privacy. This policy outlines how we collect, use, disclose and protect your personal information in accordance with the *Privacy and Responsible Information Sharing Act 2024 (WA)* (PRIS Act).

POLICY

This Policy establishes clear and transparent practices for the collection, use, storage, security, disclosure and disposal of personal information, and sets out the Shire's approach to responsible information sharing and management of information breaches.

POLICY STATEMENT

The Shire of Irwin recognises the importance of protecting personal information and is committed to managing information in a manner that is lawful, transparent, secure and consistent with community expectations and legislative requirements.

In fulfilling its statutory functions and delivering services to the community, the Shire will:

- collect, use and retain only the personal information reasonably necessary to perform its functions, deliver services and meet legislative obligations;
- manage personal information in accordance with the Information Privacy Principles established under the PRIS Act and other applicable legislation;
- use and disclose personal information only for authorised purposes or where otherwise permitted or required by law;
- implement appropriate governance, administrative and security measures to safeguard personal and sensitive information against unauthorised access, use, disclosure, alteration or loss;
- ensure information sharing is undertaken lawfully, responsibly and in the public interest, in accordance with legislative requirements and approved information-sharing arrangements;
- facilitate access to, and correction of, personal information in accordance with the rights and processes established under the PRIS Act and the *Freedom of Information Act 1992*;
- take reasonable steps to ensure that personal information is not disclosed outside Australia unless authorised by law and appropriate safeguards are in place;
- manage the use of website technologies, including cookies, analytics and third-party services, in a transparent manner consistent with applicable privacy obligations; and
- maintain processes for identifying, managing and responding to privacy incidents and eligible data breaches, including notification requirements under the PRIS Act where applicable.

The Shire is committed to fostering a culture of privacy awareness, accountability and responsible information management across the organisation.

SCOPE

This policy applies to all Council members, employees, external partners, contracted service providers, and volunteers who have access to, and are responsible, for the management of information on behalf of the Shire.

ROLES AND RESPONSIBILITIES

Role	Responsibility
Council	<ul style="list-style-type: none"> • Adopt and review this Policy
CEO	<ul style="list-style-type: none"> • Ensure organisational compliance with the PRIS Act • Allocate appropriate resources • Report significant privacy risks or breaches to Council
All Employees, Volunteers and Council Members	<ul style="list-style-type: none"> • Comply with this Policy and the IPPs • Report suspected breaches immediately • Use approved channels for information sharing

Privacy (Governance) Officer	<ul style="list-style-type: none"> • Monitor privacy governance and complaints • Coordinate breach responses • Liaise with the Office of the Information Commissioner (WA) • Support staff in privacy matters
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Note: The CEO may designate these roles within existing positions.

WHAT THE SHIRE COLLECTS

The Shire of Irwin collects personal information where it is reasonably necessary to perform its statutory functions, deliver services, administer programs and facilities, undertake regulatory activities, and meet legislative obligations.

Personal information may be collected directly from an individual through a range of interactions with the Shire, including applications, forms, correspondence, telephone enquiries, online transactions, service requests, registrations, consultations, feedback processes and participation in community programs or events.

The types of personal information collected may include an individual's name, contact details, property information, service request details, application information and, where relevant to a particular service, program or legislative requirement, date of birth or limited health information.

The collection of personal information may be authorised or required under various legislative instruments, including but not limited to the *Local Government Act 1995*, *Dog Act 1976*, *Cat Act 2011*, and other applicable State and Commonwealth legislation.

HOW WE COLLECT INFORMATION ONLINE

Collection of information through online services: The Shire of Irwin may collect limited information through its websites, online services and digital communication channels to support service delivery, website functionality and community engagement.

Website Usage and Analytics: The Shire's websites may use cookies, analytics tools and similar technologies to monitor website performance and improve online services. Information collected may include IP addresses, browser information and website usage data.

Third-Party Services: The Shire may utilise third-party providers to deliver online services. Information collected through these services may be subject to the privacy policies and terms of the relevant provider.

Social Media: The Shire uses social media platforms to communicate and engage with the community. Information shared through these platforms may also be subject to the privacy policies and terms of the relevant platform.

USE, DISCLOSURE AND INFORMATION SHARING

The Shire of Irwin collects, uses and discloses personal information to deliver services, administer programs and facilities, manage community assets, process rates and fees, respond to enquiries and requests, undertake planning and service improvement activities, and fulfil its statutory and regulatory obligations.

Personal information will only be used or disclosed for the purpose for which it was collected, a directly related purpose, or as otherwise authorised or required by law, in accordance with the Information Privacy Principles detailed in this Policy.

The Shire may share or disclose information where authorised or required by law and subject to appropriate privacy, security and governance safeguards.

The PRIS Act establishes a framework that enables State and Local Government agencies to share information, including personal information, for approved public interest purposes. Where information sharing is undertaken, the Shire may implement appropriate controls, including information-sharing agreements, data-sharing arrangements or other governance mechanisms to support the secure and responsible handling of information.

The Shire does not ordinarily disclose personal information outside Australia unless authorised by law and appropriate safeguards are in place.

Information is retained only for as long as needed to fulfil the purpose the Shire collected it for and to meet legal, regulatory, and recordkeeping requirements, after which it is securely destroyed or archived.

INFORMATION PRIVACY PRINCIPLES (IPPs)

Under the PRIS Act, the Shire is required to comply with 11 'Information Privacy Principles'. These principles establish the framework for the lawful collection, use, storage, security, disclosure and management of personal information.

- **IPP 1 – Collection:** The Shire collects personal information only where it is necessary for its functions, activities, services or legal obligations.
- **IPP 2 – Use and Disclosure:** The Shire uses and discloses personal information only for the purpose for which it was collected, a directly related purpose, or where otherwise authorised or required by law.
- **IPP 3 – Information Quality:** The Shire takes reasonable steps to ensure that personal information collected, used or disclosed is accurate, complete and up to date.
- **IPP 4 – Information Security:** The Shire takes reasonable steps to protect personal information from misuse, loss, unauthorised access, modification or disclosure.
- **IPP 5 – Openness and Transparency:** The Shire maintains a publicly available privacy policy that explains how personal information is managed.
- **IPP 6 – Access and Correction:** From 1 July 2026, individuals may request access to, and correction of, personal information held by the Shire. The Shire will manage requests in accordance with the PRIS Act. Individuals may also seek access to documents under the *Freedom of Information Act 1992 (WA)*.
- **IPP 7 – Unique Identifiers:** The Shire assigns unique identifiers only where necessary for its functions or activities.
- **IPP 8 – Anonymity:** Where lawful and practicable, the Shire will provide individuals with the option of interacting anonymously or by using a pseudonym.
- **IPP 9 – Disclosure Outside Australia:** The Shire does not ordinarily disclose personal information outside Australia unless authorised by law and appropriate safeguards are in place.
- **IPP 10 – Automated Decision-Making:** The Shire does not ordinarily make significant decisions about individuals using automated systems or artificial intelligence. Where such tools are considered in future, appropriate assessment, transparency and governance measures will be applied.
- **IPP 11 – De-identified Information:** Where the Shire holds, uses or shares de-identified information, reasonable steps will be taken to reduce the risk of re-identification.

ACCESS TO AND CORRECTION OF PERSONAL INFORMATION

From 1 July 2026, individuals will have the right to request access to personal information held by the Shire and to request the correction of personal information that is inaccurate, out-of-date, incomplete, misleading or irrelevant.

The Shire will manage access and correction requests in accordance with the requirements of the PRIS Act including Part 2, Division 4 and Information Privacy Principle 6.

The *Freedom of Information Act 1992 (WA)* will continue to operate alongside the PRIS Act, and individuals may continue to apply for access to documents under that legislation where appropriate.

PRIVACY COMPLAINTS AND INFORMATION BREACHES

Individuals who have concerns regarding the collection, use, disclosure or management of personal information by the Shire are encouraged to raise those concerns with the Shire's Privacy (Governance)

FURTHER INFORMATION

Questions regarding this Policy, the Shire's privacy obligations, the management of personal information, or the exercise of privacy rights may be directed to the Shire of Irwin using the contact details below:

Shire of Irwin

Address: 11-13 Waldeck Street, Dongara WA 6525

Telephone: 08 9927 0000

Email: reception@irwin.wa.gov.au

Website: www.irwin.wa.gov.au

The Shire's Privacy (Governance) Officer can provide information regarding privacy complaints, access and correction requests, information-sharing practices, and the Shire's obligations under the PRIS Act.

Where a complainant is dissatisfied with the outcome of the Shire's response, a complaint may be referred to the Western Australian Information Commissioner in accordance with the PRIS Act.

From 1 January 2027, the Shire will be required to comply with the mandatory reporting obligations for eligible information breaches under the PRIS Act, including notification to the Information Commissioner and affected individuals where required by law.

REVIEW and MONITORING

This Policy will be reviewed every three years, or earlier if:

- Legislative changes occur;
- Governance requirements change; OR
- Significant privacy reforms or directions are issued.

Compliance monitoring will be undertaken by the Chief Executive Officer, with significant privacy risks or incidents reported to the Audit, Risk and Improvement Committee and Council as appropriate.

Date of Adoption:		Adoption Ref:	
Date of Review:		Review frequency:	Every 3 years
Responsible Directorate:	Office of the CEO		
Legislation:	<i>Privacy and Responsible Information Sharing Act 2024 (WA)</i> <i>Freedom of Information Act 1992 (WA)</i> <i>Local Government Act 1995 (WA)</i>		
Related Management Policy and/or Procedure:	CP24 – Record Keeping CP48 – Recording of Council Meetings Freedom of Information Statement		



Ordinary Council Meeting

23 June 2026

Item CEO 01-06/26

Attachment 2

Privacy and Responsible Information
Sharing: Discussion Paper



Privacy and Responsible Information Sharing

for the Western Australian public sector

A proposal



Let's start the conversation

Messages from the Ministers



I believe that the organisation people should be able to trust the most is the Government that serves them.

Privacy is a universal human right. Western Australians should be able to say that their State Government values and respects their privacy as much as they do.

Introducing clear and strong privacy protections for individuals is more important today than ever. The pervasiveness of the internet means that once personal information is released into the public sphere, it can be very hard to control the use of that information.

Our Government has committed to pursuing this legislation because we recognise the community expects the law to enshrine its values and protect them.

I encourage the WA community to engage with this important and long-needed reform.

Hon. John Quigley MLA

Attorney General; Minister for Commerce



In an increasingly data-driven world, there are incredible opportunities for government to use data to deliver more effective, more efficient, and more seamless services.

Better use of data has the power to improve many things we do, whether it is something as simple as renewing a licence, as complex as improving research into children's health, or as important as reducing cases of family domestic violence.

With this opportunity comes significant responsibility, and the use of data by Government needs a solid foundation of data protection and privacy measures to ensure both public good and public confidence.

I welcome your feedback on how a responsible approach to privacy and information sharing can deliver a smarter, more efficient WA.

Hon. Dave Kelly MLA

Minister for Water; Fisheries; Forestry;
Innovation and ICT; Science



Why do we need to act?

Did you know that Western Australia is one of only two jurisdictions in Australia without overarching privacy legislation?

While there is some legislation that regulates the use of confidential information and offers some privacy protections to individuals in particular circumstances, these operate in an ad hoc and sometimes inconsistent way.

Given the vast amount of information and data the WA Government holds, it's critical that this be addressed as soon as practical.

You have a right to know that your privacy will be protected. You need to be assured that any information held by the WA public sector about you, your family, or your business, will be handled responsibly and securely.

If you feel your privacy has been breached, there should be somewhere in Government that has the right skills and tools to make sure that your

complaint is resolved. Government should be diligent and transparent in managing your privacy, and held to account when things go wrong.

Cutting the red tape that unnecessarily locks information up is key to making sure you have access to the best possible Government services. We recognise you should only have to tell us once when you move house, or a loved one passes away. And if you want to get those services online, you should be able to.

In our increasingly complex world, this Government recognises it must do things differently if it is to address our most wicked problems. We can't improve Aboriginal wellbeing, homelessness or youth suicide by doing what we've always done.

Sharing information between agencies is fundamental to unlocking new insights and making sure Government can work as one to address society's most pressing needs.



We consider that State privacy legislation is essential to support and enable current and future health and social research in WA, and to improve outcomes for Western Australian citizens.

Malcolm McCusker AO QC

Chair of the Governing Board, Western Australian Health Translation Network



Previous consultation on data sharing

There have already been several recent reviews and inquiries that have considered, reported and made recommendations related to information sharing within government. The submissions made to the 2016 Data Linkage Review and relevant submissions made to the 2017 Service Priority Review and the current Commonwealth Government consultation on a proposed Data Sharing and Release Bill have been reviewed.

There is broad consensus that responsibly unlocking the value of information held by government has the potential to improve decision making and the way government operates, ultimately resulting in better services and outcomes for individuals, the community and businesses.

General support for:



Information being shared between government agencies to support service delivery



Sharing of data for research when in the public's interest



A principles approach to sharing data such as the 'Five-Safes' model



Transparency around how data is collected, used, stored and managed by government

Highlighted the need to have:



Rigorous privacy protections



Clear guidelines to inform how information is shared



Mechanisms to share information with authorised third parties



Appropriate repercussions/redress for data misuse



Appropriate systems and capabilities across the Government to unlock the true benefits of data sharing

Concerned about:



Enabling third parties to use information which is not in the public's interest



Sharing information to enforce compliance



Undermining existing provisions, such as national security



How can we better protect privacy?

At first glance, privacy and data sharing might appear to have competing aims – one is restricting the flow of information and the other is facilitating it.

But the WA Government sees these two important considerations as complementary. We should not be considering expanding the sharing of data without first making sure we have the right privacy framework to safeguard citizens' personal information.

The WA Government is proposing to introduce a whole-of-government framework to govern the way the public sector manages the information it holds.

This will create uniform rules across the WA Public Sector that will require agencies to consider your

privacy whenever they collect, use or share your information.

At an agency level, the WA public sector has processes to protect personal and sensitive information. There are also avenues to penalise public servants who have misused information. However, the laws that currently regulate privacy and the disclosure of personal information are complex and inconsistent across Government, and there is no specific body to oversee privacy in the WA public sector.

The Government has looked at privacy protections elsewhere in Australia and overseas, and sees many benefits in learning from their experience in these areas and aligning proposed privacy and data sharing legislation with other jurisdictions where practical and appropriate.



I welcome the development of WA data sharing legislation to provide a strong framework to ensure that data is used for public good whilst protecting individual privacy.

As a child health researcher, the use of data to answer important questions about issues that affect children and their families is integral for the prevention and treatment of illness and adverse outcomes. Data collected by government agencies is an important resource which needs to be used by government and researchers to ensure policy, programs and interventions are achieving the best outcomes for Western Australians.

Professor Fiona Stanley AC
Patron, Telethon Kids Institute



Overarching framework

Proposed model:

- A strong framework to protect privacy of personal information
- Whole-of-government standards for the responsible collection, management and use of personal information
- A comprehensive and consistent framework to govern the responsible sharing of information within Government and with authorised third parties
- Provisions to enable the use of information to deliver better services and outcomes
- Mechanisms to ensure accountability and public confidence through independent oversight and clear pathways for resolving complaints

Approach:

- Privacy elements will relate to protecting personal information within the WA public sector, while other provisions will relate to sharing a range of information.
- Will apply to the WA public sector and include sharing provisions for authorised third parties such as universities, other Governments and non-government organisations that are delivering services on behalf of government.

The framework will facilitate information sharing for:

Evidence-based decision making

Inform the design, implementation and evaluation of policy, programs and services.

Service delivery

Enable a citizen-centred approach to effective service delivery and efficiency in government operations.

Research and Development

Support broader independent research insights and outcomes.

The legislation will be based on a foundation of privacy principles, transparency and independent oversight.

- Privacy principles which place obligations on the public sector, and give protections to those whose information is held by the WA public sector.
- An independent body which is able to receive and resolve privacy complaints from the public
- Transparency around the appropriate purposes and circumstances for sharing information

For more information about the Australian Privacy Principles, which are a guiding framework for WA's proposed privacy model, please see the Office of the Australian Information Commissioner's website at:

<https://www.oaic.gov.au/privacy-law/privacy-act/>

New privacy protections for the personal information held by the WA public sector, supported by clear rules for responsible information sharing, will help protect people's privacy while unlocking the value of data to deliver better services and outcomes for the community.

Western Australia remains the only Australian jurisdiction without privacy and/or data sharing legislation.

The absence of comprehensive privacy and information sharing frameworks in Western Australia means personal information is protected by a patchwork of rules, and public sector agencies must operate within a complex, inefficient system in order to lawfully and responsibly manage and share the information they hold.

This has resulted in:

- fragmented and unclear protections for those whose information is held by the WA public sector, with no specific avenue by which privacy complaints can be resolved;
- reduced public trust and confidence in how data is stored, used and shared;
- an inconsistent and generally risk adverse approach to information sharing between agencies; and
- reduced collaboration and evidence based decision making.

A range of reviews, inquiries and inquests, as well as broader stakeholder feedback, highlight the pressing need for action.

Delivering better outcomes for Western Australia

Stronger protections for privacy



- Ensures non-negotiable standards for the collection, management, use and disclosure of personal information.
- Gives clarity for the circumstances in which personal information can or can not be shared.

Improved accountability and transparency



- Provides for independent oversight and a mechanism where public complaints can be addressed.
- Ensures accountability within the WA public sector for the handling of personal information.
- New governance and reporting arrangements for data sharing to improve accountability and transparency.

Better services and outcomes for the community

Enabling the WA public sector to responsibly share information will:



- Make it easier and more convenient to interact with government. This also means that services can be better tailored or designed to meet your needs.
- Enable better decisions and planning for the future about the services that it provides, like where to prioritise transport, health and education investments.
- Enable new insights into how best to tackle complex economic, environmental and social issues creating a safer and fairer society for all.

What's wrong with the status quo?

The absence of overarching privacy legislation in WA has contributed to difficulties in sharing information with other States and the Australian Government.

This means that we sometimes miss opportunities that would be beneficial to Western Australians. Our health researchers are not able to get access to all the information they need, and sometimes WA government agencies miss out on opportunities to properly find out whether taxpayer dollars are delivering the best possible outcomes.

WA Government is a large and complex organisation working across the biggest State in Australia. The lack of information sharing means that sometimes we don't get the best outcomes, despite the hard work of frontline services.

It is in the community's interests that the WA Government breaks down these barriers and encourages responsible information sharing that will result in better outcomes in key areas such as health, safety, education and planning.

*Greater availability and use of public sector data has the potential to bring significant benefits to the community, such as improved government policy and service delivery, more transparency, and improved accountability.*¹



For example, in 2019 the Auditor General reported on improving Aboriginal Children's Ear Health. Otitis Media is a treatable ear disease that can cause permanent hearing damage. The Auditor General noted that

“the many entities, organisations and medical practices involved in identifying, diagnosing and treating Otitis Media in Aboriginal children across WA collect their own specific data. However due to privacy concerns, they do not share patient information, even at a de-identified and aggregated level... Because the data is not shared, no one knows how bad the situation is for Aboriginal children at a whole of state level at any specific point in time, and there is no baseline to measure performance.”²

A whole-of-government framework to govern the way the public sector manages the information it holds will provide greater protection because it will ensure consistent and clear rules and responsibilities when information including personal information is collected, stored, managed and used.

¹ Submission to: New Australian Government Data Sharing and Release Legislation 2018

² Office of the Auditor General. 2019. Improving Aboriginal Children's Ear Health

What are the benefits for me?

We live in a society that is constantly changing. We expect our services to be more accessible and able to meet our needs quickly and efficiently.

How many times have you been asked for the same information from different government agencies?

Wouldn't it make life easier if:

- Instead of having to have a range of different licences, such as your Driver's Licence, a Fishing Licence, a Plumbers Licence, and so on, you could just have one that gets updated automatically when you tell Government you've changed address?
- When a loved one passes away, you only need to tell WA Government once, instead of having to tell many different agencies?
- You got married and changed your name, and you only needed to tell the WA Government once?
- You could get all your WA Government services online through a single portal, instead of having to go into different government department offices?

ServiceWA, a WA Government initiative aimed at making life easier for West Australians, is being trialled in Bunbury. It will enable Western Australians access to 85 everyday services — either

face-to-face or via an online portal — from five WA government agencies.

This initiative is just the beginning. Introducing this legislation could address any legal barriers to realising the full potential of this service to reduce unnecessary interactions with Government and enable better services for you.

This is particularly important when you are dealing with multiple agencies in times of stress, such as supporting a loved one with mental illness, seeking help with disability services, or navigating the police and justice systems.

Making use of the rich, but currently fragmented information that Government holds would allow us to identify issues early and prevent issues that might affect you or your family.

In South Australia, the [Energy4Life](#) initiative matches South Australian suburbs undergoing long power outages with residents with electricity-dependent medical issues. For example, a person on a dialysis machine could be at risk without access to power for such a long period. Energy4Life prompts SA Health to login for more information on an outage and provide Red Cross with details of people at risk.³

Sharing data is important to businesses, too. The Victorian Government "[My Victoria](#)" portal is a free, easy to use business insights tool that aims to help small business identify gaps in the market and grow their businesses.⁴ The NSW Government [Easy to Do Business initiative](#) helps people get their businesses off the ground. It has condensed 48 forms and 75 regulations into one single digital form and allows access to 13 government agencies through a single digital solution.⁵

³ Government of South Australia. Department of the Premier and Cabinet. Energy4Life. Available from: <https://www.dpc.sa.gov.au/responsibilities/data-sharing/current-projects/energy4life>

⁴ Government of Victoria. Open data. Available from: <https://myvictoria.vic.gov.au/>

⁵ NSW Government. Improving government services. Available from: <https://www.nsw.gov.au/improving-nsw/premiers-priorities-2015-2019/improving-government-services/>

How does sharing information help society?

The biggest problems facing our community are complex and do not have a simple solution — for example, improving the health and wellbeing of children, or reducing illicit drug use.

When Government agencies work together to tackle complex issues, rather than in silos, everyone benefits.

The biggest impact that can be made by Government is often in the areas where the problems are the most difficult. When information is shared between public sector agencies, it can help deliver practical insights into how we can better deal with our seemingly intractable issues. It can also support a more effective public service by identifying those who would benefit most from services and support.

In South Australia, the [Vulnerable Children Project](#) facilitates information sharing between agencies to provide frontline workers and strategic decision makers with a fuller picture of South Australia's vulnerable children and their families. This provides a near real-time dashboard to the Department for Child Protection's Child Abuse Report Line to inform decision making at strategic and operational levels. The dashboard features integrated, securely shared data from across government.

Here in WA, the Index of Biodiversity Surveys for Assessment has centralised biodiversity data collected each year. This information helps build a better picture of WA's flora and fauna, supports environmental assessments and improves strategic planning and management.

Data linkage has also helped the Government to develop strategies that ensures better care for our most vulnerable citizens. This has significant socio-economic benefits, identifying children at risk and allowing earlier intervention.

The WA Data Linkage System, which confidentially and securely links data while protecting individual



privacy, has been used in more than 800 projects in universities, government and hospital settings and often involved collaboration with diverse research groups. The use of these integrated data sets has helped inform policy, innovation and research and, importantly, there has not been a single breach of private information since its inception in 1995.

By sharing information and integrating data sets, researchers and policy makers gain new insights into difficult issues and are better able to develop solutions.

Through better access to data and the capacity to engage in data linkage, the State Government can open up the possibility for services to better measure outcomes and demonstrate return on investment, and to better understand risk factors and target at risk cohorts to enable earlier intervention strategies.⁷



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⁶ Government of South Australia. Department of the Premier and Cabinet. Vulnerable Children Project. Available from: <https://www.dpc.sa.gov.au/responsibilities/data-sharing/current-projects/vulnerable-children-project>

⁷ Submission to: Data Linkage Expert Advisory Group, A review of Western Australia's data linkage capabilities 2016

What sort of information can be shared?

The WA Government collects and holds a lot of information. Some is not sensitive, such as information about the environment we live in. Other information is highly sensitive, such as details about an individual's health and financial circumstances.

It is proposed that sensitive information held by the WA public sector be kept confidential unless there are overriding and very important reasons to disclose or share that information.

Sometimes it is necessary to share personal information to ensure community safety. As an example, the WA Government introduced 'No Jab, No Play' laws to allow the Department of Health to protect under-vaccinated children at school during disease outbreaks. In order to achieve this, schools must be able to share the information they hold about children's vaccinations with the Department of Health.

This means the Department of Health can identify children whose vaccines are not up-to-date, so

they can be made to stay safely at home if there is a disease outbreak at their school.

However, in other examples, such as in health researchers exploring links between mental health and the justice system, or Government making informed decisions about where to build new schools, only aggregated, de-identified data is necessary.

In order to provide clarity and to reassure the community, the WA Government is considering which activities it should permit within the proposed legislation, and provide guidance to agencies on approved purposes for sharing information. These might include, for example, activities to ensure better delivery of government services, such as reducing requests for the same information; to protect an individual; or to reduce a threat to health or safety.

There will be scope to exclude particularly sensitive kinds of information from the legislation. These might include, for example, information that relates to criminal investigations or proceedings, or is subject to active police operations.



Data is a rapidly emerging resource that has been described as the new gold. Western Australia's capacity to harness its data and information assets is key to the State's capacity to prosper in the digital era and solve complex societal challenges. This includes building on Western Australia's exceptional data linkage capabilities which have been utilised for decades to solve numerous health challenges. I am pleased to support the development of Western Australian legislation that will facilitate sharing of data whilst protecting privacy.

Professor Peter Klinken AC
Chief Scientist of Western Australia



The Western Australia Aboriginal Health Ethics Committee (AHEC) supports the government's intention to introduce privacy and responsible information sharing legislation and engage with Aboriginal people to look at opportunities to address related issues of concern to them. The Committee encourages Aboriginal people and organisations to engage with this decision making process to ensure the collection, use, disclosure and sharing of data within Government, with authorised third parties and with Aboriginal people themselves, benefits Aboriginal people and their communities.

The Committee was established in 1996 and ensures research decision making processes respect Aboriginal and Torres Strait Islander Peoples and communities, to recognise and understand their rights and responsibilities in being involved in all aspects of research and better understanding the steps involved in making research ethical.



Who would get access to public sector information?

The Government will need to provide clear rules for what information can and can't be shared, who with, and for what purposes.

With changes in technology people are more aware of and concerned about who has access to their data and what it is used for. It proposes only to share information within Government and with authorised third parties so better decisions can be made about the types of services provided and how best to implement them. The Government wants to better tailor services to meet the needs of individuals, families and communities and to gain better insights into the solutions needed to fix complex social problems.

Where appropriate and beneficial, information would be shared within and between public sector agencies, or with authorised third parties. These could include other Australian governments, or non-government organisations providing services to the community on behalf of the Government.

The WA Government also has important relationships with external stakeholders, such as research groups. For example, sharing data could help support better research into child health.



Before a public sector agency could share information, it would be required to ensure the third party is compliant with WA's standards of data sharing, can ensure confidentiality and can deliver on the purposes for which the information is being shared.

Government will be transparent about how information sharing decisions are made, and who information is shared with.

How will the Government ensure that information is shared safely?

The proposed legislation will require public sector agencies to consider privacy in everything they do when collecting or using personal information. Agencies will be legally obliged to ensure the privacy of citizens is a primary consideration.

A structured, risk-based decision-making process will be provided to enable agencies to assess whether information should be shared or not.

It is proposed that this process be built upon the data sharing principles that underpin the Australian Government’s proposed [Data Sharing and Release legislation](#).

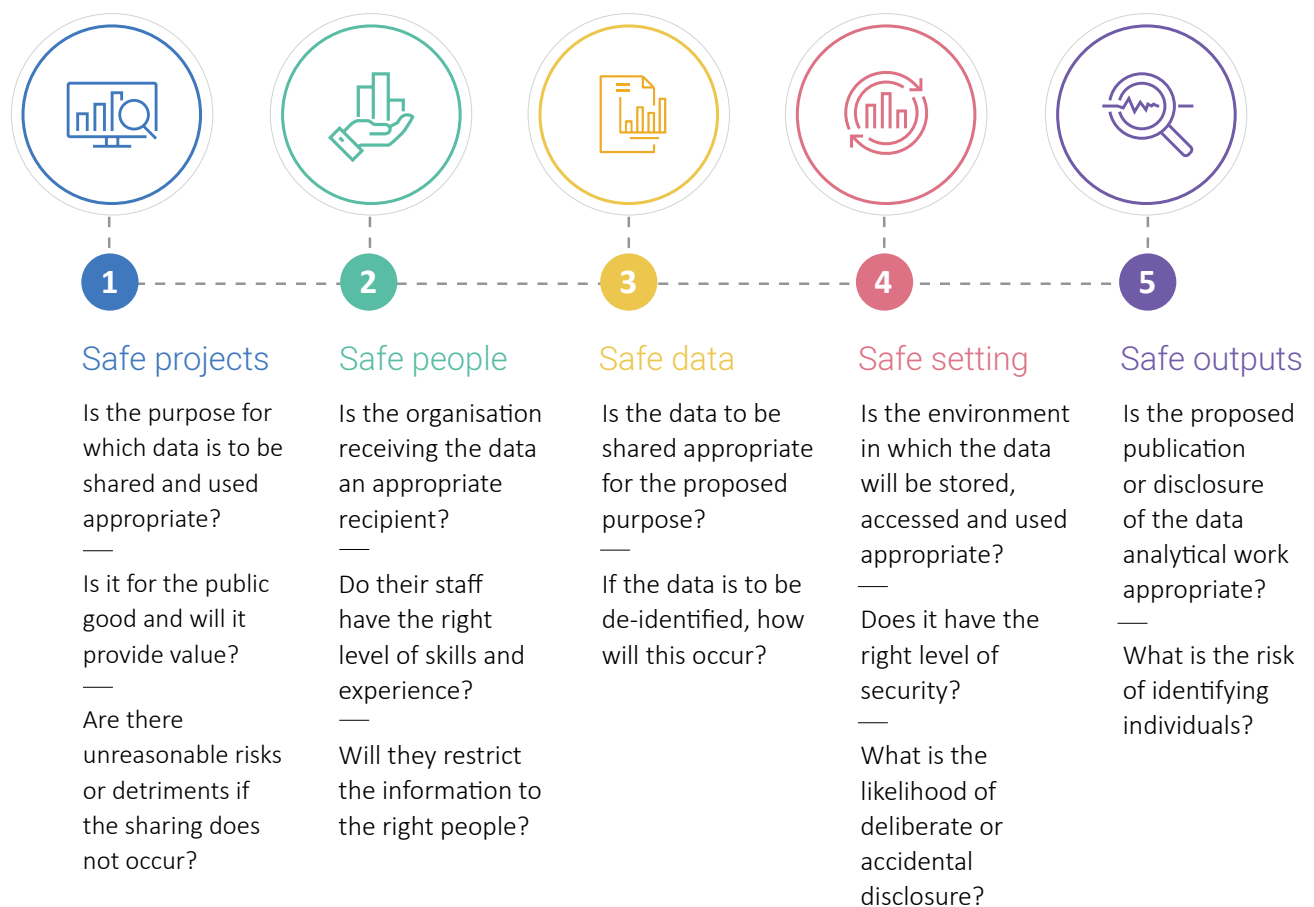
The set of five principle-based criteria — Safe

Projects, Safe People, Safe Data, Safe Settings, and Safe Outputs — must be applied and satisfied before an agency can share information with another party.

In making a decision whether to share personal or sensitive information, government organisations will need to be supported to understand potential risks and make informed decisions about whether or not to share information.

The WA Government is also investing heavily in improving public sector cyber security, and will work to build the public sector’s ability to ensure the safety of information.

Five principle-based criteria ⁸



⁸ Adapted from: <https://dpc.sa.gov.au/responsibilities/data-sharing/information-sharing-in-south-australia/sharing-public-sector-data#trusted-access-principles>



In my role as a community health nurse, information sharing is essential to ensure the safety and wellbeing of children together with my own safety in the workplace. More timely and joined up information sharing would assist me to better assess and manage a family's risk with the aim of keeping children, families and community nursing teams safe and well.

As a community nurse this should include information about the child, situations involving family violence, substance misuse or any circumstance which pose a risk to families and/or staff. Whilst we have clear policy which support the safety of nursing teams, children and their families, improved information sharing will be of great benefit in ensuring we all work together to support families and their care providers.

Barbara Colborne

Clinical Nurse, Child and Adolescent Community Health



Who will ensure accountability and transparency?

A key consideration of the consultation process will be determining the appropriate standards for privacy.

The Government is considering the appointment of a WA Privacy Commissioner to support accountability for the public sector in meeting these standards.

It is envisaged a commissioner could facilitate transparency and ensure compliance, be responsible

for promoting privacy within the public sector and ensure privacy principles are upheld.

WA Government is also considering that a Chief Data Officer could be appointed to support the WA public sector in using, sharing, linking and analysing information. The Chief Data Officer would establish and monitor standards for information sharing and advocate for best practice in the use and management of data in the public sector.

What happens if my privacy is breached?

At the moment, if you believe a public sector agency has breached your privacy, there is no specific pathway for complaints to be made and resolved.

It is proposed that a Privacy Commissioner could be responsible for receiving complaints and ensuring

they are resolved appropriately. The handling of privacy breaches in other jurisdictions will be considered in considering the commissioner's responsibilities.



How do I share my feedback?

The Government recognises that privacy is of the utmost important to Western Australians and acknowledges the need to consult thoroughly to ensure any legislation protects the integrity of information while enabling it to be shared in an efficient and safe manner where it is deemed advantageous.

We encourage you to take the time to read the discussion paper in full and share your feedback, either in writing or via our website:

WA.gov.au/privacyproject



Email: privacy@dpc.wa.gov.au

Public Sector Reform Unit

Department of the Premier and Cabinet

Locked Bag 3001

West Perth WA 6872

All feedback must be received by Friday
1st November 2019.



Acknowledgement of Country

The Government of Western Australia acknowledges the traditional custodians throughout Western Australia and their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal communities and their cultures; and to Elders both past and present.



Ordinary Council Meeting

23 June 2026

Item CEO 01-06/26
Attachment 3
Information Privacy Issues



Office of the
**Information
Commissioner**
Western Australia

Information Privacy Principles

Reproduced from the PRIS Act

Information Privacy Principles

The Privacy and Responsible Information Sharing Act 2024 (WA) (PRIS Act), outlines 11 Information Privacy Principles (IPPs) in Schedule 1 to the PRIS Act. These are reproduced in this document.

The official version is found in the Schedule. The IPPs cover collection, use, disclosure, quality, security, openness and transparency, access and correction, unique identifiers, anonymity, disclosures outside Australia and automated decision-making in the context of personal information. They also regulate de-identified information in relation to security and disclosures outside of Australia.

The IPPs have not yet commenced. **The Government has stated that they will commence on 1 July 2026.**

Contents

Principle 1: Collection	2
Principle 2: Use and disclosure	4
Principle 3: Information quality	5
Principle 4: Information security	6
Principle 5: Openness and transparency	6
Principle 6: Access and correction	6
Principle 7: Unique identifiers	7
Principle 8: Anonymity	8
Principle 9: Disclosures outside Australia	8
Principle 10: Automated decision-making	9
Principle 11: De-identified information	10

Principle 1: Collection

1.1 An IPP entity must not collect personal information (other than sensitive personal information) unless the information is necessary for 1 or more of the IPP entity's functions or activities.

1.2 An IPP entity must not collect sensitive personal information that relates to an individual unless the information is necessary for 1 or more of the IPP entity's functions or activities and —

- (a) the individual consents to the collection of the information; or
- (b) the collection of the information is required or authorised by or under law; or
- (c) both of the following apply —
 - (i) the collection of the information is necessary to prevent or lessen a serious threat to the life, health, safety or welfare of any individual, or a threat to the life, health, safety or welfare of any individual due to family violence;
 - (ii) the individual to whom the information relates is incapable under section 154(4) of giving consent to the collection;

or

- (d) the collection of the information is necessary for the establishment, exercise or defence of a legal or equitable claim; or
- (e) the collection of the information is permitted under subclause 1.3.

1.3 For the purposes of subclause 1.2(e), collecting sensitive personal information is permitted if —

- (a) the collection —
 - (i) is necessary for research, or the compilation or analysis of statistics, relevant to government funded-funded targeted welfare or educational services; or
 - (ii) is of information relating to an individual's racial or ethnic origin and is collected for the purpose of providing government funded-funded targeted welfare or educational services;

and

- (b) there is no reasonably practicable alternative to collecting the information for that purpose; and
- (c) it is impracticable for the IPP entity to seek the individual's consent to the collection.

1.4 An IPP entity must not collect personal information that relates to an individual unless the collection is fair and reasonable in the circumstances, taking into account the following matters —

- (a) whether the individual would reasonably expect the information to be collected in the circumstances;
- (b) the kind of personal information collected, including whether any of that information is sensitive personal information;
- (c) the amount of personal information collected;
- (d) whether the collection of the information is necessary for 1 or more of the IPP entity's functions or activities;
- (e) whether there is a risk of loss, harm or other detriment to any individual as a result of the collection of the information;
- (f) whether the collection of the information for 1 or more of the IPP entity's functions or activities is, on balance, in the public interest;

- (g) in the case of personal information that relates to a child — whether the collection of the information is in the best interests of the child;
 - (h) the objects of this Act.
- 1.5 Subclause 1.4 does not apply to the collection of personal information if —
- (a) the collection is required or authorised by or under law; or
 - (b) the IPP entity reasonably believes that the collection is necessary to prevent or lessen —
 - (i) a serious threat to the life, health, safety or welfare of any individual; or
 - (ii) a threat to the life, health, safety or welfare of any individual due to family violence;
- or
- (c) the collection is necessary for the establishment, exercise or defence of a legal or equitable claim.
- 1.6 An IPP entity must not collect personal information in an unreasonably intrusive way.
- 1.7 Before collecting personal information, an IPP entity must make a written record of the purposes for which the information will be collected and used or disclosed.
- 1.8 An IPP entity must collect personal information that relates to an individual only from the individual unless —
- (a) the individual consents to the collection of the information from someone other than the individual; or
 - (b) the collection of the information is required or authorised by or under law; or
 - (c) it is unreasonable or impracticable to do so.
- 1.9 At or before the time (or, if that is not practicable, as soon as practicable after) an IPP entity collects personal information that relates to an individual from the individual, it must take such steps (if any) as are reasonable in the circumstances to ensure that the individual is given, or made aware of, the following information —
- (a) the identity of the IPP entity and how to contact it;
 - (b) how the individual may access the information (if applicable);
 - (c) the purposes for which the information is collected and will be used or disclosed;
 - (d) whether the IPP entity usually discloses information of that kind and, if so, the persons or bodies or kinds of persons or bodies to which the information is usually disclosed;
 - (e) any law that requires the particular information to be collected;
 - (f) the main consequences (if any) for the individual if all or part of the information is not provided.
- 1.10 If an IPP entity collects personal information that relates to an individual from someone other than the individual, the IPP entity must take such steps (if any) as are reasonable in the circumstances —
- (a) to satisfy itself that the information was not originally collected from the individual in contravention of this clause; and
 - (b) to ensure that the individual is given, or made aware of, the information referred to in subclause 1.9(a) to (f), except to the extent that giving or making the individual aware of that information would pose —
 - (i) a serious threat to the life, health, safety or welfare of any individual; or

- (ii) a threat to the life, health, safety or welfare of any individual due to family violence.

- 1.11 If an IPP entity collects personal information that relates to an individual from someone other than the individual in connection with a complaint made about the individual, the IPP entity is not required to comply with subclause 1.10 in relation to the collection of the information unless the IPP entity contacts the individual about the complaint.
- 1.12 An IPP entity must ensure that the information that an individual is given, or made aware of, under subclause 1.9 or 1.10(b) is up-to-date, clear, concise and expressed in plain language.

Principle 2: Use and disclosure

2.1 If an IPP entity holds personal information that relates to an individual that was collected to be used or disclosed for a particular purpose (the **primary purpose**), the IPP entity must not use or disclose the information for another purpose (the **secondary purpose**) unless —

- (a) the individual would reasonably expect the IPP entity to use or disclose the information for the secondary purpose and the secondary purpose is —
 - (i) if the information is not sensitive personal information — related to the primary purpose; or
 - (ii) if the information is sensitive personal information — directly related to the primary purpose;or
- (b) the individual consents to the use or disclosure; or
- (c) all of the following apply —
 - (i) the use or disclosure is necessary for research, or the compilation or analysis of statistics, in the public interest;
 - (ii) the research or statistics are not to be published in a form that identifies any particular individual;
 - (iii) it is impracticable for the IPP entity to seek the individual's consent before the use or disclosure or, in the case of disclosure, the IPP entity reasonably believes that the recipient of the information will not further disclose the information;or
- (d) the IPP entity reasonably believes that the use or disclosure is necessary to prevent or lessen —
 - (i) a serious threat to the life, health, safety or welfare of any individual; or
 - (ii) a serious threat to public health, public safety or public welfare; or
 - (iii) a threat to the life, health, safety or welfare of any individual due to family violence;or
- (e) the IPP entity has reason to suspect that unlawful activity has been, is being, or may be, engaged in and uses or discloses the information as a necessary part of its investigation of the matter or in reporting the matter to relevant persons or authorities; or
- (f) the use or disclosure is required or authorised by or under law; or
- (g) the IPP entity reasonably believes that the use or disclosure is necessary for —

- (i) a law enforcement function to be performed by a law enforcement agency; or
- (ii) proceedings before a court or tribunal.

2.2 An IPP entity must not use or disclose personal information unless the use or disclosure is fair and reasonable in the circumstances, taking into account the following matters —

- (a) whether the individual would reasonably expect the information to be used or disclosed in the circumstances;
- (b) the kind of personal information used or disclosed, including whether any of that information is sensitive personal information;
- (c) the amount of personal information used or disclosed;
- (d) whether the use or disclosure is necessary for 1 or more of the IPP entity's functions Or activities;
- (e) whether there is a risk of loss, harm or other detriment to any individual as a result of the use or disclosure of the information;
- (f) whether the disclosure or use of the information for 1 or more of the IPP entity's functions or activities is, on balance, in the public interest;
- (g) in the case of personal information that relates to a child — whether the use or disclosure of the information is in the best interests of the child;
- (h) the objects of this Act.

2.3 Subclause 2.2 does not apply to the use or disclosure of personal information if —

- (a) the use or disclosure is required or authorised by or under law; or
- (b) the IPP entity reasonably believes that the use or disclosure is necessary to prevent or lessen —
 - (i) a serious threat to the life, health, safety or welfare of any individual; or
 - (ii) a serious threat to public health, public safety or public welfare; or
 - (iii) a threat to the life, health, safety or welfare of any individual due to family violence;or
- (c) the IPP entity has reason to suspect that unlawful activity has been, is being, or may be, engaged in and uses or discloses the information as a necessary part of its investigation of the matter or in reporting the matter to relevant persons or authorities; or
- (d) the IPP entity reasonably believes that the use or disclosure is necessary for —
 - (i) a law enforcement function to be performed by a law enforcement agency; or
 - (ii) proceedings before a court or tribunal.

2.4 Before using or disclosing personal information for a secondary purpose, the IPP entity must make a written record of the secondary purpose.

2.5 If an IPP entity uses or discloses personal information in a manner permitted by subclause 2.1(g) or 2.3(d), the IPP entity must make a written record of the use or disclosure.

2.6 For the purposes of this clause, a disclosure of information that is covered by an express exception from a secrecy provision in a written law is taken to be authorised by law.

Principle 3: Information quality

3. An IPP entity must take such steps (if any) as are reasonable in the circumstances to ensure that personal information it collects, uses or discloses is accurate, complete and up-to-date.

Principle 4: Information security

- 4.1 An IPP entity must take reasonable steps to protect the personal information it holds from misuse and loss and from unauthorised access, modification or disclosure.
- 4.2 An IPP entity must take reasonable steps to destroy or permanently de-identify personal information if it is no longer needed for any purpose for which it may be used or disclosed under this Schedule, unless the IPP entity is expressly required or authorised to retain the information by or under another law.

Principle 5: Openness and transparency

- 5.1 An IPP entity must develop a document setting out policies on its handling of personal information and must make the document available to anyone who requests it.
- 5.2 A document referred to in subclause 5.1 must be up-to-date, clear, concise and expressed in plain language.
- 5.3 On request by a person, an IPP entity must take reasonable steps to let the person know, generally —
- (a) the kinds of personal information that the IPP entity collects and holds; and
 - (b) how the IPP entity handles personal information; and
 - (c) the purposes for which the IPP entity handles personal information; and
 - (d) whether any personal information held by the IPP entity is used for an automated decision-making process.

Principle 6: Access and correction

- 6.1 If an IPP entity holds personal information that relates to an individual, it must provide the individual with access to the information on a request made by the individual in accordance with section 40, except to the extent that —
- (a) providing access would endanger the life or physical safety of any person; or
 - (b) there are reasonable grounds to believe that —
 - (i) the person requesting access is a perpetrator, or alleged perpetrator of family violence; and
 - (ii) denying access is necessary to prevent or lessen a threat to the life, health, safety or welfare of any individual due to family violence;
- or
- (c) providing access would enable the existence, non-existence or identity of any confidential source of information in relation to the enforcement or administration of the law to be discovered; or
 - (d) providing access would have an unreasonable impact on the privacy of other individuals; or
 - (e) the request for access is frivolous or vexatious; or

- (f) the information relates to existing legal proceedings between the IPP entity and the individual, and the information would not be accessible by the process of discovery or subpoena in those proceedings; or
 - (g) providing access would reveal the intentions of the IPP entity in relation to negotiations with the individual in such a way as to prejudice those negotiations; or
 - (h) providing access would be unlawful; or
 - (i) denying access is required or authorised by or under law; or
 - (j) providing access would be likely to prejudice an investigation of possible unlawful activity; or
 - (k) providing access would be likely to prejudice any of the law enforcement functions of a law enforcement agency; or
 - (l) providing access would be likely to reveal evaluative information generated within the IPP entity about a commercially sensitive decision-making process.
- 6.2 If the IPP entity denies access to the personal information because of subclause 6.1(l), the IPP entity may include in the reasons for the denial of access referred to in subclause 6.7 an explanation for the commercially sensitive decision.
- 6.3 If an IPP entity is not required to provide an individual with access to information because of any of subclause 6.1(a) to (l), the IPP entity must, if reasonable, consider whether the use of mutually agreed intermediaries would allow sufficient access to meet the needs of both parties.
- 6.4 If a fee for making a request for access to personal information applies under regulations made for the purposes of section 40(2)(e), the IPP entity may refuse access to the personal information until the fee is paid.
- 6.5 If an individual makes a request to an IPP entity in accordance with section 41 for the correction of personal information that relates to the individual, and the individual establishes that the information is not accurate, complete and up-to-date, the IPP entity must take reasonable steps to correct the information so that it is accurate, complete and up-to-date.
- 6.6 If the individual and the IPP entity disagree about whether the information is accurate, complete and up-to-date, and the individual requests the IPP entity to associate with the information a statement claiming that the information is not accurate, complete or up-to-date, the IPP entity must take reasonable steps to do so.
- 6.7 An IPP entity must provide reasons for a denial of access to, or a refusal of a request for the correction of, personal information.
- 6.8 If an individual requests access to, or the correction of, personal information held by an IPP entity, the IPP entity must, as soon as practicable, but no later than 45 days after the day on which the request is made —
- (a) provide access to the information or reasons for the denial of access; or
 - (b) correct the information or provide reasons for the refusal of the request for the correction of the information; or
 - (c) provide reasons for the delay in responding to the request.

Principle 7: Unique identifiers

- 7.1 An IPP entity must not assign unique identifiers to individuals unless the assignment of unique identifiers is necessary to enable the IPP entity to perform any of its functions or activities efficiently.

- 7.2 An IPP entity must not adopt as its own unique identifier of an individual a unique identifier of the individual that has been assigned by another IPP entity unless —
- (a) the adoption of the unique identifier is necessary to enable the IPP entity to perform any of its functions efficiently; or
 - (b) the individual consents to the use of the unique identifier; or
 - (c) the IPP entity is an outsourcing entity under a State services contract and is adopting the unique identifier assigned by a contracted service provider in the provision of services under the contract; or
 - (d) the IPP entity is a contracted service provider under a State services contract and is adopting the unique identifier assigned by the relevant outsourcing entity.
- 7.3 An IPP entity must not use or disclose a unique identifier assigned to an individual by another IPP entity unless —
- (a) the use or disclosure is necessary for the IPP entity to fulfil its obligations to the other IPP entity; or
 - (b) circumstances referred to in IPP 2.1(c), (e), (f) or (g) apply to the use or disclosure; or
 - (c) the individual consents to the use or disclosure.
- 7.4 An IPP entity must not require an individual to provide a unique identifier in order to obtain a service unless —
- (a) the provision of the identifier is required or authorised by or under law; or
 - (b) the provision is in connection with the purpose for which the identifier was assigned or a directly related purpose.

Principle 8: Anonymity

- 8.1 Individuals must have the option of not identifying themselves when dealing with an IPP entity.
- 8.2 Subclause 8.1 does not apply to an IPP entity in relation to a matter if —
- (a) the IPP entity is required or authorised by or under law to deal with individuals who have identified themselves in relation to that matter; or
 - (b) it is impracticable for the IPP entity to deal with individuals who have not identified themselves in relation to that matter.

Principle 9: Disclosures outside Australia

- 9.1 An IPP entity must not disclose personal information that relates to an individual to a person (other than the individual) outside Australia unless —
- (a) the IPP entity reasonably believes that the person to whom the information is disclosed is subject to a law, binding administrative scheme, or contract, that requires the person to comply with principles for handling the information that are substantially similar to the information privacy principles; or
 - (b) the individual consents to the disclosure; or
 - (c) the disclosure is required or authorised by or under law; or
 - (d) the disclosure is necessary for the performance of a contract between the individual and the IPP entity or for the implementation of pre-contractual measures taken in response to the individual's request; or

- (e) the disclosure is necessary for the conclusion or performance of a contract that is concluded in the interest of the individual between the IPP entity and a third party; or
 - (f) all of the following apply —
 - (i) the disclosure is for the benefit of the individual;
 - (ii) it is impracticable to obtain the consent of the individual to the disclosure;
 - (iii) if it were practicable to obtain that consent, the individual would be likely to give it;
- or
- (g) the IPP entity has taken reasonable steps to ensure that the information will not be held, used or disclosed by the recipient inconsistently with the information privacy principles.

9.2 An IPP entity must not disclose de-identified information that relates to an individual to a person (other than the individual) outside Australia unless the IPP entity takes reasonable steps to ensure that the person to whom the de-identified information is disclosed —

- (a) protects the de-identified information from misuse and loss and from unauthorised re-identification, access, modification or disclosure; and
- (b) does not —
 - (i) re-identify the de-identified information (except in circumstances referred to in IPP 11.2(c) or (d)); or
 - (ii) further disclose the information in a manner that is likely to undermine the effectiveness of the de-identification of the information.

Principle 10: Automated decision-making

10.1 An IPP entity that employs an automated decision-making process involving the use of personal information in making significant decisions about individuals must —

- (a) conduct an assessment of the impact of the automated decision-making process on those individuals, having regard to —
 - (i) the elimination or minimisation of harm, bias and discrimination; and
 - (ii) whether there is a process by which individuals about whom decisions are made can request human intervention; and
 - (iii) whether the handling of personal information in the process complies with any applicable requirements under this Act;

and

- (b) periodically evaluate the operation and effectiveness of the automated decision-making process; and
- (c) reassess the matter referred to in paragraph (a) when changes are made to the automated decision-making process.

10.2 If an IPP entity employs an automated decision-making process involving the use of personal information in making a significant decision about an individual, the IPP entity must —

- (a) notify the individual that an automated decision-making process has been employed in making the decision; and
- (b) on request, give the individual information about how the automated decision-making process is employed in making decisions; and
- (c) provide a process by which the individual can request human intervention in relation to the decision.

- 10.3 A notification under subclause 10.2(a) —
- (a) may be given with, or as part of, any notification of the significant decision required to be given under a written law; and
 - (b) subject to paragraph (a), must be given as soon as practicable.
- 10.4 Information provided under subclause 10.2(b) must be reasonably comprehensive and provided in a form that is capable of being understood by a person without specialist knowledge.

Principle 11: De-identified information

- 11.1 An IPP entity must take reasonable steps to protect the de-identified information it holds from misuse and loss and from unauthorised re-identification, access, modification or disclosure.
- 11.2 An IPP entity must not re-identify de-identified information that it holds unless —
- (a) the de-identified information was de-identified by the IPP entity itself; or
 - (b) all of the following apply —
 - (i) the de-identified information was collected from another IPP entity;
 - (ii) that other IPP entity has given written authorisation for the IPP entity to re-identify the de-identified information for a specified purpose;
 - (iii) the re-identification is undertaken for the specified purpose;
- or
- (c) the re-identification is undertaken to test the effectiveness of de-identification processes or security measures protecting information; or
 - (d) the re-identification is required or authorised by or under law.



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**The independent regulator fostering trust and accountability
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Ordinary Council Meeting

23 June 2026

Item CEO 01-06/26

Attachment 4

Privacy and Responsible Information
Sharing Act 2024



Western Australia

Privacy and Responsible Information Sharing Act 2024

Privacy and Responsible Information Sharing Act 2024

Contents

Part 1 — Preliminary

1.	Short title	2
2.	Commencement	2
3.	Objects	2
4.	Terms used	3
5.	References to information privacy principles	17
6.	Public entities	17
7.	Judicial bodies	19
8.	State services contracts and contracted service providers	19
9.	Principal officers	20
10.	Disclosure by public entities and other IPP entities	21
11.	De-identification and re-identification of information	21
12.	Data sets, data analytics work, data linkage and data integration	22
13.	Act binds Crown	22

Part 2 — Privacy

Division 12 — Administration

Subdivision 1 — Functions under this Act of Information Commissioner and Privacy Deputy Commissioner

141.	Functions of Information Commissioner and Privacy Deputy Commissioner under this Act	23
142.	Performance of privacy functions	24

143.	Certain functions cannot be delegated	26
144.	Information Commissioner and Privacy Deputy Commissioner must have regard to objects of Act in performing functions	27
145.	Information Commissioner and Privacy Deputy Commissioner may request IPP entity to provide assistance	27
	Subdivision 2 — Reporting	
146.	Matters to be included in annual report to Parliament	27
147.	Special reports to Parliament	28
	Subdivision 3 — Guidelines, documents and notices	
148.	Privacy guidelines	29
149.	Making documents publicly available	30
150.	Notices of decisions or determinations	30
	Part 3 — Responsible information sharing	
	Division 8 — Administration	
	Subdivision 1 — Chief Data Officer	
198.	Chief Data Officer	31
199.	Chief Data Officer is separate public entity for information sharing purposes	31
200.	Functions of Chief Data Officer	32
201.	Power to issue guidelines	33
202.	Consultation on guidelines	34
203.	Chief Data Officer must have regard to objects of Act	34
	Subdivision 2 — Privacy and Responsible Information Sharing Advisory Committee	
204.	Privacy and Responsible Information Sharing Advisory Committee	35
205.	Functions of Privacy and Responsible Information Sharing Advisory Committee	35
206.	Regulations about Privacy and Responsible Information Sharing Advisory Committee	36
	Subdivision 3 — Delegation and secrecy	
207.	Delegation by Chief Data Officer	37

208.	Secrecy and authorised disclosure and use of information	37
	Subdivision 4 — Making documents publicly available	
209.	Making documents publicly available	38
	Part 4 — Miscellaneous	
215.	False or misleading information	40
216.	Acts and practices of public entities and other IPP entities	40
217.	States of mind of public entities and other IPP entities	41
218.	Protection from personal liability	41
219.	Giving documents	42
220.	Laying documents before House of Parliament not sitting	42
221.	General provisions about guidelines	43
222.	Regulations	44
	Part 5 — Transitional provisions	
223.	Application of information privacy principles	45
224.	Application of approved privacy codes of practice	46
225.	Notifiable information breach may involve personal information collected before commencement day	46
226.	Public register obligations apply to personal information collected before commencement day	47
227.	Privacy impact assessments not required for functions or activities performed before commencement day	47
228.	State services contracts entered into before commencement day	48
229.	Transitional regulations	48
	Part 7 — Amendment to this Act linked to commencement of <i>Criminal Law (Mental Impairment) Act 2023</i>	
246.	Act amended	50

Contents

247.	Section 4 amended	50
	Notes	
	Compilation table	51
	Uncommenced provisions table	51
	Other notes	52
	Defined terms	

Western Australia

Privacy and Responsible Information Sharing Act 2024

An Act —

- **to provide a framework to protect the privacy of personal information handled by public entities, Ministers, Parliamentary Secretaries and contracted service providers to public entities; and**
- **to provide a framework to authorise the responsible sharing of information held by public entities; and**
- **to establish the office of Chief Data Officer; and**
- **to amend the *Freedom of Information Act 1992*; and**
- **to make consequential amendments to other Acts; and**
- **for related purposes.**

Part 1 — Preliminary

1. Short title

This is the *Privacy and Responsible Information Sharing Act 2024*.

2. Commencement

This Act comes into operation as follows —

- (a) Part 1 — on the day on which this Act receives the Royal Assent;
- (b) Part 7 —
 - (i) if the *Criminal Law (Mental Impairment) Act 2023* section 156 comes into operation on or before the day on which Part 1 of this Act comes into operation under paragraph (a) — immediately after Part 1 of this Act comes into operation; or
 - (ii) otherwise — on the day on which the *Criminal Law (Mental Impairment) Act 2023* section 156 comes into operation;
- (c) the rest of the Act — on a day fixed by proclamation, and different days may be fixed for different provisions.

3. Objects

The objects of this Act are as follows —

- (a) to promote responsible and transparent practices for handling personal information by IPP entities;
- (b) to balance the public interest in protecting the privacy of personal information handled by IPP entities with the public interest in the free flow of information;
- (c) to provide a means for individuals to complain about alleged interferences with their privacy;

- (d) to promote responsible information security practices by IPP entities;
- (e) to promote the responsible handling of information held by public entities as a public resource that supports government policy, programs and services;
- (f) to facilitate the responsible collection, use and disclosure for permitted purposes of information held by public entities;
- (g) to remove barriers that unnecessarily impede the responsible sharing of information held by public entities;
- (h) to provide protections in connection with the sharing of information under this Act, including by —
 - (i) specifying the purposes for which, and the circumstances in which, information sharing is permitted or required; and
 - (ii) ensuring that information shared under this Act is protected from unauthorised use or disclosure.

4. Terms used

In this Act —

Aboriginal community controlled organisation means an organisation described in clause 44 of the “National Agreement on Closing the Gap” between the Coalition of Aboriginal and Torres Strait Islander Peak Organisations, the Commonwealth, the States, the Australian Capital Territory, the Northern Territory and the Australian Local Government Association dated July 2020;

Aboriginal information assessment has the meaning given in section 177(1);

Aboriginal information use plan has the meaning given in section 177(4);

act includes an omission;

affected individual —

- (a) in relation to a notifiable information breach, has the meaning given in section 58; or
- (b) in relation to a determination by the Information Commissioner under section 107, has the meaning given in section 107(1);

approved form means a form approved by the person to whom the form is permitted or required to be given under this Act;

approved privacy code of practice means a privacy code of practice approved by the Governor under section 32(3);

assessed notifiable information breach, in relation to an IPP entity, has the meaning given in section 61(3);

assessed shared information breach, in relation to a recipient under an information sharing agreement, has the meaning given in section 192(4);

Australian Information Commissioner means the person appointed as Australian Information Commissioner under the *Australian Information Commissioner Act 2010* (Commonwealth) section 14(1);

authorised officer means a person designated as an authorised officer under section 120(1);

automated decision-making process has the meaning given in section 16(2);

automated system has the meaning given in section 16(1);

care leaver means a person who —

- (a) has reached 18 years of age; and
- (b) qualifies for assistance under the *Children and Community Services Act 2004* section 96 for the purposes of Part 4 Division 6 of that Act;

Chief Data Officer means the Chief Data Officer appointed in accordance with section 198;

Chief Data Officer guidelines means guidelines issued under section 201, as in effect from time to time;

child means a person who is under 18 years of age;

child protection functions means functions that relate to —

- (a) the protection and care of children, unborn children and care leavers; or
- (b) promoting the wellbeing of children, unborn children and care leavers, including their —
 - (i) care; and
 - (ii) physical, emotional, psychological and educational development; and
 - (iii) physical, emotional and psychological health; and
 - (iv) safety;

collect, in relation to information —

- (a) means to obtain the information from any source or by any means; and
- (b) includes to infer the information from, or generate the information by the use or interpretation of, other information;

community policing functions, of the Police Force of Western Australia, includes the following —

- (a) undertaking missing persons investigations;
- (b) transferring individuals into the care or custody of another entity;
- (c) supporting victims of crime;
- (d) locating next of kin;
- (e) employing diversionary strategies;
- (f) coordinating operational response and dispatch;
- (g) other functions prescribed by the regulations;

compliance notice has the meaning given in section 122(1);

s. 4

conciliator means a person nominated as a conciliator under section 96(1);

confidential or commercially sensitive information means —

- (a) information that is required to be kept confidential because of a contractual or equitable obligation; or
- (b) any other information the disclosure of which would prejudice any person's legitimate business, professional, commercial or financial interests;

consent means express consent or implied consent;

contracted service provider has the meaning given in section 8(2);

data analytics work has the meaning given in section 12(2);

data integration has the meaning given in section 12(4);

data linkage has the meaning given in section 12(3);

data set has the meaning given in section 12(1);

de-identified information has the meaning given in section 11(2);

de-identify, in relation to personal information, has the meaning given in section 11(1);

derived information has the meaning given in section 170(d)(iv);

disability has the meaning given in the *Disability Services Act 1993* section 3;

disclose has a meaning affected by section 10;

electronic means includes —

- (a) an electronic database or document system; and
- (b) any other means by which a document can be given or accessed electronically;

emergency response functions means functions that relate to responding to an emergency, including by combating its effects,

providing emergency assistance to persons affected and reducing resulting damage;

exempt information has the meaning given in section 158;

external entity has the meaning given in section 156(2);

family violence has the meaning given in the *Restraining Orders Act 1997* section 5A(1);

government information, in relation to a public entity, has the meaning given in section 157;

handle, in relation to information, means to collect, hold, manage, use or disclose the information;

Health and Disability Services Complaints Office Director means the Director as defined in the *Health and Disability Services (Complaints) Act 1995* section 3(1);

health information means —

- (a) personal information that relates to —
 - (i) the health (at any time) of an individual; or
 - (ii) the disability (at any time) of an individual; or
 - (iii) an individual's expressed wishes about the future provision of health services to the individual; or
 - (iv) a health service provided, or to be provided, to an individual;

or

- (b) other personal information collected to provide, or in providing, a health service;

health service means any of the following —

- (a) a health service as defined in the *Health Services Act 2016* section 7;
- (b) the supply or prescription of a medicine by a person registered under the *Health Practitioner Regulation National Law (Western Australia)*;

s. 4

- (c) the prescription, supply or administration of a voluntary assisted dying substance under the *Voluntary Assisted Dying Act 2019*;
- (d) a service or activity, provided in conjunction with a service or activity referred to in paragraph (a), (b) or (c), of a class prescribed by the regulations;

high privacy impact function or activity has the meaning given in section 79(1);

hold, in relation to information, means to have possession or control of the information, whether alone or jointly with others;

holding entity, in relation to an information sharing request, has the meaning given in section 160(3)(b);

information breach means —

- (a) unauthorised access to, or unauthorised disclosure of, information; or
- (b) loss of information;

Information Commissioner means the person appointed as Information Commissioner under the *Information Commissioner Act 2024* section 5(2);

information holdings request has the meaning given in section 196(2);

information privacy principle (IPP) means an information privacy principle set out in Schedule 1;

information sharing agreement has the meaning given in section 168(1);

information sharing CEO means the chief executive officer of the information sharing Department;

information sharing Department means the department of the Public Service principally assisting in the administration of Part 3;

information sharing direction has the meaning given in section 163(1);

Information Sharing Minister means the Minister to whom the administration of Part 3 is from time to time committed by the Governor;

information sharing request has the meaning given in section 160(3)(a);

interference with the privacy, of an individual, has the meaning given in section 15;

IPP entity has the meaning given in section 14;

judicial body has the meaning given in section 7;

law enforcement agency means any of the following bodies or persons, including staff under the control of the body or person —

- (a) the Police Force of Western Australia; or
- (b) the Corruption and Crime Commission established under the *Corruption, Crime and Misconduct Act 2003* section 8; or
- (c) the Parliamentary Inspector of the Corruption and Crime Commission appointed under the *Corruption, Crime and Misconduct Act 2003* section 189; or
- (d) a commission established under a written law or a law of the Commonwealth, another State or a Territory that has the function of investigating criminal activity or a class of criminal activity; or
- (e) the Mental Impairment Review Tribunal established under the *Criminal Law (Mental Impairment) Act 2023* section 156; or
- (f) the Prisoners Review Board established under the *Sentence Administration Act 2003* section 102; or
- (g) the Supervised Release Review Board established under the *Young Offenders Act 1994* section 151; or
- (h) the department of the Public Service principally assisting in the administration of the *Sentence Administration Act 2003* Part 8; or

s. 4

- (i) the department of the Public Service principally assisting in the administration of the *Police Act 1892*; or
- (j) the Director of Public Prosecutions appointed under the *Director of Public Prosecutions Act 1991* section 5; or
- (k) the Commissioner of State Revenue appointed in accordance with the *Taxation Administration Act 2003* section 6; or
- (l) the sheriff referred to in the *Supreme Court Act 1935* section 156; or
- (m) the Australian Crime Commission established by the *Australian Crime Commission Act 2002* (Commonwealth) section 7; or
- (n) the Australian Federal Police; or
- (o) the police force of another State or a Territory; or
- (p) a public entity not covered by another paragraph of this definition that is responsible for the performance of functions related to —
 - (i) the prevention, detection, investigation, prosecution or punishment of criminal offences or contraventions of a law that are subject to a penalty or sanction; or
 - (ii) the management of property seized or restrained under a law relating to the confiscation of proceeds of crime; or
 - (iii) the enforcement of a law, or of an order made under a law, relating to the confiscation of proceeds of crime; or
 - (iv) the execution or implementation of orders made by a court or tribunal; or
 - (v) the protection of public revenue;
- or
- (q) a body, or the holder of an office, prescribed by the regulations;

law enforcement functions, of a law enforcement agency —

- (a) means functions of the law enforcement agency that relate to —
- (i) the prevention, detection, investigation, prosecution or punishment of criminal offences or contraventions of a law that are subject to a penalty or sanction; or
 - (ii) the management of property seized or restrained under a law relating to the confiscation of proceeds of crime; or
 - (iii) the enforcement of a law, or of an order made under a law, relating to the confiscation of proceeds of crime; or
 - (iv) the preparation for or conduct of proceedings in a court or tribunal; or
 - (v) the execution or implementation of orders made by a court or tribunal; or
 - (vi) the protection of public revenue;
- and

- (b) includes, in the case of the Police Force of Western Australia, community policing functions;

materially assisted, in relation to the making of a decision and an automated system, has the meaning given in section 16(3);

member of Commissioner staff means a member of staff as defined in the *Information Commissioner Act 2024* section 3;

notice to produce or attend has the meaning given in section 113(1);

notifiable information breach has the meaning given in section 57;

officer, of a public entity or other IPP entity, includes —

- (a) the principal officer of the entity; and

s. 4

- (b) a person employed in, by, or for the purposes of, the entity; and
- (c) if the entity is a body (whether incorporated or not) constituted by 2 or more persons — any of those persons;

outsourcing entity has the meaning given in section 8(1);

Parliamentary Commissioner for Administrative Investigations means the Commissioner as defined in the *Parliamentary Commissioner Act 1971* section 4;

Parliamentary Secretary means —

- (a) a Parliamentary Secretary appointed under the *Constitution Acts Amendment Act 1899* section 44A(1); or
- (b) the Parliamentary Secretary of the Cabinet;

permitted purpose has the meaning given in section 159(1);

personal information —

- (a) means information or an opinion, whether true or not, and whether recorded in a material form or not, that relates to an individual, whether living or dead, whose identity is apparent or can reasonably be ascertained from the information or opinion; and
- (b) includes information of the following kinds to which paragraph (a) applies —
 - (i) a name, date of birth or address;
 - (ii) a unique identifier, online identifier or pseudonym;
 - (iii) contact information;
 - (iv) information that relates to an individual's location;
 - (v) technical or behavioural information in relation to an individual's activities, preferences or identity;

- (vi) inferred information that relates to an individual, including predictions in relation to an individual's behaviour or preferences and profiles generated from aggregated information;
- (vii) information that relates to 1 or more features specific to the physical, physiological, genetic, mental, behavioural, economic, cultural or social identity of an individual;

Police Force of Western Australia means the Police Force of Western Australia provided for by the *Police Act 1892*;

principal officer, in relation to a public entity or other IPP entity, has the meaning given in section 9;

privacy code of practice has the meaning given in section 28(1);

privacy complaint means a complaint under section 82(1);

Privacy Deputy Commissioner means the person appointed as Privacy Deputy Commissioner under the *Information Commissioner Act 2024* section 13(2);

privacy functions has the meaning given in section 142(1);

privacy guidelines means guidelines issued under section 148, as in effect from time to time;

privacy impact assessment means —

- (a) an assessment of a function or activity of an IPP entity conducted under section 79 or in compliance with a direction under section 80; or
- (b) an assessment of a relevant activity to be carried out under a proposed information sharing agreement conducted under section 176;

Privacy Minister means the Minister to whom the administration of Part 2 is from time to time committed by the Governor;

proposed provider, in relation to a proposed information sharing agreement, means a public entity that would be a provider under the agreement;

proposed recipient, in relation to a proposed information sharing agreement, means a public entity or external entity that would be a recipient under the agreement;

provider, in relation to an information sharing agreement, has the meaning given in section 168(2);

public entity has the meaning given in section 6;

public interest determination has the meaning given in section 45(1);

public register means a register or other document that —

- (a) is held by a public entity; and
- (b) contains information that a person was required or permitted to give to that public entity under a written law; and
- (c) is published, or available for inspection by members of the public (whether for a fee or charge or not), under a written law (other than as a result of a request for access under this Act or an application for access under the *Freedom of Information Act 1992* Part 2);

recipient, in relation to an information sharing agreement, has the meaning given in section 168(3);

re-identify, in relation to de-identified information, has the meaning given in section 11(3);

relevant activity, in relation to an information sharing agreement, has the meaning given in section 168(1)(c);

requesting entity, in relation to an information sharing request, has the meaning given in section 160(3)(c);

respondent, in relation to a privacy complaint, has the meaning given in section 82(2)(b);

responsible Minister means —

- (a) in relation to a public entity that is a department as defined in the *Public Sector Management Act 1994* section 3(1) — the Minister responsible for the administration of the department; or

- (b) in relation to a public entity to which paragraph (a) does not apply —
- (i) for a public entity established or appointed under an enactment — the Minister to whom the administration of the enactment is from time to time committed by the Governor; or
 - (ii) for a public entity that is not established or appointed under an enactment — the Minister to whom the administration of the public entity is from time to time committed by the Governor;
- or
- (c) in relation to a secrecy provision — the Minister to whom the administration of the secrecy provision is from time to time committed by the Governor;

responsible sharing principle means a responsible sharing principle set out in Schedule 2;

secrecy provision means a provision of a written law that prohibits or regulates the handling of information;

senior executive officer has the meaning given in the *Public Sector Management Act 1994* section 3(1);

senior officer, of a public entity or other IPP entity —

- (a) means an officer of the entity who has managerial responsibility; and
- (b) includes the principal officer of the entity;

sensitive Aboriginal family history information means information, including family history information, that —

- (a) relates to Aboriginal people and their ancestors; and
- (b) was collected in the period from 1898 until 1972 for the purposes of implementing laws, and government policies and practices, applying specifically to Aboriginal people;

s. 4

sensitive Aboriginal traditional information means information that, according to Aboriginal tradition, should not be disclosed to individuals who are not the knowledge holders of that information;

sensitive personal information means personal information —

- (a) that relates to an individual's —
 - (i) racial or ethnic origin; or
 - (ii) gender identity, in a case where the individual's gender identity does not correspond with their designated sex at birth; or
 - (iii) sexual orientation or practices; or
 - (iv) political opinions; or
 - (v) membership of a political association; or
 - (vi) religious beliefs or affiliations; or
 - (vii) philosophical beliefs; or
 - (viii) membership of a professional or trade association; or
 - (ix) membership of a trade union; or
 - (x) criminal record;
- or
- (b) that is health information; or
- (c) that is genetic or genomic information (other than health information); or
- (d) that is biometric information; or
- (e) from which information of a kind referred to in any of paragraphs (a) to (d) can reasonably be inferred;

shared information, in relation to a shared information breach, has the meaning given in section 191(a);

shared information breach has the meaning given in section 191;

significant decision has the meaning given in section 16(4);

special information sharing entity has the meaning given in section 156(1);

State services contract has the meaning given in section 8(1);

temporary public interest determination has the meaning given in section 49(1);

unique identifier —

- (a) means a number or other identifier assigned by an entity to an individual to uniquely identify that individual for the purposes of the operations of the entity; but
- (b) does not include an identifier that consists only of the individual's name;

variation agreement has the meaning given in section 179(1).

[Section 4 amended: No. 51 of 2024 s. 247.]

5. References to information privacy principles

A reference in this Act to an IPP followed by a designation is a reference to the provision with that designation in Schedule 1.

6. Public entities

(1) A *public entity* is —

- (a) a department of the Public Service; or
- (b) an entity specified in the *Public Sector Management Act 1994* Schedule 2 column 2; or
- (c) the Police Force of Western Australia; or
- (d) a local government, regional local government or regional subsidiary; or
- (e) a body, or the holder of an office, that is established for a public purpose under a written law; or
- (f) a body, or the holder of an office, that is established by the Governor or a Minister; or
- (g) a judicial body; or

- (h) any other body, or the holder of any other office, that is prescribed by the regulations to be a public entity, being —
 - (i) a body or office that is established under a written law; or
 - (ii) a corporation or association over which control can be exercised by the State, a Minister, a body referred to in paragraph (a), (b), (e) or (f) or subparagraph (i), or the holder of an office referred to in paragraph (f) or subparagraph (i).
- (2) Despite subsection (1), each of the following is not a **public entity** —
 - (a) the Governor or the Governor’s establishment;
 - (b) the Legislative Council or a member or committee of the Legislative Council;
 - (c) the Legislative Assembly or a member or committee of the Legislative Assembly;
 - (d) a joint committee or standing committee of the Legislative Council and the Legislative Assembly;
 - (e) a Royal Commission or member of a Royal Commission;
 - (f) a department of the staff of Parliament referred to in the *Parliamentary and Electorate Staff (Employment) Act 1992*;
 - (g) a person holding an office established under a written law for the purposes of a body referred to in any of paragraphs (a) to (f).
- (3) Except to the extent provided by section 199 and regulations made under subsection (4), a person is not a separate public entity for the purposes of this Act by reason of —
 - (a) holding office as a member or other officer of a public entity; or

- (b) holding an office established for the purposes of a public entity.
- (4) The regulations may provide that, for the purposes of this Act or specified provisions of this Act —
 - (a) a specified body, or the holder of a specified office, is not a separate public entity but is part of a specified public entity; or
 - (b) a specified body, or the holder of a specified office, is a separate public entity and is not part of another public entity.

7. **Judicial bodies**

- (1) A *judicial body* is a court or tribunal established under a written law.
- (2) A registry or other office of a judicial body, and the staff of such a registry or other office, are part of the judicial body.
- (3) A person holding judicial or quasi-judicial office is not themselves, and is not part of, a judicial body or other public entity.

8. **State services contracts and contracted service providers**

- (1) A *State services contract* is a contract between a public entity (the *outsourcing entity*) and another person (other than a public entity) under which services are provided to the outsourcing entity or to other persons on behalf of the outsourcing entity.
- (2) A *contracted service provider* is —
 - (a) a party to a State services contract who provides services to or on behalf of an outsourcing entity under the contract; or
 - (b) a person who is a subcontractor (whether direct or indirect) of a person referred to in paragraph (a) for the purposes of the State services contract.

Note for this subsection:

Part 2 Division 11 provides for how Part 2 and the information privacy principles apply in relation to contracted service providers.

9. Principal officers

- (1) The *principal officer* of a Minister or Parliamentary Secretary is the Minister or Parliamentary Secretary.
- (2) The *principal officer* of a public entity is —
 - (a) in relation to a department of the Public Service or an entity specified in the *Public Sector Management Act 1994* Schedule 2 column 2 — the chief executive officer or chief employee of the department or entity; or
 - (b) in relation to the Police Force of Western Australia — the Commissioner of Police; or
 - (c) in relation to a local government — the chief executive officer of the local government; or
 - (d) in relation to a regional local government — the chief executive officer of the regional local government; or
 - (e) in relation to a regional subsidiary — the person who manages the affairs of the regional subsidiary; or
 - (f) in relation to any other public entity —
 - (i) if the regulations prescribe a person to be the principal officer of the public entity — that person; or
 - (ii) otherwise — the person determined under subsection (4).
- (3) The *principal officer* of a contracted service provider is —
 - (a) if the relevant State services contract designates a person with managerial responsibility in relation to the contracted service provider as the principal officer of the contracted service provider for the purposes of this Act — that person; or

- (b) otherwise — the person determined under subsection (4).
- (4) For the purposes of subsection (2)(f)(ii) or (3)(b), the person is —
 - (a) if the public entity or contracted service provider consists of 1 person (other than a body corporate) — that person; or
 - (b) if the public entity or contracted service provider is a body (whether incorporated or not) constituted by 2 or more persons — the person entitled to preside at any meeting of the body at which the person is present; or
 - (c) otherwise — the person responsible for managing the affairs of the public entity or contracted service provider.

10. Disclosure by public entities and other IPP entities

A reference in this Act to a public entity or other IPP entity *disclosing* information —

- (a) includes a reference to the entity making the information publicly available; and
- (b) does not include a reference to the entity disclosing the information to the entity itself or to an officer of the entity.

11. De-identification and re-identification of information

- (1) To *de-identify* personal information means to modify, or apply a process to, the information, with the result that the identity of an individual is not apparent, and cannot reasonably be ascertained, from the information.
- (2) Information is *de-identified information* at a particular time if, at that time —
 - (a) the information has been de-identified; and

s. 12

- (b) the identity of an individual is not apparent, and cannot reasonably be ascertained, from the information.
- (3) To *re-identify* de-identified information means to modify, or apply a process to, the information, with the result that the information again becomes personal information.

12. Data sets, data analytics work, data linkage and data integration

- (1) A *data set* is an organised collection of information in a form that is capable of being analysed or processed (whether by an individual or an automated system).
- (2) *Data analytics work* —
 - (a) is the examination and analysis of information for the purpose of drawing conclusions as a result of that examination and analysis; but
 - (b) does not include data linkage or data integration.
- (3) *Data linkage* is a process for —
 - (a) detecting instances where separate records (whether within a single data set or different data sets) appear to relate to the same individual, family, place, event or matter; and
 - (b) assigning an identifier (a *data linkage key*) to enable related records to be linked.
- (4) *Data integration* is the combination or collation of information in 2 or more data sets, whether using data linkage keys or by another process.

13. Act binds Crown

This Act binds the Crown in right of Western Australia and, so far as the legislative power of the Parliament permits, the Crown in all its other capacities.

Part 2 — Privacy

[Divisions 1-11 have not come into operation.]

Division 12 — Administration

Subdivision 1 — Functions under this Act of Information Commissioner and Privacy Deputy Commissioner

141. Functions of Information Commissioner and Privacy Deputy Commissioner under this Act

- (1) The Information Commissioner has the following functions under this Act —
 - (a) to promote the understanding of matters relating to the information privacy principles and this Part;
 - (b) to promote the objects of this Act set out in section 3(a) to (e);
 - (c) to promote compliance with the information privacy principles and this Part;
 - (d) to prepare and make available information and material in relation to protecting the privacy of personal information;
 - (e) to provide assistance to members of the public and IPP entities in relation to any matter relevant to the operation of this Part;
 - (f) to undertake reviews of any matter relating to the privacy of personal information, on request by the Privacy Minister or on the Commissioner's own initiative;
 - (g) to report and make recommendations on any matter relating to the privacy of personal information;
 - (h) to undertake, participate in or promote research in relation to any matter relating to the privacy of personal information;

- (i) any other function given to the Information Commissioner under this Act.
- (2) The Privacy Deputy Commissioner also has all the functions of the Information Commissioner under this Act, other than the following —
 - (a) giving approvals under section 142(3) and directions under section 142(4);
 - (b) any function in relation to a report under Subdivision 2;
 - (c) any function in relation to consultation under section 202(2) or serving as a member of the Privacy and Responsible Information Sharing Advisory Committee.

Note for this section:

The *Information Commissioner Act 2024* sections 25 and 27 provide for the functions of the Information Commissioner and Privacy Deputy Commissioner generally.

142. Performance of privacy functions

- (1) The functions under this Act that are functions of both the Information Commissioner and the Privacy Deputy Commissioner are the *privacy functions*.
- (2) A privacy function may be performed —
 - (a) by the Information Commissioner; or
 - (b) by the Privacy Deputy Commissioner, subject to subsection (3) and any direction given under subsection (4).
- (3) The Privacy Deputy Commissioner must obtain the approval of the Information Commissioner before performing any of the following privacy functions —
 - (a) making a public interest determination under section 45(1);
 - (b) making a temporary public interest determination under section 49(1);

- (c) extending a temporary public interest determination under section 52(3);
 - (d) revoking a public interest determination or temporary public interest determination under section 54(1) or (2);
 - (e) making a notifiable information breach determination under section 60(1);
 - (f) amending or repealing a notifiable information breach determination;
 - (g) issuing privacy guidelines under section 148(1);
 - (h) amending or revoking privacy guidelines under section 148(2).
- (4) The Information Commissioner may direct the Privacy Deputy Commissioner as to —
- (a) which of the privacy functions the Privacy Deputy Commissioner is to perform; and
 - (b) the manner in which the Privacy Deputy Commissioner must perform any privacy function.
- (5) If the Privacy Deputy Commissioner performs a privacy function —
- (a) the Privacy Deputy Commissioner performs the function in the Privacy Deputy Commissioner's own right and not on behalf of the Information Commissioner; and
 - (b) the Privacy Deputy Commissioner may perform the function upon the Privacy Deputy Commissioner's own belief or state of mind (to the extent that the performance or exercise is dependent on the belief or state of mind of the Information Commissioner); and
 - (c) the performance of the function is as effectual for all purposes as if it were performed by the Information Commissioner; and
 - (d) a reference in this Act or another written law to anything done by, to, or in relation to, the Information

Commissioner in connection with the function includes a reference to the thing as done by, to, or in relation to, the Privacy Deputy Commissioner; and

- (e) the Information Commissioner is not prevented from performing the same function on another occasion (in relation to a different matter).

143. Certain functions cannot be delegated

The following privacy functions cannot be delegated by the Information Commissioner or the Privacy Deputy Commissioner under the *Information Commissioner Act 2024* section 28 —

- (a) making a public interest determination under section 45(1);
- (b) making a temporary public interest determination under section 49(1);
- (c) extending a temporary public interest determination under section 52(3);
- (d) revoking a public interest determination or temporary public interest determination under section 54(1) or (2);
- (e) making a notifiable information breach determination under section 60(1);
- (f) amending or repealing a notifiable information breach determination;
- (g) making an order to give effect to a conciliation agreement under section 98(3);
- (h) determining a privacy complaint under section 104(1);
- (i) making a determination following an investigation under section 107(1);
- (j) issuing a compliance notice under section 122(1);
- (k) issuing privacy guidelines under section 148(1);

- (l) amending or revoking privacy guidelines under section 148(2).

144. Information Commissioner and Privacy Deputy Commissioner must have regard to objects of Act in performing functions

In performing their functions under this Act, the Information Commissioner and Privacy Deputy Commissioner must have regard to the objects of this Act.

145. Information Commissioner and Privacy Deputy Commissioner may request IPP entity to provide assistance

The Information Commissioner or Privacy Deputy Commissioner may request an IPP entity to provide any assistance that that Commissioner reasonably considers appropriate to perform their functions under this Act.

Subdivision 2 — Reporting

146. Matters to be included in annual report to Parliament

- (1) Without limiting the *Information Commissioner Act 2024* section 32, the Information Commissioner must include the following information in the annual report required under that section for a financial year —
 - (a) the number of applications for public interest determinations made under section 46 and the outcome of those applications;
 - (b) the number of applications for temporary public interest determinations made under section 50 and the outcome of those applications;
 - (c) the number of applications for extensions of temporary public interest determinations made under section 52(1) and the outcome of those applications;

- (d) the number of privacy complaints made and the outcome of those complaints;
 - (e) the number of applications for review made to the State Administrative Tribunal under sections 70(5), 90(5), 91(3), 105, 108 and 124 and the outcome of those applications;
 - (f) the number of appeals made to the Supreme Court under the *State Administrative Tribunal Act 2004* section 105 from decisions of the State Administrative Tribunal on applications referred to in paragraph (e) and the outcome of those appeals;
 - (g) the number of notifiable information breaches notified under section 62;
 - (h) the number, or an estimate of the number, of affected individuals in relation to notifiable information breaches notified under section 62;
 - (i) the number of compliance notices issued under section 122;
 - (j) any other information prescribed by the regulations.
- (2) A public entity must provide the Information Commissioner with any information the Information Commissioner requires for the purposes of including the matters referred to in subsection (1) in the annual report.

147. Special reports to Parliament

- (1) The Information Commissioner may, if the Information Commissioner considers it to be in the public interest to do so —
- (a) prepare a report on —
 - (i) any matter arising in connection with the performance of the privacy functions; or

- (ii) any act or practice of an IPP entity that the Information Commissioner considers to be an interference with the privacy of an individual;
 - and
 - (b) submit the report to the President of the Legislative Council and the Speaker of the Legislative Assembly.
- (2) A report under subsection (1) may include recommendations.
- (3) The President or Speaker must cause a copy of a report submitted to them under subsection (1) to be laid before the Legislative Council or Legislative Assembly, as the case requires, within 15 sitting days of that House after the report is submitted.

Subdivision 3 — Guidelines, documents and notices

148. Privacy guidelines

- (1) The Information Commissioner may issue guidelines —
- (a) in relation to any matter required or permitted by this Part or section 176 to be the subject of privacy guidelines; or
 - (b) to provide information and guidance in relation to the application and administration of the information privacy principles and this Part.
- (2) The Information Commissioner may amend or revoke privacy guidelines.
- (3) The Information Commissioner may consult with any person or body the Commissioner considers appropriate before issuing, amending or revoking any privacy guidelines.

- (4) The Information Commissioner must ensure that privacy guidelines are made publicly available.

Note for this section:

Section 221 makes provision for the status and effect of privacy guidelines.

149. Making documents publicly available

- (1) The regulations may make provision for how documents are to be made publicly available by the Information Commissioner or an entity for the purposes of any provision of this Part.
- (2) If a provision of this Part requires or permits the Information Commissioner to make a document publicly available, the Commissioner must comply with that requirement or exercise that power —
- (a) if regulations under subsection (1) apply — in accordance with those regulations; or
 - (b) otherwise — by making the document publicly available in the manner the Commissioner considers appropriate.

150. Notices of decisions or determinations

Without limiting any other provision of this Part, the Information Commissioner must include the following information in a notice of a decision or determination of the Commissioner given under this Part —

- (a) the day on which the decision or determination was made;
- (b) the name and designation of the person who made the decision or determination;
- (c) the reasons for the decision or determination;
- (d) any right under this Act to apply for a review of the decision or determination.

[Division 13 has not come into operation.]

Part 3 — Responsible information sharing

[Divisions 1-7 have not come into operation.]

Division 8 — Administration

Subdivision 1 — Chief Data Officer

198. Chief Data Officer

A Chief Data Officer must be appointed under the *Public Sector Management Act 1994* Part 3 as a senior executive officer in the information sharing Department.

199. Chief Data Officer is separate public entity for information sharing purposes

- (1) For the purposes of a reference to a public entity in this Part —
 - (a) the Chief Data Officer is to be treated as a separate public entity and not as part of the information sharing Department; and
 - (b) the Chief Data Officer is to be treated as the principal officer of that public entity.
- (2) Without limiting subsection (1), the Chief Data Officer may, on the Chief Data Officer's own initiative, make information sharing requests and enter into information sharing agreements as a public entity under this Part.
- (3) Subsection (1) does not affect —
 - (a) the power under section 207 for the Chief Data Officer to delegate to an officer of the information sharing Department; or

- (b) the requirement under section 211 for matters relating to the Chief Data Officer to be included in the annual report in respect of the information sharing Department referred to in that section.

200. Functions of Chief Data Officer

- (1) The Chief Data Officer has the following functions —
 - (a) on request by a public entity or Minister or on the Chief Data Officer's own initiative, to undertake data analytics work, data integration and data linkage on information disclosed to the Chief Data Officer under this Part;
 - (b) to disclose or make publicly available information generated from undertaking data analytics work, data integration or data linkage if the Chief Data Officer considers it appropriate to do so;
 - (c) to do anything the Chief Data Officer may do as a public entity under this Part (including as referred to in section 199(2));
 - (d) to promote the objects of this Act;
 - (e) to build the capability of public entities to share information in accordance with this Part;
 - (f) to prepare and make available information and material in relation to the sharing of information in accordance with this Part;
 - (g) to provide assistance to public entities and external entities in relation to the sharing of information in accordance with this Part;
 - (h) to provide advice to the Information Sharing Minister or to any other person or body about any matters relating to the sharing of information held by public entities;
 - (i) to oversee and monitor the use of information sharing agreements;

- (j) to promote and support the responsible sharing of information between public entities in the State and agencies and instrumentalities in other jurisdictions;
 - (k) any other functions given to the Chief Data Officer under this Act or another written law.
- (2) The Chief Data Officer has all the powers that are needed for the performance of the Chief Data Officer's functions.

201. Power to issue guidelines

- (1) The Chief Data Officer may issue guidelines —
- (a) in relation to any matter required or permitted by this Part to be the subject of Chief Data Officer guidelines; or
 - (b) to provide information and guidance in relation to matters relating to this Part and the responsible sharing principles.
- (2) Without limiting subsection (1)(b), guidelines may be issued in relation to any of the following —
- (a) the form and contents of information sharing agreements, including template provisions for inclusion in information sharing agreements;
 - (b) processes to be followed before entering into information sharing agreements;
 - (c) processes and safeguards relating to the handling of information shared under this Part, including for the purposes of protecting —
 - (i) the privacy of individuals; and
 - (ii) the confidentiality and security of information;
 - (d) the management of risks relating to the sharing of information under this Part;

- (e) the use of information shared under this Part for activities involving data analytics work, data integration or data linkage, including in relation to the design and governance of those activities.
- (3) The Chief Data Officer may amend or revoke Chief Data Officer guidelines.
- (4) The Chief Data Officer must ensure that Chief Data Officer guidelines are made publicly available.

Note for this section:

Section 221 makes provision for the status and effect of Chief Data Officer guidelines.

202. Consultation on guidelines

- (1) The Chief Data Officer may consult with any person or body the Chief Data Officer considers appropriate before issuing, amending or revoking any guidelines under section 201.
- (2) The Chief Data Officer must consult with the Information Commissioner before issuing, amending or revoking under section 201 any guidelines that relate to the handling of personal information or the privacy of individuals.
- (3) The Chief Data Officer must consult with the Privacy and Responsible Information Sharing Advisory Committee before issuing, amending or revoking under section 201 any guidelines for the purpose of section 177(6).

203. Chief Data Officer must have regard to objects of Act

In performing functions under this Act, the Chief Data Officer must have regard to the objects of this Act.

**Subdivision 2 — Privacy and Responsible Information Sharing
Advisory Committee**

**204. Privacy and Responsible Information Sharing Advisory
Committee**

- (1) A committee called the Privacy and Responsible Information Sharing Advisory Committee is established.
- (2) The committee consists of the following members —
 - (a) the Chief Data Officer;
 - (b) the Information Commissioner;
 - (c) at least 2, and no more than 5, other members appointed by the Information Sharing Minister.
- (3) The Information Sharing Minister must ensure that each person appointed under subsection (2)(c) has appropriate qualifications, skills or experience relevant to the functions of the committee.
- (4) Before appointing a person under subsection (2)(c), the Information Sharing Minister must consult with the Privacy Minister.
- (5) A person may be appointed under subsection (2)(c) —
 - (a) for a period not exceeding 3 years; and
 - (b) on a full-time basis or part-time basis.
- (6) A person who has been appointed under subsection (2)(c) is eligible for reappointment.

**205. Functions of Privacy and Responsible Information Sharing
Advisory Committee**

- (1) The Privacy and Responsible Information Sharing Advisory Committee has the function of advising the Chief Data Officer in relation to the performance of the Chief Data Officer's functions.

- (2) Without limiting subsection (1), the Privacy and Responsible Information Sharing Advisory Committee may give the Chief Data Officer advice in relation to the following —
- (a) balancing the public interest in the protection of privacy with the public interest in the free flow of information;
 - (b) community expectations in relation to the matters referred to in section 177(6)(a) to (e);
 - (c) technical best practices in relation to the handling of information;
 - (d) developments in industry or other jurisdictions relevant to the handling of information.
- (3) The Privacy and Responsible Information Sharing Advisory Committee may consult with any person or body for the purposes of providing advice to the Chief Data Officer.

206. Regulations about Privacy and Responsible Information Sharing Advisory Committee

- (1) The regulations may make provision for or in relation to the Privacy and Responsible Information Sharing Advisory Committee.
- (2) Without limiting subsection (1), regulations made under that subsection may make provision for or in relation to any of the following —
- (a) the appointment of a chairperson and deputy chairperson of the committee;
 - (b) the conditions of appointment of members of the committee appointed under section 204(2)(c), including remuneration, allowances and leave;
 - (c) the resignation or removal of members of the committee appointed under section 204(2)(c);
 - (d) meetings and procedures of the committee, including the management of any conflicts of interest relating to the committee.

- (3) Subject to any regulations made under subsection (1), the committee may determine its own procedures.

Subdivision 3 — Delegation and secrecy

207. Delegation by Chief Data Officer

- (1) The Chief Data Officer may delegate to a person employed or engaged in the information sharing Department any power or duty of the Chief Data Officer under another provision of this Act.
- (2) The delegation must be in writing signed by the Chief Data Officer.
- (3) A person to whom a power or duty is delegated under this section cannot delegate that power or duty.
- (4) A person exercising or performing a power or duty that has been delegated to the person under this section is taken to do so in accordance with the terms of the delegation unless the contrary is shown.
- (5) Nothing in this section limits the ability of the Chief Data Officer to perform a function through an officer or agent.

208. Secrecy and authorised disclosure and use of information

- (1) In this section —
relevant official means a person who is or has been —
- (a) the Chief Data Officer; or
 - (b) a member of the Privacy and Responsible Information Sharing Advisory Committee; or
 - (c) a person employed or engaged in the information sharing Department.

- (2) A relevant official must not, directly or indirectly, record, disclose or use information obtained in the administration of this Act.
Penalty for this subsection: a fine of \$6 000.
- (3) Subsection (2) does not apply to the recording, disclosure or use of statistical or other information that is not personal information.
- (4) A relevant official does not commit an offence under subsection (2) if the recording, disclosure or use of the information is authorised under subsection (5).
- (5) The recording, disclosure or use of information to which subsection (2) applies is authorised if the information is recorded, disclosed or used —
- (a) for the purpose of, or in connection with, performing a function under this Act; or
 - (b) as permitted or required by this Act or another written law; or
 - (c) for the purposes of legal proceedings arising out of the administration of this Act or another written law; or
 - (d) with the written consent of the person to whom the information relates; or
 - (e) in circumstances prescribed by the regulations.

Subdivision 4 — Making documents publicly available

209. Making documents publicly available

- (1) The regulations may make provision for how documents are to be made publicly available by the Chief Data Officer or an entity for the purposes of any provision of this Part.
- (2) If a provision of this Part requires or permits the Chief Data Officer to make a document publicly available, the Chief Data

Officer must comply with that requirement or exercise that power —

- (a) if regulations under subsection (1) apply — in accordance with those regulations; or
- (b) otherwise — by making the document publicly available in the manner the Chief Data Officer considers appropriate.

[Division 9 has not come into operation.]

Part 4 — Miscellaneous

215. False or misleading information

A person commits an offence if the person gives to the Information Commissioner or Chief Data Officer a document or information that the person knows to be false or misleading in a material particular.

Penalty: a fine of \$6 000.

216. Acts and practices of public entities and other IPP entities

- (1) The following actions by a public entity or other IPP entity must be taken for the entity by the principal officer or by an officer authorised by the principal officer for that purpose (either generally or in a particular case) —
 - (a) making any application or submission, or giving any notice or other document, to the Information Commissioner under this Act;
 - (b) giving any notice or other document to the Chief Data Officer under this Act (subject to subsection (2));
 - (c) conducting, or preparing a report on, any assessment required under this Act.
- (2) The following actions by a public entity must be taken for the entity by the principal officer or by a senior officer authorised by the principal officer for that purpose (either generally or in a particular case) —
 - (a) making an information sharing request;
 - (b) responding to an information sharing request;
 - (c) entering into an information sharing agreement;
 - (d) responding to an information holdings request.
- (3) Subject to subsections (1) and (2), any act done or practice engaged in by an officer of a public entity or other IPP entity, acting in their capacity as officer and within the scope of their

actual or apparent authority, is taken for the purposes of this Act to have been done or engaged in by the entity.

217. States of mind of public entities and other IPP entities

- (1) In this section —
state of mind includes —
- (a) knowledge, intention, opinion, belief, suspicion or purpose; and
 - (b) reasons for an intention, opinion, belief, suspicion or purpose.
- (2) If this Act refers to a state of mind of a public entity or other IPP entity, the entity is considered to have that state of mind if an officer of the entity, acting in their capacity as officer and within the scope of their actual or apparent authority, has that state of mind.

218. Protection from personal liability

- (1) In this section —
relevant official means a person who is or has been —
- (a) the Privacy Minister; or
 - (b) the Information Sharing Minister; or
 - (c) the Chief Data Officer; or
 - (d) a member of the Privacy and Responsible Information Sharing Advisory Committee; or
 - (e) a person employed or engaged in the information sharing Department.
- (2) No civil liability is incurred by a relevant official for anything that the relevant official has done, in good faith, in the performance or purported performance of a function under this Act.

s. 219

- (3) The protection given by this section applies even though the thing done as described in subsection (2) may have been capable of being done whether or not this Act had been enacted.
- (4) Despite subsection (2), the State is not relieved of any liability that it might have for a relevant official having done anything as described in that subsection.
- (5) Subsection (2) does not affect the operation of section 181.
- (6) In this section, a reference to the doing of anything includes a reference to an omission to do anything.

219. Giving documents

- (1) The regulations may make provision for or in relation to the following —
 - (a) the giving of a document required or permitted to be given under this Act (including the giving of the document by electronic means);
 - (b) the time at which the document is taken to have been given;
 - (c) the means of satisfying a requirement under this Act in relation to a document in writing (for example, a requirement that the original of a document be given or that a document be signed) if the document is given by electronic means.
- (2) This section applies to a requirement or permission to give a document whether the term “give”, “issue”, “send” or “serve”, or any other similar term, is used.

220. Laying documents before House of Parliament not sitting

- (1) This section applies if —
 - (a) a provision of this Act requires a Minister (the *relevant Minister*) to cause a document to be laid before each

House of Parliament, or dealt with under this section, within a specified period; and

- (b) at the beginning of the period, a House of Parliament is not sitting; and
 - (c) in the relevant Minister's opinion, the House will not sit before the end of the period.
- (2) The relevant Minister must send the document to the Clerk of the House before the end of the period.
 - (3) When the document is sent to the Clerk of the House it is taken to have been laid before the House.
 - (4) The laying of the document that is taken to have occurred under subsection (3) must be recorded in the Minutes, or Votes and Proceedings, of the House on the first sitting day of the House after the Clerk receives the document.

221. General provisions about guidelines

- (1) Privacy guidelines and Chief Data Officer guidelines are not subsidiary legislation for the purposes of the *Interpretation Act 1984*.
- (2) If there is a conflict or inconsistency between a provision of this Act and a provision of privacy guidelines or Chief Data Officer guidelines, the provision of this Act prevails.
- (3) A requirement under this Act to have regard to privacy guidelines or Chief Data Officer guidelines does not —
 - (a) derogate from a duty to exercise discretion in a particular case; or
 - (b) prevent a person from having regard to matters not set out in the guidelines; or
 - (c) require the entity to have regard to guidelines that are inconsistent with a provision of this Act.

s. 222

222. Regulations

- (1) The Governor may make regulations prescribing matters —
 - (a) required or permitted by this Act to be prescribed; or
 - (b) necessary or convenient for giving effect to the purposes of this Act.

- (2) Without limiting any other provision of this Act, regulations may make provision for or in relation to the following —
 - (a) applications under this Act;
 - (b) forms for the purposes of this Act;
 - (c) fees or charges in relation to any matter under this Act.

- (3) Regulations for the purposes of section 6(1)(h) or (4) or 9(2)(f)(i) can only be made on the recommendation of the Privacy Minister and the Information Sharing Minister.

Part 5 — Transitional provisions

223. Application of information privacy principles

- (1) In this section —
commencement day means the day on which section 20 comes into operation.
- (2) The following information privacy principles apply only in relation to personal information collected on or after commencement day —
 - (a) IPP 1;
 - (b) IPP 7;
 - (c) IPP 8;
 - (d) IPP 10.
- (3) The following information privacy principles apply in relation to personal information whether collected before, on or after commencement day —
 - (a) IPP 2;
 - (b) IPP 3;
 - (c) IPP 4;
 - (d) IPP 5;
 - (e) IPP 6;
 - (f) IPP 9.1.
- (4) The following information privacy principles apply to de-identified information whether collected before, on or after commencement day —
 - (a) IPP 9.2;
 - (b) IPP 11.

s. 224

224. Application of approved privacy codes of practice

- (1) In this section —
commencement day means the day on which section 33 comes into operation.
- (2) To the extent that an approved privacy code of practice modifies the application of an IPP referred to in section 223(2), or provides for how an IPP referred to in section 223(2) is to be applied or complied with, the approved privacy code of practice applies only in relation to personal information collected on or after commencement day.
- (3) Any other provision of an approved privacy code of practice applies in relation to personal information or de-identified information whether collected before, on or after commencement day.
- (4) Subsections (2) and (3) apply subject to any provision of the approved privacy code of practice that provides for the approved privacy code of practice, or any provision of it, to apply only in relation to information collected on or after a day that is later than commencement day.

225. Notifiable information breach may involve personal information collected before commencement day

- (1) In this section —
commencement day means the day on which section 61 comes into operation.
- (2) For the purposes of section 57, a notifiable information breach may occur in relation to personal information held by an IPP entity whether the personal information was collected before, on or after commencement day.

226. Public register obligations apply to personal information collected before commencement day

- (1) In this section —

commencement day means the day on which section 76 comes into operation.

- (2) Part 2 Division 7 applies to personal information contained, or proposed to be contained, in a public register whether the personal information was collected before, on or after commencement day.

227. Privacy impact assessments not required for functions or activities performed before commencement day

- (1) In this section —

commencement day means the day on which section 79 comes into operation.

- (2) The requirement under section 79(2) for an IPP entity to conduct a privacy impact assessment before first performing a high privacy impact function or activity does not apply in relation to a function or activity that the IPP entity started to perform before commencement day.
- (3) Subsection (2) does not limit —
- (a) any requirement under section 79(2) for an IPP entity to conduct a privacy impact assessment before making a significant change to the way in which personal information is handled as part of a high privacy impact function or activity that the IPP entity started to perform before commencement day; or
 - (b) any requirement under section 79(2) for an IPP entity to conduct a privacy impact assessment in relation to an activity that the IPP entity first performs on or after commencement day, even if the activity is performed in connection with a function that the IPP entity started to perform before commencement day; or

s. 228

- (c) the Information Commissioner's power to issue a direction under section 80 in relation to a function or activity that an IPP entity started to perform before commencement day.

228. State services contracts entered into before commencement day

- (1) In this section —
commencement day means the day on which section 129 comes into operation.
- (2) This Act applies in relation to a provision of a State services contract of the kind referred to in section 129 even if that provision was included in the contract before commencement day.
- (3) Section 140(2) does not apply in relation to a State services contract entered into before commencement day.

229. Transitional regulations

- (1) In this section —
specified means specified or described in regulations;
transitional matter —
 - (a) means a matter or issue of a transitional nature that arises as a result of the enactment of this Act or the coming into operation of any provisions of this Act or regulations made under it; and
 - (b) includes a savings or application matter.
- (2) If there is not sufficient provision in this Part for dealing with a transitional matter, regulations may prescribe anything required, necessary or convenient to be prescribed in relation to the matter.

- (3) Without limiting subsection (2), regulations made for the purposes of that subsection may provide that specified provisions of this Act —
- (a) do not apply to, or in relation to, a specified matter or thing; or
 - (b) apply with specified modifications to, or in relation to, a specified matter or thing.
- (4) If regulations made for the purposes of subsection (2) provide that a specified state of affairs is taken to have existed, or not to have existed, on and from a day that is earlier than the day on which the regulations are published in accordance with the *Interpretation Act 1984* section 41(1)(a) but not earlier than the day on which this section comes into operation, the regulations have effect according to their terms.
- (5) If regulations made for the purposes of subsection (2) contain a provision of a kind described in subsection (4), the provision does not operate so as —
- (a) to affect in a manner prejudicial to any person (other than the State or an authority of the State) the rights of that person existing before the day of publication of those regulations; or
 - (b) to impose liabilities on any person (other than the State or an authority of the State) in respect of anything done or omitted to be done before the day of publication of those regulations.

[Part 6 Division 1 will not come into operation ¹.]

[Part 6 (other than Division 1) has not come into operation.]

Part 7 — Amendment to this Act linked to commencement of *Criminal Law (Mental Impairment) Act 2023*

246. Act amended

This Part amends this Act.

247. Section 4 amended

In section 4 in the definition of *law enforcement agency* delete paragraph (e) and insert:

- (e) the Mental Impairment Review Tribunal established under the *Criminal Law (Mental Impairment) Act 2023* section 156; or

[Schedules 1 and 2 have not come into operation.]

=====

Notes

This is a compilation of the *Privacy and Responsible Information Sharing Act 2024* and includes amendments made by other written laws. For provisions that have come into operation see the compilation table. For provisions that have not yet come into operation see the uncommenced provisions table.

Compilation table

Short title	Number and year	Assent	Commencement
<i>Privacy and Responsible Information Sharing Act 2024</i> Pt. 1, Pt. 2 Div. 12, Pt. 3 Div. 8, Pt. 4, Pt. 5 and Pt. 7	51 of 2024	6 Dec 2024	Pt. 1 and 7: 6 Dec 2024 (see s. 2(a) and (b)(i)); Pt. 2 Div. 12, Pt. 3 Div. 8, Pt. 4 and 5: 1 Jul 2025 (see s. 2(c) and SL 2025/102 cl. 2)
<i>Education and Care Services National Law Application Act 2026</i> Pt. 6 Div. 4	2 of 2026	31 Mar 2026	1 May 2026 (see s. 2(1)(d) and SL 2026/50 cl. 2)

Uncommenced provisions table

To view the text of the uncommenced provisions see *Acts as passed* on the WA legislation website.

Short title	Number and year	Assent	Commencement
<i>Privacy and Responsible Information Sharing Act 2024</i> Pt. 2 (other than Div. 12), Pt. 3 (other than Div. 8), Pt. 6 (other than Div. 1) and Sch. 1 and 2	51 of 2024	6 Dec 2024	To be proclaimed (see s. 2(c))
<i>Evidence Act 2025</i> Pt. 12 Div. 17	15 of 2025	25 Sep 2025	Immediately after the <i>Privacy and Responsible Information Sharing Act 2024</i> s. 158 comes into operation (see s. 2(d)(ii))
<i>Assisted Reproductive Technology and Surrogacy Act 2025</i> Pt. 17 Div. 13	19 of 2025	18 Dec 2025	Immediately after the <i>Privacy and Responsible Information Sharing Act 2024</i> s. 158 comes into operation (see s. 2(b)(ii))

Other notes

- ¹ The *Privacy and Responsible Information Sharing Act 2024* Pt. 6 Div. 1 was deleted by the *Education and Care Services National Law Application Act 2026* Pt. 6 Div. 4 before it purported to come into operation (see Act No. 2 of 2026 s. 2(1)(d) and (2) and SL 2026/50 cl. 2).

Defined terms

[This is a list of terms defined and the provisions where they are defined.

The list is not part of the law.]

Defined term	Provision(s)
Aboriginal community controlled organisation	4
Aboriginal information assessment.....	4
Aboriginal information use plan	4
act.....	4
affected individual	4
approved form.....	4
approved privacy code of practice	4
assessed notifiable information breach	4
assessed shared information breach	4
Australian Information Commissioner.....	4
authorised officer	4
automated decision-making process	4
automated system.....	4
care leaver	4
Chief Data Officer	4
Chief Data Officer guidelines	4
child	4
child protection functions	4
collect.....	4
commencement day	223(1), 224(1), 225(1), 226(1), 227(1), 228(1)
community policing functions	4
compliance notice	4
conciliator	4
confidential or commercially sensitive information.....	4
consent	4
contracted service provider	4, 8(2)
data analytics work	4
Data analytics work.....	12(2)
data integration	4
Data integration.....	12(4)
data linkage	4
Data linkage	12(3)
data linkage key	12(3)
data set	4, 12(1)
de-identified information	4, 11(2)
de-identify.....	4, 11(1)
derived information.....	4
disability	4
disclose	4

Defined terms

disclosing	10
electronic means	4
emergency response functions	4
exempt information	4
external entity	4
family violence	4
government information.....	4
handle.....	4
Health and Disability Services Complaints Office Director	4
health information.....	4
health service	4
high privacy impact function or activity	4
hold	4
holding entity	4
information breach	4
Information Commissioner	4
information holdings request	4
information privacy principle.....	4
information sharing agreement	4
information sharing CEO	4
information sharing Department	4
information sharing direction.....	4
Information Sharing Minister.....	4
information sharing request	4
interference with the privacy.....	4
IPP.....	4
IPP entity	4
judicial body	4, 7(1)
law enforcement agency	4
law enforcement functions	4
materially assisted.....	4
member of Commissioner staff.....	4
notice to produce or attend.....	4
notifiable information breach.....	4
officer.....	4
outsourcing entity	4, 8(1)
Parliamentary Commissioner for Administrative Investigations	4
Parliamentary Secretary	4
permitted purpose	4
personal information	4
Police Force of Western Australia	4
principal officer.....	4, 9(1), (2) and (3)
privacy code of practice	4
privacy complaint	4

Privacy Deputy Commissioner	4
privacy functions.....	4, 142(1)
privacy guidelines	4
privacy impact assessment	4
Privacy Minister.....	4
proposed provider	4
proposed recipient.....	4
provider.....	4
public entity	4, 6(1), 6(2)
public interest determination.....	4
public register	4
recipient	4
re-identify	4, 11(3)
relevant activity.....	4
relevant Minister	220(1)
relevant official	208(1), 218(1)
requesting entity.....	4
respondent.....	4
responsible Minister.....	4
responsible sharing principle	4
secrecy provision	4
senior executive officer.....	4
senior officer	4
sensitive Aboriginal family history information	4
sensitive Aboriginal traditional information	4
sensitive personal information	4
shared information	4
shared information breach.....	4
significant decision	4
special information sharing entity	4
specified.....	229(1)
state of mind.....	217(1)
State services contract.....	4, 8(1)
temporary public interest determination	4
transitional matter	229(1)
unique identifier.....	4
variation agreement.....	4

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Ordinary Council Meeting

23 June 2026

Item CEO 02-06/26
Attachment 1
Shire of Irwin ARIC
Draft Terms of Reference



Terms of Reference

Shire of Irwin Audit, Risk & Improvement Committee

innovation
accountability
integrity
respect

Document Control

Document No.	Date Originated	Previous Version	
Revision No.	Date Reviewed	Adopted by Council - Date	Adopted by Council – Minute Ref
Rev0	08/08/2019	27 August 2019	110819
DRAFT	11/02/2020		
Rev1	25/02/2020	25 February 2020	

Amendments

Details of amendments	Reviewed/Amended Date	Record No.	Council Minute Ref.
Altered: 'Objectives' & 'Meetings' Added: 'Reporting'.	27 August 2019	INT20/1CD8ACD6	110819
Brought into line with DLGSCI's template excluding irrelevant sections now OAG is in control of LG auditing. Removed reference to committee being able to appoint an external committee member.	11 February 2020		

1 Authority of Establishment

The Audit, Risk and Improvement Committee (ARIC) is established by the Shire of Irwin under sections 5.8 and 7.1A of the *Local Government Act 1995* to provide independent oversight, advice and assurance to Council on matters relating to financial management, risk management, governance, legislative compliance and organisational improvement.

The ARIC operates in accordance with the provisions of the *Local government Act 1995 (the Act)*, *Local Government (Audit) Regulations 1996*, the *Local Government (Financial Management) Regulations 1996* and *Local Government (Administration) Regulations 1996*.

2 Purpose and Objectives of the Audit, Risk & Improvement Committee

The ARIC plays a key role in supporting Council to fulfil its legislative responsibilities by providing oversight of the Shire's financial reporting, audit processes, risk management framework and organisational performance. The ARIC acts as a conduit between Council, the Chief Executive Officer, the Office of the Auditor General and other auditors to promote transparency, accountability and sound governance practices across the organisation.

In accordance with the *Local Government Act 1995*, the ARIC is responsible for overseeing and making recommendations to Council on matters arising from external audits, compliance audits, CEO reviews of systems and procedures undertaken under Regulation 17 of the *Local Government (Audit) Regulations 1996*, and any other reviews required under Part 7 of the Act. The ARIC also monitors the implementation of audit recommendations, review findings and other actions required under the Act, including actions reported under section 7.12A.

The objectives of the ARIC are to:

- provide independent advice and assurance to Council on financial reporting, risk management, governance, legislative compliance and organisational improvement;
- oversee the effectiveness of the Shire's financial management, internal control and risk management systems;
- monitor compliance with applicable legislation, regulations, policies and recognised best-practice standards;
- review reports and recommendations arising from audits, compliance reviews and other assurance activities;
- monitor the implementation of agreed actions arising from audits, reviews and compliance activities;
- support the continuous improvement of the Shire's governance, systems, processes and organisational performance;
- facilitate effective communication between Council, the Chief Executive Officer, the Office of the Auditor General and other auditors; and
- strengthen public confidence through transparent oversight of the Shire's financial, governance and risk management practices.

Through these functions, The ARIC assists Council in exercising effective oversight of the Shire's affairs, resources and strategic objectives, while promoting accountability, transparency and continuous improvement across the organisation.

3 Delegated Powers of the Audit, Risk & Improvement Committee

The ARIC is an advisory committee of Council. It has no executive or management functions and cannot direct Shire staff. Council may delegate to the ARIC only powers and duties permitted by section 7.1C of the Act. Decisions of the ARIC are made by simple majority (section 7.1CA).

4 Authority & Functions

The ARIC will oversee the Shire's enterprise risk management framework, business continuity and disaster recovery planning, and drive a culture of continuous improvement in governance, financial management and service delivery.

Authority

The ARIC has authority to:

- a) Request information from the CEO relevant to its functions.
- b) Meet with the Shire's auditor to examine the audit report, determine if any matters raised by the audit report require action by the Shire and ensure that appropriate action is taken in respect of those matters. (s.7.12A(2)).
- c) Make recommendations to Council regarding matters within its remit.

Functions

- a) To receive and review reports on, and recommend to the council actions to be taken in relation to:
 - (i) audits under Part 7 of the Act; and
 - (ii) compliance audits; and
 - (iii) reviews under regulation 17;
- 9
- b) To otherwise receive and review reports on the appropriateness and effectiveness of, and recommend to the council improvements to, the local government's systems and procedures in relation to —
 - (i) financial management; and
 - (ii) legislative compliance; and
 - (iii) risk management;
- c) To receive and review reports on, and recommend to the council improvements to, the implementation of any actions that the local government —
 - (i) is required to take under section 7.12A(3); and
 - (ii) has stated it has taken or intends to take in a report prepared under section 7.12A(4)(a); and
 - (iii) has otherwise decided to take in response to a report or recommendation referred to in paragraph (a) or (b); and
 - (iv) has stated it has done or proposes to do in written advice prepared under section 8.6(1)(a) or 8.23(4)(a).

Other functions

- a) To monitor and promote organisational improvement initiatives arising from audits, reviews, strategic planning, risk management activities and governance reviews.
- b) Any other function conferred on the ARIC under these regulations or another written law.

5 Membership

Presiding Member: an independent person (cannot be a council member of the local government).

Deputy Presiding Member (optional): an independent person (cannot be a council member of the local government).

Members: Council will appoint additional members (council members and/or independent persons) as it considers appropriate. No employee of the Shire can be a Committee Member and no member can be nominated by, or appointed to represent, an employee.

Deputies: Council may appoint deputies in accordance with section 5.11A of the Act (noting deputies to the Presiding or Deputy Presiding Member must also be independent and not council members).

6 Meetings

- a) The ARIC constitutes a committee of Council pursuant to section 5.8 of the *Local Government Act 1995 and Local Government (Audit) Regulations 1996*;
- b) All members are bound by the Shire's Code of Conduct for Council Members, Committee Members and Candidates;
- c) ARIC members are required to declare all applicable financial and/or proximity interests;
- d) The ARIC is to maintain a standard of professionalism and confidentiality applicable to any material or documentation of a sensitive nature either marked or declared confidential by the CEO or Presiding Member of the ARIC;

- e) The appointed Presiding Member shall conduct the ARIC meetings and functions in an orderly manner in accordance with the *Shire of Irwin Meeting Procedures Local Law 2016*;
- f) The ARIC will meet at least once annually, with additional meetings scheduled as required to discharge statutory obligations. A quorum is determined under section 5.19 of the Act. Decisions of the ARIC are made by simple majority (section 7.1CA). Unless otherwise provided by law, meetings are conducted in accordance with the Act, regulations and the Shire of Irwin Meeting Procedures Local Law 2016.

7 Reporting

Reports and recommendations of each committee meeting shall be presented at the next ordinary meeting of the Council.

8 Duties and Responsibilities

The ARIC will perform the functions prescribed under Section 5 of these Terms of Reference and any other functions conferred by legislation.



Ordinary Council Meeting

23 June 2026

Item CEO 02-06/26
Attachment 2
DLGIRS Implementation Guide:
Audit, Risk and Improvement
Committees



Department of Local Government,
Industry Regulation and Safety

Implementation Guide: Audit, Risk and Improvement Committees

Table of contents

Purpose and context	1
Legislative framework	1
Commencement requirements	1
Transitional arrangements	1
Overview	1
Establishment of deemed ARICs	1
Practical implications	2
ARIC functions	2
Membership of ARICs	3
Shared ARICs	3
Electronic attendance	4
Payment for independent members	4
Compliance audit workflow	4
CEO review and Council obligations	5

Purpose and context

This Implementation Guide provides a roadmap for local governments to establish and operate Audit, Risk and Improvement Committees (ARICs) in compliance with the amended legislation and associated regulations.

The introduction of ARICs marks a significant reform, replacing existing audit committees with a new framework designed to enhance risk management and drive continuous improvement across local government operations.

Legislative framework

- *Local Government Act 1995* (the Act).
- *Local Government Amendment Act 2024* (the 2024 Amendment Act).
- *Local Government (Audit) Regulations 1996* (the Audit Regulations).
- *Local Government (Administration) Regulations 1996* (the Administration Regulations).
- *Local Government Regulations Amendment Regulations (No. 4) 2025* (the ARIC Amendment Regulations).

Commencement requirements

ARICs must be established within 6 months of the commencement of section 87 of the 2024 Amendment Act, which introduces Part 7, Division 1A of the Act.

As the new provisions take effect on 1 January 2026, all local governments are required to have an ARIC in place by 30 June 2026.

Existing audit committees that already meet the legislative requirements will automatically transition to an ARIC under regulation 19 and 20 of the Audit Regulations (see regulation 15 of the ARIC Amendment Regulations).

Transitional arrangements

Overview

The transitional provisions are designed to ensure a smooth shift from existing audit committee structures and compliance audit processes to the new framework introduced by the ARIC Amendment Regulations. These arrangements apply from amendment day (1 January 2026).

Establishment of deemed ARICs

If a local government's existing audit committee already meets the new membership requirements (as set out in section 7.1A(2)(a) and (b) of the Act, amended by the 2024 Amendment Act), and the following apply:

- No members were appointed under section 5.10(1)(b) of the Act – that is, no appointments were made by virtue of the entitlement provisions for the Mayor or President (section 5.10(4)).
- The presiding member, the deputy of the presiding member, and any deputy presiding member (if one is appointed) are not council members of any local government.

Then, on 1 January 2026, the existing audit committee is deemed to become the ARIC without further action.

Any delegations to the former audit committee automatically continue as delegations to the deemed ARIC.

Local governments still retain the option to form a new ARIC within 6 months of 1 January 2026 if they choose to replace the deemed ARIC.

Practical implications

Local governments should review their existing audit committee structure and membership. If the current audit committee membership satisfies the criteria outlined above, no immediate changes are required.

While current delegations will continue to apply, local governments are encouraged to review whether these delegations remain appropriate and ensure that relevant policies or terms of reference for ARICs are updated.

Each local government may choose to retain its deemed ARIC or establish a new one. However, any audit committee that does not meet the required criteria will cease to exist after 1 January 2026 and must be formally constituted as an ARIC by 30 June 2026.

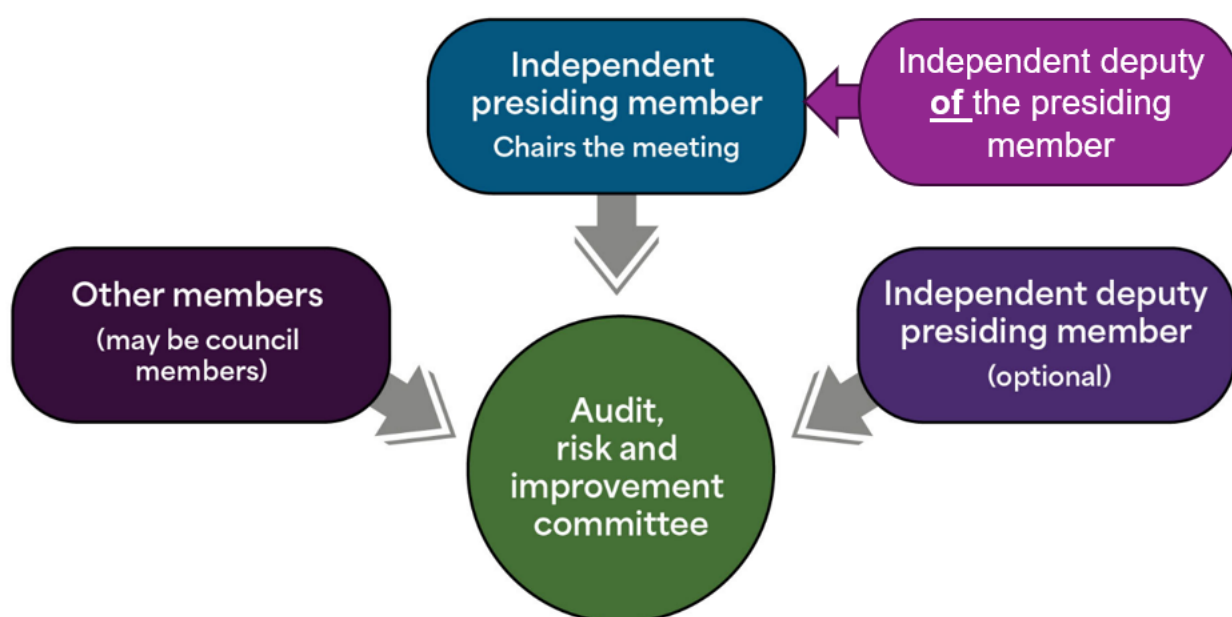
ARIC functions

The functions of ARICs are to:

- receive and review reports related to local government compliance audits required under the Act and regulations;
- make recommendations to council on actions to be taken in relation to those reports;
- receive and review reports on the effectiveness of the local government's systems and procedures in relation to financial management, legislative compliance and risk management;
- make recommendations to council on improvements to those systems and procedures;
- receive and review reports on any actions the local government is required to take under the Act, or has decided to take in relation to a compliance audit report or report into the effectiveness of the local government's systems and procedures; and
- perform any function conferred on the ARIC under the Regulations or another written law.

Membership of ARICs

Under section 7.1A of the Act, each ARIC must have a minimum of three members. These include an independent presiding member, an independent deputy of the presiding member, and at least one other member as per the diagram below:



Council members are permitted to sit on an ARIC for their own local government or for another local government. However, they cannot hold the positions of presiding member, deputy of the presiding member, or deputy presiding member. This ensures that leadership roles within the ARIC remain independent.

Employees of a local government are not allowed to serve on that same local government's ARIC. Employees may, however, be appointed as a member of an ARIC for a different local government, provided they meet all other eligibility requirements.

When appointing deputies, it is important to note that the same individual cannot serve as both the independent deputy presiding member and the deputy of the presiding member.

Local governments that would like assistance in identifying an independent person to serve as presiding member or deputy of the presiding member may contact LGIRS at goodgovernance@lgirs.wa.gov.au.

Shared ARICs

Local governments have the option to establish a shared audit, risk and improvement committee (shared ARIC) under section 7.1CB(6) and (7) of the Act.

It may be beneficial for a local government to establish a shared ARIC in circumstances where:

- a local government is in a regional or remote area and may face challenges with attracting suitably qualified and experienced independent members;
- a local government is in close geographical proximity to another local government;

- a local government faces similar issues in their district with another local government;
- a shared ARIC provides increased access to independent members by enabling meetings to be scheduled on the same day;
- a local government may have more success with recruitment of independent members by pooling resources with another local government.

The requirements for shared ARICs are detailed in regulations 4 and 5 of the Audit Regulations, as amended by regulation 8 of the ARIC Amendment Regulations.

When forming a shared ARIC, participating local governments must enter into a formal agreement. This agreement should clearly set out how decisions will be made and include procedures for the removal of members. It must also address how powers and duties under relevant provisions of the legislation will be exercised collectively.

Employees of any participating local government are not permitted to serve as members of the shared ARIC. Furthermore, the presiding member, deputy for the presiding member, and deputy presiding members are to be independent and therefore cannot be council members of any participating local government. These appointments require an absolute majority decision from each local government involved.

Local governments may also share an independent member with another local government without establishing a shared committee.

All members of the shared ARIC are bound by a Code of Conduct. For council members, their own local government's adopted Code of Conduct applies. For non-council members, the shared ARIC agreement must specify which Code of Conduct will apply (adopted under section 5.104 by one of the participating local governments).

Electronic attendance

Under regulation 14C of the Administration Regulations, electronic attendance at ARIC meetings is permitted but capped at no more than 50 per cent of meetings within any 12-month period.

Payment for independent members

Independent members are entitled to sitting fees as determined by the Salaries and Allowances Tribunal and in accordance with section 5.100 of the Act. The current maximum is set at \$1,215 per meeting.¹

In addition to sitting fees, independent members may claim reimbursement for actual travel expenses incurred in attending ARIC meetings.

Compliance audit workflow

The below outlines the process for conducting, reviewing and submitting annual compliance audits in accordance with the Audit Regulations.

1. Annual audit

¹ Local Government Chief Executive Officers and Elected Council Members Determination No. 1 of 2025, page 19, https://www.wa.gov.au/system/files/2025-12/local_govt_variation_no.01_of_2025.pdf

The CEO ensures a compliance audit of the local government's statutory compliance for the period 1 January to 31 December each year.

2. Prepare and submit return

The CEO prepares a compliance audit return in the Inspector-approved form and provides it to the ARIC.

3. ARIC review and report

The ARIC reviews the compliance audit return and reports the results and any recommendations to Council.

4. Council consideration and adoption

Council considers the return and ARIC's review (including any recommendations), determines any required actions, and adopts the return (with or without amendments).

5. Submission to Inspector

After adoption, the local government must submit to the Inspector by 31 March following the audit year (or 30 September 2026 for 2025 returns):

- the compliance audit return (signed by the Mayor/President and CEO);
- ARIC recommendations;
- relevant council meeting minutes;
- and any explanatory or qualifying information.

Refer to regulations 14 and 15 of the Audit Regulations (see regulation 14 of the ARIC Amendment Regulations).

CEO review and Council obligations

Under regulation 17 of the Audit Regulations the CEO must review financial management, legislative compliance and risk systems at least once every four years and report results to the ARIC.

Under the Audit Regulations, the CEO is responsible for ensuring that the local government's governance systems remain effective and appropriate. Specifically, the CEO must periodically review the systems and procedures that support:

- financial management;
- legislative compliance; and
- risk management.

These reviews can be conducted at any time, but each area must be examined at least once in every four financial years. After completing a review, the CEO is required to report the results to the ARIC.

The ARIC plays a critical role in oversight and considers the CEO's review findings alongside other audit and compliance reports and provides recommendations to Council on any improvements or corrective actions that may be necessary (see regulation 16 of the Audit Regulations).

Council, in turn, must examine ARIC's reports and determine what actions are required to address identified issues.



Ordinary Council Meeting

23 June 2026

Item CEO 03-06/26
Attachment 1
Register of Delegations 2026

Shire of Irwin
Register of Delegated Authority

REVIEW

There are no reviews to display

TABLE OF CONTENTS

INTRODUCTION	6
DELEGATIONS	7
13 - Infringement Notices	7
40 - Infringement Notices - Extensions and Withdrawals	9
100 - Tenders for Goods and Services	11
101 - Payments from the Municipal or Trust Funds	15
102 - Trust Fund	18
103 - Expression of Interest Goods and Services	20
104 - Application of Regional Price Preference Policy	22
105 - Appoint Authorised Persons	24
106 - Compensation for Damage Incurred when Performing Executive Functions	26
107 - Powers of Entry	28
108 - Declare Vehicle is Abandoned Vehicle Wreck	30
109 - Confiscate or Uncollected Goods	32
110 - Disposal of Sick or Injured Animals	34
111 - Close Thoroughfares to Vehicles	36
112 - Control Reserves and Certain Unvested Facilities	40
113 - Obstruction of Footpaths and Thoroughfares	42
114 - Gates Across Public Thoroughfares	45
115 - Public Thoroughfare – Dangerous Excavations	47
116 - Crossing – Construction, Repair and Removal	50
117 - Private Works on, over or under Public Places	52
118 - Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift	54
119 - Disposal of Property	56
120 - Defer, Grant Discounts, Waive or Write off Debts	58
121 - Power to Invest and Manage Investments	60
122 - Rate Record Amendment	62
123 - Agreement as to Payment of Rates and Service Charges	64
124 - Determine Due Date for Rates or Service Charges	66
125 - Recovery of Rates or Service Charges	68
126 - Recovery of Rates – Lessee to Pay Rent	70
127 - Rate Record - Objections	72
128 - Issuing Notices to Owner or Occupier of Land	74
129 - Actions on Land that is not Local Government Property	76
130 - Works Required for Supply of Gas or Water	78
131 - Complaints Officer	80
132 - Request Information (s.14) ROAD TRAFFIC (ADMINISTRATION) ACT 2008	82
200 - Grant a Building Permit	84
201 - Demolition Permits	86

202 - Occupancy Permits or Building Approval Certificates	88
203 - Authorised and Approved Persons/Officers	90
204 - Building Orders	92
205 - Inspection and Copies of Building Records	94
206 - Referrals and Issuing Certificates	96
207 - Private Pool Barrier – Alternative and Performance Solutions	98
208 - Smoke Alarms – Alternative Solutions	100
300 - Firebreaks	102
301 - Make Request to FES Commissioner – Control of Fire	104
302 - Prohibited Burning Times - Vary	105
303 - Restricted Burning Times - Vary	107
304 - Prohibited and/or Restricted Burning Times – Control Activities	109
305 - Control of Operations Likely to Create Bush Fire Danger	112
306 - Burning Garden Refuse / Open Air Fires	114
307 - Appoint Bush Fire Control Officer/s and Fire Weather Officer	116
308 - Control and Extinguishment of Bush Fires	118
309 - Recovery of Expenses Incurred through Contraventions of this Act	119
310 - Prosecution of Offences	120
311 - Withdrawal of Infringement Notices	121
400 - Cat Registrations	122
401 - Cat Control Notices	124
402 - Approval to Breed Cats	126
403 - Appoint Authorised Person	128
404 - Recovery of Costs – Destruction of Cats	130
405 - Applications to Keep Additional Cats	131
500 - Refuse or Cancel Registration	133
501 - Kennel Establishments	135
502 - Appoint Authorised Persons	137
503 - Recovery of Moneys Due Under this Act	138
504 - Dispose of or Sell Dogs Liable to be Destroyed	140
505 - Declare a Dangerous Dog	142
506 - Dangerous Dog Declared or Seized – Deal with Objections and Determine when to Revoke	144
507 - Determine Recoverable Expenses for Dangerous Dog Declaration	146
600 - Food Business Registrations	148
601 - Appoint Authorised Officers and Designated Officers	150
602 - Determine Compensation	152
603 - Prohibition Orders	154
604 - Debt Recovery and Prosecutions	156
605 - Food Business List – Preparation, Maintenance and Public Access	158
700 - Give Notice Requiring Obliteration of Graffiti	159
701 - Notices – Deal with Objections and Suspension of Effect of Notices	161

702 - Obliterate Graffiti on Land not Local Government Property	163
703 - Powers of Entry	164
800 - Appoint Authorised Officer or Approved Officer (Asbestos Regs)	165
801 - Enforcement Agency Reports to the Chief Health Officer	166
802 - Designate Authorised Officers	167
803 - Determine Compensation for Seized Items	169
804 - Commence Proceedings	170
900 - Illegal Development	171
901 - Waiving or Refunding Planning Application Fee	173
902 - Grant a Certificate	175
903 - Subdivision Clearances	176
904 - Local Planning Scheme No.5	177
905 - Strata Title Applications - Certificates of Approval	183
CEO1000 - Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000	185
CEO1001 - Bush Fire Brigades Local Law	187
CEO1002 - Cemeteries Local Law 2000	188
CEO1003 - Dogs Local Law	190
CEO1004 - Extractive Industries Local Law 2000	192
CEO1005 - Health Local Laws 2002	194
CEO1006 - Local Government Property Local Law	196
CEO1007 - Local Law Relating to Signs, Hoarding and Bill Posting	198
CEO1008 - Local Laws Relating to Fencing	200
CEO1009 - Meeting Procedures Local Law 2016	202
CEO1010 - Parking and Parking Facilities Local Law 2000	203
CEO1011 - Prevention and Abatement of Sand Drift Local Law 2004	205
AMENDMENTS	206

INTRODUCTION

DELEGATIONS

Delegation	13 Infringement Notices
Category	CEO to Employees
Head of power	01 Local Government Act 1995
Delegator	CEO
Express power to delegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express power or duty delegated	<i>Local Government Act 1995:</i> s.9.13(6)(b) Onus of proof in vehicle offences may be shifted s.9.19 Extension of Time s.9.20 Withdrawal of Notice
Function	<p>1. Authority to determine that the Shire is satisfied that within 28 days after the owner of a vehicle that was served a notice and the owner submits that the vehicle had been stolen or unlawfully taken, or was being unlawfully used, at the time the offense is alleged to have been committed. [s.9.13(6)(b)]</p> <p>2. Authority to extend the 28-day period within which payment of a modified penalty may be paid, whether or not the period of 28-days has elapsed [s.9.19].</p> <p>3. Authority to withdraw an infringement notice within one year after the notice was given, whether or not the modified penalty has been paid, by sending a withdrawal notice (in the prescribed form) to the alleged offender and if the modified penalty has been paid, providing a refund [s.9.20(1),(2)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Audit) Regulations 1996.</i></p>
Delegates	Manager Community Services
Conditions	<p>a. A delegate or authorised person who participated in a decision to issue an infringement notice, is NOT to determine any matter related to that infringement notice under this Delegation.</p> <p>b. See specific delegations under the Building Act and the Parking and Parking Facilities Local Law for reference to delegations under s.9.13, s.9.19 and s.9.20 of the Local Government Act 1995.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
Statutory framework	<i>Local Government Act 1995 – Section 5.46(3)</i>
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	Local Government Act 1995 – Section 5.46(3) All exercises of delegated authority are to be recorded within the Shire's ICT system
Date adopted	8 March 2021

Adoption references	Approved by CEO see Altus ECM record INT21/6D3D1ABB
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
14 Feb 2023	Amended delegation	14.02.2023 - as advised during meeting with CEO, new delegate to be Manager, Community Services. Subsequently advised by WALGA (on 23.02.23) that no Council-CEO delegation required for this Delegation as legislation allows for CEO to be the delegator.	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 - 3.00024

Delegation	40 Infringement Notices - Extensions and Withdrawals
Category	CEO to Employees
Head of power	04 Cat Act 2011
Delegator	CEO
Express power to delegate	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
Express power or duty delegated	<i>Cat Act 2011:</i> s.64 Extension of time The CEO of a local government may, in a particular case, extend the period of 28 days within which the modified penalty may be paid and the extension may be allowed whether or not the period of 28 days has elapsed. s.65 Withdrawal of notice (1) Within one year after the notice was given the CEO of the local government may, whether or not the modified penalty has been paid, withdraw an infringement notice by sending to the alleged offender a notice in the prescribed form stating that the infringement notice has been withdrawn. (2) Where an infringement notice is withdrawn after the modified penalty has been paid, the amount is to be refunded.
Function	1. Authority to extend the period of 28 days within which the modified penalty may be paid and the extension may be allowed whether or not the period of 28 days has elapsed [s.64]. 2. Authority, within one year of the infringement notice being given and whether or not the modified penalty has been paid, to withdraw an infringement notice [s.65]. <i>Actions under this Delegation are required to comply with procedural and form requirements detailed in the Cat Act 2011 and Cat Regulations 2012.</i>
Delegates	Manager Community Services
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Statutory framework	<i>Cat Act 2011</i> <i>Cat Regulations 2012</i>
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	<i>Cat Act 2011 s.47</i> (3) A person to whom a power or duty is delegated under this Division is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty. All exercises of delegated authority are to be recorded within the Shire's ICT system.
Date adopted	8 March 2021
Adoption references	Approved by CEO see Altus ECM record INT21/6D3D1ABB
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	100 Tenders for Goods and Services
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> r.11 When tenders have to be publicly invited r.13 Requirements when local government invites tenders though not required to do so r.14 Publicly inviting tenders, requirements for r.18 Rejecting and accepting tenders r.20 Variation of requirements before entry into contract r.21A Varying a contract for the supply of goods or services
Function	<ol style="list-style-type: none"> 1. Authority to call tenders [F&G r.11(1)]. 2. Authority with regards to the following, due to the unique nature of the goods or services or for any other reason it is unlikely that there is more than one supplier, determine a sole supplier arrangement [F&G r.11(f)]. 3. Authority to undertake tender exempt procurement, in accordance with the Purchasing Policy requirements, where the total consideration under the resulting contract is \$250,000 or less [F&G.r.11(2). r.11(2)(aa) the supply of the goods or services is associated with a state of emergency; r.11(2)(h) the following apply- <ol style="list-style-type: none"> i. the goods or services are to be supplied by — <ol style="list-style-type: none"> I. a person registered on the Aboriginal Business Directory WA published by the Chamber of Commerce and Industry of Western Australia Limited ABN 96 929 977 985; or II. Australian Indigenous Minority Supplier Office Limited (trading as Supply Nation) ABN 50 134 720 362; r.11(2)(ja) the contract is a renewal or extension of the term of a contract (the original contract) r.11(3) For the purposes of subregulation (2)(aa) a supply of goods or services is associated with a state of emergency if — see [F&G r.11(3)] for further information 4. Authority to invite tenders although not required to do so [F&G r.13]. 5. Authority to determine in writing, before tenders are called, the criteria for acceptance of tenders [F&G r.14(2a)]. 6. Authority to determine the information that is to be disclosed to those interested in submitting a tender [F&G r.14(4)(a)]. 7. Authority to vary tender information after public notice of invitation to tender and before the close of tenders, by taking reasonable steps to ensure each person who has sought copies of the tender information is provided notice of the variation [F&G r.14 (5)].

	<p>8. Authority to evaluate tenders, by written evaluation of the extent to which each tender satisfies the criteria and decide which is the most advantageous [F&G r.18(4)].</p> <p>9. Authority to accept a tender which does not exceed the value detailed as a condition on this Delegation and in accordance with s.5.43(b). and; Authority to accept and reject tenders in accordance with the requirements of the Functions and General Regulations [F&G r.18].</p> <p>10. Authority to determine that a variation proposed is minor in context of the total goods or services sought through the invitation to tender and negotiate minor variations with the successful tenderer before entering into a contract, in accordance with Council Conditions on this delegation. [F&G r.20(1) (3)].</p> <p>11. Authority to seek clarification from tenderers in relation to information contained in their tender submission [F&G r.18(4a)].</p> <p>12. Authority to decline to accept any tender [F&G r.18(5)].</p> <p>13. If the chosen tenderer is unable or unwilling to form a contract OR the minor variation cannot be agreed with the successful tenderer, so that the tenderer ceases to be the chosen tenderer, authority to choose the next most advantageous tender to accept [F&G r.20(2)]</p> <p>14. Authority to:</p> <ul style="list-style-type: none"> i. Vary a contract that has been entered into with a successful tenderer, provided the variation/s do not change the scope of the original contract or as per Council conditions on this delegation ii. Exercise an extension option that was included in the original tender specification and contract in accordance with r.11(2)(j)(ja). [F&G r.21A] and before the contract is to expire. <p>15. Authority to accept another tender where within 6-months of either accepting a tender, a contract has not been entered into OR the successful tenderer agrees to terminate the contract [F&G r.18(6) (7)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Functions and General) Regulations 1996.</i></p>
Delegates	CEO

<p>Conditions</p>	<p>a. Sole supplier arrangements may only be approved where a record is retained that evidences:</p> <ul style="list-style-type: none"> i. A detailed specification; ii. The outcomes of market testing of the specification; iii. The reasons why market testing has not met the requirements of the specification; and iv. Rationale for why the supply is unique and cannot be sourced through other suppliers; <p>b. Tenders may only be called where there is an adopted budget for the proposed goods or services, with the exception being in the period immediately prior to the adoption of a new Annual Budget and where the:</p> <ul style="list-style-type: none"> i. proposed goods or services are required to fulfil a routine contract related to the day to day operations of the Local Government, ii. current supply contract expiry is imminent, iii. value of the proposed new contract has been included in the draft Annual Budget proposed for adoption, and iv. The tender specification includes a provision that the tender will only be awarded subject to the budget adoption by the Council. <p>c. Tender exempt procurement is required to have the expense included in the adopted annual budget, unless exercising the requirement for emergency purchasing under the definition of Emergency or a declared State of Emergency.</p> <p>d. In accordance with s.5.43, tenders may only be accepted and panels of pre-qualified suppliers established, where the total consideration under the resulting contract is \$250,000 or less and the expense is included in the adopted Annual Budget.</p> <p>e. A minor variation negotiation, in relation to an invitation to Tender, is subject to a maximum 20% variation and is not to exceed \$500,000.</p> <p>f. The variation of a contract is subject to a maximum limit of a 15% increase of the contract value.</p> <p><i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i></p>
<p>Express power to subdelegate</p>	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>
<p>Subdelegate conditions</p>	<p>Not sub-delegated</p>
<p>Statutory framework</p>	<p><i>Local Government Act 1995</i> <i>Local Government (Functions and General) Regulations 1996</i></p>
<p>Policy</p>	<p>Council Policy - CP20 Purchasing Management Policy MP04 Purchasing</p>
<p>Record keeping</p>	<p><i>Local Government Act 1995 – Section 5.46(3)</i> <i>Local Government (Administration) Regulations 1996 r.19</i> <i>Local Government (Functions and General) Regulations 1996 r.17</i></p> <p>Tender Register (1) The CEO is responsible for keeping the tenders register and making it available for public inspection</p>
<p>Date adopted</p>	<p>28 July 2020</p>

Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
28 Feb 2023	Amended delegation	Adopted by Council at OCM 28.02.2023	Minute reference: 100223
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	101 Payments from the Municipal or Trust Funds
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995:</i> <i>Local Government (Financial Management) Regulations 1996:</i> r.12(1)(a) Payments from municipal fund or trust fund, restrictions on making
Function	1. Authority to make payments from the municipal or trust funds [r.12(1)(a)]. <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.</i>
Delegates	CEO
Conditions	a. Authority to make payments is subject to Council approved budget. b. or the payments have been authorised by a resolution of Council in advance, or authorised in advance by the Shire President in an emergency. c. A list of payments is presented to Council in accordance with Financial Management Regulations 13. d. All payments are signed by two delegated signatories, one being the CEO the other sub-delegated by the CEO. <i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Community Emergency Services Manager Human Resource Supervisor Manager Community Services Manager Finance Manager Operations

Subdelegate conditions	<p>a. Authority to make payments is subject to Council approved budget.</p> <p>b. or the payments have been authorised by a resolution of Council in advance, or authorised in advance by the Shire President in an emergency.</p> <p>c. Delegates must comply with the Procedures approved by the CEO in accordance with Financial Management Regulation 5.</p> <p>d. Payments by cheque and EFT transactions must be approved jointly by two delegates. In the case of payroll authorisation, one of these delegates must be the CEO.</p> <p>e. Delegates that approve the payment must not verify the liability. The verification of incurring the liability via the purchase order, invoice and evidence of goods/service received, must be undertaken independent of the payment approval.</p> <p>f. Payments with Corporate Credit Card shall not exceed the credit limit of the card.</p>
Statutory framework	<p><i>Local Government Act 1995 – Section 5.46(3)</i> <i>Local Government (Financial Management) Regulations 1996</i></p>
Policy	<p>Council Policy – CP20 Purchasing</p>
Record keeping	<p><i>Local Government Act 1995 – Section 5.46(3)</i> <i>Local Government (Administration) Regulations 1996 r.19</i></p>
Date adopted	<p>28 July 2020</p>
Adoption references	<p>130720</p>
Last reviewed	<p>24 June 2025</p>

Amendments			
Date	Type	Amendment	References
14 Feb 2023	Amended delegation	Correction to Amendment comment above - Manager Finance and Chief Operating Officer given delegation 14/02/2023 (not 2022).	---
22 Feb 2023	Amended delegation	Following subdelegates added, on instruction of CEO, as follows: - 20/08/2022: Human Resources Supervisor (refer amendment comment 20/8/22 in EMP101); - 23/08/2022: Community Emergency Services Manager (refer amendment comment 23/08/22 in EMP101); - 14/09/2022: Manager, Community Services (refer amendment comment 14/09/22 in EMP101); - 15/02/2022: Manager Finance and Chief Operating Officer (ALTUS folder: 3.00342; ref: INT23/14767209).	---
8 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO, as follows: Mark Jones in position of Manager Operations (acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	102 Trust Fund
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995:</i> s.6.9(4) Trust fund -
Function	<p>1. Authority to transfer money, where money has been held in the trust fund for 10 years it may be transferred to the municipal fund but the local government is required to repay the money, together with any interest earned from its investment, from that fund to a person claiming and establishing a right to the repayment.</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.</i></p>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Development Manager Finance Manager Operations
Subdelegate conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Statutory framework	<i>Local Government Act 1995</i>
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	<i>Local Government Act 1995 – Section 5.46(3)</i> <i>Local Government (Administration) Regulations 1996 r.19</i> All exercises of delegated authority are to be recorded into the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
14 Feb 2023	Amended delegation	<p>14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.</p> <p>22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).</p>	---
20 Jun 2023	Amended delegation	<p>Following subdelegate added on instruction of CEO, as follows: Mark Jones in position of Manager Operations (acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.</p>	
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.0024

Delegation	103 Expression of Interest Goods and Services
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	Local Government Act 1995: s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> r.21 Limiting who can tender, procedure for r.23 Rejecting and accepting expressions of interest to be acceptable tenderer
Function	<p>1. Authority to determine when to seek Expressions of Interest and to invite Expressions of Interest for the supply of goods or services [F&G r.21].</p> <p>2. Authority to consider Expressions of Interest which have not been rejected and determine those which are capable of satisfactorily providing the goods or services, for listing as acceptable tenderers [F&G r.23].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Functions and General) Regulations 1996.</i></p>
Delegates	CEO
Conditions	<p>a. Compliance with Delegation CEO100 - Tender for Goods and Services</p> <p>b. Expressions of Interest may only be called where there is an adopted budget for the proposed goods or services.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegate conditions	Not sub-delegated
Statutory framework	<i>Local Government Act 1995</i> <i>Local Government (Functions and General) Regulations 1996</i>
Policy	Council Policy - CP20 Purchasing
Record keeping	<i>Local Government Act 1995 – Section 5.46(3)</i> <i>Local Government (Administration) Regulations 1996 r.19</i> All exercises of delegated authority are to be recorded within the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720

Last reviewed	24 June 2025
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Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	104 Application of Regional Price Preference Policy
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government (Functions and General) Regulations 1996:</i> r.24G Adopted regional price preference policy, effect of
Function	1. Authority to decide when not to apply the regional price preference policy to a particular tender in the future for a contract of that type [F&G r.24G]. <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Functions and General) Regulations 1996.</i>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegate conditions	Not sub-delegated
Statutory framework	<i>Local Government Act 1995 – Section 5.46(3)</i> <i>Local Government (Functions and General) Regulations 1996</i>
Policy	Council Policy - CP01 Localised Purchasing (Regional Price Preference) Council Policy - CP20 Purchasing
Record keeping	<i>Local Government Act 1995 – Section 5.46(3)</i> <i>Local Government (Administration) Regulations 1996 r.19</i> All exercises of delegated authority are to be recorded within the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	105 Appoint Authorised Persons
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995:</i> s.3.24 Authorising persons under this subdivision [Part 3, Division 3, Subdivision 2 – Certain provisions about land] s.9.10 Appointment of authorised persons
Function	<p>1. Authority to appoint persons or classes of persons as authorised persons for the purpose of fulfilling prescribed functions within the Local Government Act 1995 and its subsidiary legislation, including Local Government Act Regulations, the Local Government (Miscellaneous Provisions) Act 1960 and Local Laws made under the Local Government Act. [s.3.24 and s.9.10].</p> <p>2. Authority to appoint authorised persons for the purposes of section 9.16 of the Local Government Act 1995, as a precondition for appointment as authorised officers in accordance with Regulation 70(2) of the Building Regulations 2012 and section 6(b) of the Criminal Procedure Act 2004.</p> <p>3. Authority to appoint authorised person for the purposes of the Graffiti Vandalism Act 2016, which prescribes Part 9 of the Local Government Act 1995 as the enabling power [s.15 of the Graffiti Vandalism Act 2016].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.</i></p>
Delegates	CEO
Conditions	<p>a. A Register of Authorised Persons is to be maintained as a Local Government Record.</p> <p>b. Only persons who are appropriately qualified and trained may be appointed as authorised persons.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegate conditions	Not sub-delegated
Statutory framework	<i>Local Government Act 1995</i> <i>Graffiti Vandalism Act 2016</i>
Policy	Schedule of Authorised Persons Management Policy - MP02 Purchasing Order Authorisation

Record keeping	<i>Local Government Act 1995</i> – Section 5.46(3) <i>Local Government (Administration) Regulations 1996</i> r.19 Exercises of delegated authority to be recorded in the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	106 Compensation for Damage Incurred when Performing Executive Functions
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995:</i> s.3.22(1) Compensation s.3.23 Arbitration
Function	<p>1. In accordance with the s.3.22 procedures, assess and determine the extent of damage to private property arising directly from performance of executive functions and make payment of compensation [s.3.22(1)].</p> <p>2. Where compensation is unable to be determined and agreed between parties, give effect to arbitration in accordance with s.3.23.</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.</i></p>
Delegates	CEO
Conditions	<p>a. Delegation is limited to settlements which do not exceed a material value of \$5,000.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Operations
Subdelegate conditions	<p>Delegation is limited to settlements which do not exceed a material value of \$5,000.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
Statutory framework	<i>Local Government Act 1995</i>
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	<i>Local Government Act 1995 – Section 5.46(3)</i> <i>Local Government (Administration) Regulations 1996 – regulation 19</i> All exercises of delegated authority are to be recorded within the Shire's ICT system.
Date adopted	28 July 2020

Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO, as follows: Mark Jones in position of Manager Operations (acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.	
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	107 Powers of Entry
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995:</i> s.3.28 When this Subdivision applies s.3.32 Notice of entry s.3.33 Entry under warrant s.3.34 Entry in an emergency s.3.36 Opening fences
Function	<ol style="list-style-type: none"> 1. Authority to exercise powers of entry to enter onto land to perform any of the local Government functions under this Act, other than entry under a Local Law [s.3.28]. 2. Authority to give notice of entry [s.3.32]. 3. Authority to seek and execute an entry under warrant [s.3.33]. 4. Authority to execute entry in an emergency, without notice if not practicable. Using such force as is reasonable [s.3.34(1) (3) (5)]. 5. Authority to give notice and effect entry by opening a fence [s.3.36]. <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.</i></p>
Delegates	CEO
Conditions	<p>a. Delegated authority under s.3.34(1) and (3) may only be used, where there is imminent or substantial risk to public safety or property.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegate conditions	<p>Delegated authority under s.3.34(1) and (3) may only be used, where there is imminent or substantial risk to public safety or property.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
Statutory framework	<i>Local Government Act 1995</i>
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations

Record keeping	<i>Local Government Act 1995</i> – Section 5.46(3) All exercises of delegated authority are to be recorded into the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	108 Declare Vehicle is Abandoned Vehicle Wreck
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995</i> s.3.40A(4) Abandoned vehicle wreck may be taken
Function	1. Declare that an impounded vehicle is an abandoned vehicle wreck [s.3.40A(4)]. <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.</i>
Delegates	CEO
Conditions	a. Disposal of a declared abandoned vehicle wreck to be undertaken in accordance with Delegation CEO109 Confiscated or Uncollected Goods or alternatively, referred to Council for a decision. <i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegate conditions	Disposal of a declared abandoned vehicle wreck to be undertaken in accordance with Delegation CEO109 Confiscated or Uncollected Goods or alternatively, referred for Council decision. <i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Statutory framework	Local Government Act 1995
Policy	Council Policy CP43 Disposal of Property Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	<i>Local Government Act 1995</i> – Section 5.46(3) <i>Local Government (Administration) Regulations 1996</i> – regulation 19 All exercises of delegated authority are to be recorded into the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
14 Feb 2023	Amended delegation	<p>14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.</p> <p>22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).</p>	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	109 Confiscate or Uncollected Goods
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995:</i> s.3.46 Goods may be withheld until costs paid s.3.47 Confiscated or uncollected goods, disposal of s.3.48 Impounding expenses, recovery of
Function	<p>1. Authority to refuse to allow goods impounded under s.3.39 or 3.40A, or removed under s.3.40 or 3.40A to be collected until the costs of removing and/or impounding and keeping them have been paid to the local government. [s.3.46]</p> <p>2. Authority to sell or otherwise dispose of confiscated or uncollected goods or vehicles that have been ordered to be confiscated under s.3.43. [s.3.47]</p> <p>3. Authority to recover expenses if goods are removed and impounded under section 3.39 and the alleged offender is convicted, by action in a court of competent jurisdiction. [s.3.48]</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Function and General) Regulations 1996.</i></p>
Delegates	CEO
Conditions	<p>a. May be disposed of by any means considered to provide best value, provided the process is transparent and accountable.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegate conditions	<p>May be disposed of by any means considered to provide best value, provided the process is transparent and accountable.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
Statutory framework	<i>Local Government Act 1995</i> <i>Local Government (Functions and General) Regulations 1996</i>
Policy	Council Policy CP43 Disposal of Property Code of Conduct – Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations

Record keeping	<i>Local Government Act 1995</i> – Section 5.46(3) <i>Local Government (Administration) Regulations 1996</i> – regulation 19 All exercises of delegated authority are to be recorded within the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	110 Disposal of Sick or Injured Animals
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995:</i> s.3.47A Sick or injured animals, disposal of s.3.48 Impounding expenses, recovery of
Function	<p>1. Authority to determine when an impounded animal is ill or injured to an extent that treating it is not practicable, and to humanely destroy the animal and dispose of the carcass [s.3.47A(1)].</p> <p>2. Authority to recover expenses if goods are removed and impounded under section 3.39 and the alleged offender is convicted, by action in a court of competent jurisdiction [s.3.48].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.</i></p>
Delegates	CEO
Conditions	<p>As per the Local Government Act</p> <p>a. On the condition that the animal has been impounded for no less than 7 days and reasonable steps have been taken to notify the owner [s.3.47A(2)(i)(3)].</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegate conditions	<p>1. Authority to determine when an impounded animal is ill or injured to an extent that treating it is not practicable, and to humanely destroy the animal and dispose of the carcass [s.3.47A(1)].</p> <p>In accordance with the Local Government Act: On the condition that the animal has been impounded for no less than 7 days and reasonable steps have been taken to notify the owner, allowed the owner a reasonable opportunity to collect the animal. [s.3.47A,,B(2)(i)(ii)(3)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.</i></p>
Statutory framework	<i>Local Government Act 1995</i>
Policy	Council Policy CP43 Disposal of Property Code of Conduct – Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations

Record keeping	<i>Local Government Act 1995</i> – Section 5.46(3) <i>Local Government (Administration) Regulations 1996</i> – regulation 19 All exercises of delegated authority to be recorded in the Shire's ICT system.
Date adopted	28 July 2020
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25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	111 Close Thoroughfares to Vehicles
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995</i> s.3.50 Closing certain thoroughfares to vehicles s.3.50A Partial closure of thoroughfare for repairs or maintenance s.3.51 Affected owners to be notified of certain proposals
Function	<ol style="list-style-type: none"> 1. Authority to close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles for a period not exceeding 4-weeks [s.3.50(1)]. 2. Authority to determine to close a thoroughfare for a period exceeding 4-weeks [s.3.50(1a) (2) (4)]. 3. Authority to revoke an order to close a thoroughfare [s.3.50(6)]. 4. Authority to partially and temporarily close a thoroughfare without public notice for repairs or maintenance, where it is unlikely to have significant adverse effect on users of the thoroughfare [s.3.50A]. <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Functions & General) Regulations 1996.</i></p>
Delegates	CEO

<p>Conditions</p>	<p>As per the Local Government Act</p> <p>a. Before doing anything to which section 3.51 applies, fixing or alter the level or alignment of a public thoroughfare or draining water from a public thoroughfare or other public place onto adjoining land, a person having an interest is to be notified in writing. If any land is likely to be adversely affected by doing of the thing, give local public notice. Allow reasonable time for submissions and consider any submissions made. [s3.51].</p> <p>b. In determining to close a thoroughfare for a period exceeding 4 weeks [s.3.50(1a) (2) (4)] and before doing so, to:</p> <ul style="list-style-type: none"> • give; public notice • give written notice to the Commissioner of Main Roads and written notice to prescribed persons and persons that own prescribed land; and • consider submissions relevant to the road closure/s proposed [s.3.50(1a) (2) (4)]. <p>c. If, under s.3.50(1), a thoroughfare is closed without giving local public notice, local public notice is to be given as soon as practicable after the thoroughfare is closed [s.3.50(8)].</p> <p>d. Maintain access to adjoining land [s.3.52(3)] (relevant to the metropolitan area or a Townsite only).</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
<p>Express power to subdelegate</p>	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>
<p>Subdelegates</p>	<p>Manager Operations Technical Services Supervisor</p>

Subdelegate conditions	<p>As per the Local Government Act:</p> <p>a. Before doing anything to which section 3.51 applies, fixing or alter the level or alignment of a public thoroughfare or draining water from a public thoroughfare or other public place onto adjoining land, a person having an interest is to be notified in writing. If any land is likely to be adversely affected by doing of the thing, give local public notice. Allow reasonable time for submissions and consider any submissions made. [s3.51].</p> <p>b. In determining to close a thoroughfare for a period exceeding 4 weeks [s.3.50(1a) (2) (4)] and before doing so, to:</p> <ul style="list-style-type: none"> • give; public notice • give written notice to the Commissioner of Main Roads and written notice to prescribed persons and persons that own prescribed land; and • consider submissions relevant to the road closure/s proposed [s.3.50(1a) (2) (4)]. <p>c. If, under s.3.50(1), a thoroughfare is closed without giving local public notice, local public notice is to be given as soon as practicable after the thoroughfare is closed [s.3.50(8)].</p> <p>d. Maintain access to adjoining land [s.3.52(3)] (relevant to the metropolitan area or a Townsite only).</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
Statutory framework	<p><i>Local Government Act 1995</i></p>
Policy	<p>Code of Conduct – Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations</p>
Record keeping	<p><i>Local Government Act 1995 – Section 5.46(3)</i> <i>Local Government (Administration) Regulations 1996 – regulation 19</i> All exercises of delegated authority are to be recorded into the Shire's ICT system.</p>
Date adopted	<p>28 July 2020</p>
Adoption references	<p>130720</p>
Last reviewed	<p>24 June 2025</p>

Amendments			
Date	Type	Amendment	References
14 Feb 2023	Amended delegation	<p>14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.</p> <p>22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).</p>	---
20 Jun 2023	Amended delegation	<p>Following subdelegate added on instruction of CEO, as follows: Mark Jones in position of Manager Operations (acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.</p>	
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	112 Control Reserves and Certain Unvested Facilities
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995</i> s.3.53(3) Control of certain unvested facilities s.3.54(1) Reserves under control of local government
Function	<p>1. Authority to agree the method for control and management of an unvested facility which is partially within 2 or more local government districts. [s.3.53(3)].</p> <p>2. Authority to do anything for the purpose of controlling and managing land that is vested in or placed under the control and management of the Shire of Irwin, that it could do under s.5 of the Parks and Reserves Act 1895. [s.3.54(1)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.</i></p>
Delegates	CEO
Conditions	<p>a. Limited to matters where the financial implications do not exceed a relevant and current budget allocation and which do not create a financial liability in future budgets.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Development
Statutory framework	<i>Local Government Act 1995</i> <i>Parks and Reserves Act 1895</i>
Record keeping	<i>Local Government Act 1995 – Section 5.46(3)</i> <i>Local Government (Administration) Regulations 1996 – regulation 19</i> All exercises of delegated authority are to be recorded into the Shire's ICT system.
Date adopted	28 July 2020
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25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	113 Obstruction of Footpaths and Thoroughfares
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government (Uniform Local Provisions) Regulations 1996</i> r.5(2) Interfering with, or taking from, local government land r.6 Obstruction of public thoroughfare by things placed and left - Sch. 9.1 cl. 3(1)(a) r.7A Obstruction of public thoroughfare by fallen things – Sch.9.1 cl.3(1)(b) r.7 Encroaching on public thoroughfare – Sch.9.1. cl.3(2)
Function	<p>1. Authority to give, by written notice served on a person who is carrying out plastering, painting or decorating operations (the work) over or near a footpath on land that is local government property, to require the person to cover the footpath during the period specified in the notice so as to: [ULP r.5(2)]</p> <p>a. prevent damage to the footpath; or</p> <p>b. prevent inconvenience to the public or danger from falling materials [ULP r.5(2)].</p> <p>2. Authority to provide permission including imposing appropriate conditions or to refuse to provide permission, for a person to place on a specified part of a public thoroughfare one or more specified things that may obstruct the public thoroughfare. [ULP r.6(2) (4)].</p> <p>3. Authority to renew permission to obstruct a thoroughfare and to vary any condition imposed on the permission effective at the time written notice is given to the person to whom permission is granted [ULP r.6(6)].</p> <p>4. Authority to require an owner or occupier of land to remove anything that has fallen from the land or from anything on the land and is obstructing a public thoroughfare [ULP r.7A].</p> <p>5. Authority to require an owner occupier of land to remove any part of a structure, tree or plant that is encroaching, without lawful authority on a public thoroughfare [ULP r.7].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Uniform Local Provisions) Regulations 1996.</i></p>
Delegates	CEO

Conditions	<p>a. Permission may only be granted where, the proponent has:</p> <p>i. Where appropriate, obtained written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction.</p> <p>ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good public assets damaged by the obstruction at the completion of works.</p> <p>iii. Provided evidence of sufficient Public Liability Insurance.</p> <p>iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
Express power to subdelegate	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>
Subdelegates	<p>Manager Development Manager Operations</p>
Subdelegate conditions	<p>Permission may only be granted where, the proponent has:</p> <p>i. Where appropriate, obtained written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction.</p> <p>ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good public assets damaged by the obstruction at the completion of works.</p> <p>iii. Provided evidence of sufficient Public Liability Insurance.</p> <p>iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
Statutory framework	<p><i>Local Government Act 1995</i> <i>Local Government (Uniform Local Provisions) Regulations 1996</i></p>
Policy	<p>Local Law Activities on Thoroughfares and Trading Places in Thoroughfares and Public Places Local Law Code of Conduct – Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations</p>
Record keeping	<p><i>Local Government Act 1995 – Section 5.46(3)</i> <i>Local Government (Administration) Regulations 1996 – regulation 19</i> All exercises of delegated authority are to be recorded into the Shire's ICT system.</p>
Date adopted	<p>28 July 2020</p>

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25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	114 Gates Across Public Thoroughfares
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government (Uniform Local Provisions) Regulations 1996</i> r.9 Permission to have gate across public thoroughfare – Sch.9.1 cl.5(1)
Function	<ol style="list-style-type: none"> 1. Authority to provide, or refuse to provide permission to have a gate or other device across a local government thoroughfare that permits the passage of vehicle traffic and prevents livestock straying [ULP r.9(1)]. 2. Authority to require an applicant to publish a notice of the application in a manner thought fit for the purpose of informing persons who may be affected by the proposed gate or device [r.9(2)]. 3. Authority to impose conditions on granting permission [ULP r.9(4)]. 4. Authority to renew permission, or at any other time vary any condition, effective upon written notice to the person to whom permission was granted [ULP r.9(5)]. 5. Authority to cancel permission by written notice, and request the person to whom permission was granted to remove the gate or device within a specified time [ULP r.9(6)]. <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Uniform Local Provisions) Regulations 1996.</i></p>
Delegates	CEO
Conditions	<p>a. Each approval provided must be recorded in the Shire of Irwin's statutory Register of Gates in accordance with Uniform Local Provisions Regulation 9(8).</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Development Manager Operations
Subdelegate conditions	<p>Each approval provided must be recorded in the Shire of Irwin's statutory Register of Gates in accordance with Uniform Local Provisions Regulation 9(8).</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
Statutory framework	<i>Local Government Act 1995</i> <i>Local Government (Uniform Local Provisions) Regulations 1996</i>

Policy	Local Law Activities on Thoroughfares and Trading Places in Thoroughfares and Public Places Local Law Code of Conduct – Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	<i>Local Government Act 1995</i> – Section 5.46(3) <i>Local Government (Administration) Regulations 1996</i> r.19 All exercises of delegated authority to be recorded into the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

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25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	115 Public Thoroughfare – Dangerous Excavations
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government (Uniform Local Provisions) Regulations 1996</i> r.11(1), (4), (6) & (8) Dangerous excavation in or near public thoroughfare – Sch.9.1 cl.6
Function	<p>1. Authority to determine if an excavation in or on land adjoining a public thoroughfare is dangerous and take action to fill it in or fence it or request the owner / occupier in writing to fill in or securely fence the excavation [ULP r.11(1)].</p> <p>2. Authority to determine to give permission or refuse to give permission to make or make and leave an excavation in a public thoroughfare or land adjoining a public thoroughfare [ULP r.11(4)].</p> <p>3. Authority to impose conditions on granting permission [ULP r.11(6)].</p> <p>4. Authority to renew a permission granted or vary at any time, any condition imposed on a permission granted [ULP r.11(8)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Uniform Local Provisions) Regulations 1996.</i></p>
Delegates	CEO
Conditions	<p>Permission may only be granted where, the proponent has:</p> <p>i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed works.</p> <p>ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public assets at the completion of works.</p> <p>iii. Provided evidence of sufficient Public Liability Insurance.</p> <p>iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</p> <p><i>Actions under this Delegation are required to comply with any related local law, policies and procedures.</i></p>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Development Manager Operations Technical Services Supervisor

Subdelegate conditions	<p>Permission may only be granted where, the proponent has:</p> <p>a. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed works.</p> <p>b. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public assets at the completion of works.</p> <p>c. Provided evidence of sufficient Public Liability Insurance.</p> <p>d. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</p> <p><i>Actions under this Delegation are required to comply with any related local law, policies and procedures.</i></p>
Statutory framework	<p><i>Local Government Act 1995</i> <i>Local Government (Uniform Local Provisions) Regulations 1996</i></p>
Policy	<p>Local Law Activities on Thoroughfares and Trading Places in Thoroughfares and Public Places Local Law Code of Conduct – Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations</p>
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Date adopted	<p>28 July 2020</p>
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25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	116 Crossing – Construction, Repair and Removal
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government (Uniform Local Provisions) Regulations 1996</i> r.12(1) Crossing from public thoroughfare to private land or private thoroughfare – Sch.9.1 cl.7 (2) r.13(1) Requirement to construct or repair crossing – Sch.9.1 cl.7(3)
Function	<ol style="list-style-type: none"> 1. Authority to approve or refuse to approve, applications for the construction of a crossing giving access from a public thoroughfare to land or private thoroughfare serving land [ULP r,12 (1)]. 2. Authority to determine the specifications for construction of crossings to the satisfaction of the Local Government [ULP r.12(1)(a)]. 3. Authority to, subject to regulation 14(2), give notice to an owner or occupier of land requiring the person to construct or repair a crossing [ULP r.13(1)]. 4. Authority to, if the person fails to comply with the notice, construct or repair the crossing as the notice required and recover 50% of the cost of doing so as a debt due from the person [ULP r.13(2)]. <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Uniform Local Provisions) Regulations 1996.</i></p>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local law, policies and procedures.</i>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Development Manager Operations Technical Services Supervisor
Subdelegate conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Statutory framework	<i>Local Government Act 1995 – Section 5.46(3)</i> <i>Local Government (Uniform Local Provisions) Regulations 1996</i>

Policy	Council Policy P20 Vehicle Crossover Policy Code of Conduct – Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations Local Law Activities on Thoroughfares and Trading Places in Thoroughfares and Public Places Local Law
Record keeping	<i>Local Government Act 1995</i> – Section 5.46(3) <i>Local Government (Administration) Regulations 1996</i> r.19 All exercises of delegated authority are to be recorded into the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	---
20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO,as follows: Mark Jones in position of Manager Operations (acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.	
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	117 Private Works on, over or under Public Places
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government (Uniform Local Provisions) Regulations 1996</i> r.17 Private works on, over, or under public places – Sch.9.1 cl.8
Function	<p>1. Authority to grant permission or refuse permission to construct a specified thing on, over, or under a specified public thoroughfare or public place that is local government property [ULP r.17(3)].</p> <p>2. Authority to impose conditions on permission including but not limited to those prescribed in r.17(5) [ULP r.17(5)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Uniform Local Provisions) Regulations 1996.</i></p>
Delegates	CEO
Conditions	<p>Permission may only be granted where, the proponent has:</p> <p>i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed private works.</p> <p>ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public place at the completion of works.</p> <p>iii. Provided evidence of sufficient Public Liability Insurance.</p> <p>iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</p> <p><i>Actions under this Delegation are required to comply with any related local law, policies and procedures.</i></p>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegate conditions	Not sub-delegated
Statutory framework	<i>Local Government Act 1995</i> <i>Local Government (Uniform Local Provisions) Regulations 1996</i>
Policy	Local Law Activities on Thoroughfares and Trading Places in Thoroughfares and Public Places Local Law

Record keeping	<i>Local Government Act 1995</i> – Section 5.46(3) <i>Local Government (Administration) Regulations 1996</i> r.19 All exercises of delegated authority are to be recorded into Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	118 Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government (Uniform Local Provisions) 1996</i> r.21(1) Wind erosion and sand drifts – Sch.9.1 cl.12
Function	1. Authority to give notice to an owner and/or occupier of land if it is considered that clearing the owner and/or occupier's land might cause local government land having a common boundary, to be adversely affected by wind erosion or sand drift [ULP r.21(1)]. <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Uniform Local Provisions) 1996.</i>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Development Manager Operations Technical Services Supervisor
Subdelegate conditions	a. Consult with the Manager Development prior to issuing a notice under this delegation. <i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Statutory framework	<i>Local Government Act 1995</i> <i>Local Government (Uniform Local Provisions) Regulations 1996</i>
Policy	Local Law Prevention and Abatement of Sand Drift Local Law 2004 Code of Conduct – Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	<i>Local Government Act 1995 – Section 5.46(3)</i> <i>Local Government (Administration) Regulations 1996 r.19</i> All exercises of delegated authority are to be recorded into the Shire's ICT system.
Date adopted	28 July 2020

Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
14 Feb 2023	Amended delegation	<p>14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.</p> <p>22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).</p>	---
20 Jun 2023	Amended delegation	<p>Following subdelegate added on instruction of CEO,as follows: Mark Jones in position of Manager Operations (acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.</p>	
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	119 Disposal of Property
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995</i> s.3.58(2) & (3) Disposing of Property <i>Local Government (Functions & General) Regulations 1996</i> r.30 Disposition of property excluded from Act s.3.58
Function	<p>1. Authority to dispose of property: (a) to the highest bidder at public auction [s.3.58(2)(a)]. (b) to the person who at public tender called by the local government makes what is considered by the delegate to be, the most acceptable tender, whether or not it is the highest tender [s.3.58(2)(b)].</p> <p>2. Authority to dispose of property by private treaty only in accordance with section 3.58(3) and prior to the disposal, to consider any submissions received following the giving of local public notice [s.3.58(3)].</p> <p>3. Authority to dispose of property excluded from Act s.3.58 [(F&G) r.30(1)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Functions & General) Regulations 1996.</i></p>
Delegates	CEO
Conditions	<p>a. acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph [s.5.43(d)], that amount being a maximum value of \$50,000 or less.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Statutory framework	<i>Local Government Act 1995</i> <i>Local Government (Functions and General) Regulations 1996</i>
Policy	Council Policy CP43 Disposal of Property
Record keeping	<i>Local Government Act 1995 – Section 5.46(3)</i> <i>Local Government (Administration) Regulations 1996 r.19</i> All exercises of delegated authority are to be recorded into the Shire's ICT system.
Date adopted	28 July 2020

Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
14 Feb 2023	Revoked	14 February 2023 - Sub-delegation revoked as advised by CEO on 21.02.2023 - not to be sub-delegated at this time.	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	120 Defer, Grant Discounts, Waive or Write off Debts
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995</i> s.6.12 Power to defer, grant discounts, waive or write off debts
Function	<ol style="list-style-type: none"> 1. Waive a debt which is owed to the Shire of Irwin. [s.6.12(1)(b)] 2. Waive or grant a concession in relation to money which is owed to the Shire of Irwin. [s.6.12(1)(b)] 3. Write off any amount of money which is owed to the Shire of Irwin. [s.6.12(1)(c)] <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.</i></p>
Delegates	CEO
Conditions	<ol style="list-style-type: none"> a. This Delegation does not apply to debts, which are prescribed as debts that are taken to be a rate or service charge. b. A debt may only be waived or concession be granted for charitable; or not for profit community groups. c. A debt may only be written off where all necessary measures have been taken to locate/contact the debtor and where costs associated continued action to recover the debt will outweigh the net value of the debt if recovered by the Shire of Irwin. i. Limited to individual debts valued below \$1,000 or cumulative debts of a debtor valued below \$1,000. Write off of debts greater than these values must be referred for Council <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Community Services Manager Finance

Subdelegate conditions	<p>a. This Delegation does not apply to debts, which are prescribed as debts that are taken to be a rate or service charge.</p> <p>b. A debt may only be waived or concession be granted for charitable; or not for profit community groups.</p> <p>c. A debt may only be written off where all necessary measures have been taken to locate/contact the debtor and where costs associated continued action to recover the debt will outweigh the net value of the debt if recovered by the Shire of Irwin.</p> <p>i. Limited to individual debts valued below \$1,000 or cumulative debts of a debtor valued below \$1,000. Write off of debts greater than these values must be referred for Council.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
Statutory framework	<i>Local Government Act 1995</i>
Policy	Code of Conduct – Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	<i>Local Government Act 1995 – Section 5.46(3)</i> <i>Local Government (Administration) Regulations 1996 r.19</i> All exercises of delegated authority are to be recorded into the Shire's ICT system.
Date adopted	13 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
14 Feb 2023	Amended delegation	<p>14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.</p> <p>22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).</p>	---
18 Jul 2023	New delegation	Additional sub-delegation added for Peter Bracegirdle	Altus INT23/5F9E3DB
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	121 Power to Invest and Manage Investments
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995</i> s.6.14 Power to invest <i>Local Government (Financial Management) Regulations 1996</i> r.19 Investments, control procedures for
Function	<p>1. Authority to invest money held in the municipal fund or trust fund that is not, for the time being, required for any other purpose, under the Trustees Act Part III. [s.6.14(1)]</p> <p>2. Authority to establish and document internal control procedures to be followed by employees in the investment and management of investments. [FM r.19]</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.</i></p>
Delegates	CEO
Conditions	<p>a. All investment activity must comply with the Financial Management Regulation 19C and Council Policy C15 Management of Investments.</p> <p>b. A report detailing the investment portfolio's performance, exposures and changes since last reporting, is to be provided as part of the Monthly Financial Reports.</p> <p>c. Procedures are to be systematically documented and retained in accordance with the Record Keeping Plan and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles.</p> <p>d. Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit and Risk Committee at least once within every 3 financial years. [Audit r.17]</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Finance

Subdelegate conditions	<p>a. All investment activity must comply with the Financial Management Regulation 19C and Council Policy C15 Management of Investments.</p> <p>b. A report detailing the investment portfolio's performance, exposures and changes since last reporting, is to be provided as part of the Monthly Financial Reports.</p> <p>c. Procedures are to be systematically documented and retained in accordance with the Record Keeping Plan and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles.</p> <p>d. Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit and Risk Committee at least once within every 3 financial years. [Audit r.17]</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
Statutory framework	<p><i>Local Government Act 1995</i> <i>Local Government (Financial Management) Regulations 1996</i></p>
Policy	<p>Council Policy C15 Management of Investments Code of Conduct – Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations</p>
Record keeping	<p><i>Local Government Act 1995 – Section 5.46(3)</i> <i>Local Government (Administration) Regulations 1996 r.19</i> All exercises of delegated authority are to be recorded in the Shire's ICT system.</p>
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
14 Feb 2023	Amended delegation	<p>14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.</p> <p>22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).</p>	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	122 Rate Record Amendment
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995</i> s.6.39(2)(b) Rate record
Function	1. Authority to determine any requirement to amend the rate record for the 5-years preceding the current financial year [s.6.39(2)(b)]. <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.</i>
Delegates	CEO
Conditions	a. Delegates must comply with the requirements of s.6.40 of the Act. <i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Finance
Subdelegate conditions	Delegates must comply with the requirements of s.6.40 of the Act. <i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Statutory framework	<i>Local Government Act 1995</i>
Policy	Code of Conduct – Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	<i>Local Government Act 1995 – Section 5.46(3)</i> <i>Local Government (Administration) Regulations 1996 r.19</i> All exercises of delegated authority are to be recorded into the Shire's ICT system. <i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</i>
Date adopted	28 July 2020
Adoption references	130720

Last reviewed	24 June 2025
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Amendments			
Date	Type	Amendment	References
14 Feb 2023	Amended delegation	<p>14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.</p> <p>22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).</p>	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	123 Agreement as to Payment of Rates and Service Charges
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995</i> s.6.49 Agreement as to payment of rates and service charges
Function	1. Authority to accept payment of a rate or service charge due and payable by a person in accordance with an agreement made with the person [s.6.49]. <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.</i>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Finance
Subdelegate conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Statutory framework	<i>Local Government Act 1995</i>
Policy	CP14 Debt Recovery Code of Conduct – Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	<i>Local Government Act 1995 – Section 5.46(3)</i> <i>Local Government (Administration) Regulations 1996 r.19</i> All exercises of delegated authority to be recorded into the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
14 Feb 2023	Amended delegation	<p>14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.</p> <p>22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).</p>	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	124 Determine Due Date for Rates or Service Charges
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995</i> s.6.50 Rates or service charges due and payable
Function	1. Authority to determine the date on which rates or service charges become due and payable to the Shire of Irwin [s.6.50]. <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.</i>
Delegates	CEO
Conditions	a. The annual budget process captures the due dates for rates and service charges, however this delegation allows for minor adjustments for administrative purposes. <i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegate conditions	Not sub-delegated
Statutory framework	<i>Local Government Act 1995</i>
Record keeping	<i>Local Government Act 1995 – Section 5.46(3)</i> <i>Local Government (Administration) Regulations 1996 r.19</i> All exercises of delegated authority to be recorded into the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	125 Recovery of Rates or Service Charges
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995</i> s.6.56 Rates or service charges recoverable in court
Function	1. Authority to recover rates or service charges, as well as costs of proceedings for the recovery, in a court of competent jurisdiction. [s.6.56(1)] 2. Authority to lodge (and withdraw) a caveat to preclude dealings in respect of land where payment of rates or service charges imposed on that land is in arrears. [s.6.64(3)] <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.</i>
Delegates	CEO
Conditions	a. Decisions under this delegation must comply with Council Policy CP14 Debt Recovery. <i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegate conditions	Not sub-delegated
Statutory framework	<i>Local Government Act 1995</i>
Policy	Council Policy CP14 Debt Recovery
Record keeping	<i>Local Government Act 1995 – Section 5.46(3)</i> <i>Local Government (Administration) Regulations 1996 r.19</i> All exercises of delegated authority to be recorded into the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	126 Recovery of Rates – Lessee to Pay Rent
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995</i> s.6.60 Local Government may require lessee to pay rent
Function	<p>1. Authority to give notice, if payment of a rate or service charge imposed in respect of any land is due and payable, notice may be given to the lessee of the land requiring the lessee to pay to the Shire of Irwin any rent as it falls due in satisfaction of the rate or service charge. [s.6.60(2)].</p> <p>2. Authority to recover the amount of the rate or service charge as a debt from the lessee if rent is not paid in accordance with a notice [s.6.60(4)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.</i></p>
Delegates	CEO
Conditions	a. Decisions under this delegation must comply with Council Policy CP14 Debt Recovery. <i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Finance
Subdelegate conditions	a. Decisions under this delegation must comply with Council Policy CP14 Debt Recovery. <i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Statutory framework	<i>Local Government Act 1995</i>
Policy	Council Policy CP14 Debt Recovery
Record keeping	<i>Local Government Act 1995 – Section 5.46(3)</i> <i>Local Government (Administration) Regulations 1996 r.19</i> All exercises of delegated authority to be recorded into the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
14 Feb 2023	Amended delegation	<p>14 February 2023 - previously not sub-delegated. Sub-delegated to Manager Finance as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.</p> <p>22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).</p>	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	127 Rate Record - Objections
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995</i> s.6.76 Grounds of objection
Function	<p>1. Authority to extend the time for a person to make an objection to a rate record [s.6.76(4)].</p> <p>2. Authority to consider an objection to a rate record and either allow it or disallow it, wholly or in part, providing the decision and reasons for the decision in a notice promptly served upon the person whom made the objection [s.6.76(5)(6)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.</i></p>
Delegates	CEO
Conditions	<p>A delegate who has participated in any matter contributing to a decision related to the rate record, which is the subject of a Rates Record Objection, must NOT be party to any determination under this Delegation.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Finance
Subdelegate conditions	<p>A delegate who has participated in any matter contributing to a decision related to the rate record, which is the subject of a Rates Record Objection, must NOT be party to any determination under this Delegation.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
Statutory framework	<i>Local Government Act 1995</i> Note - Decisions under this delegation may be referred for review by the State Administration Tribunal.
Policy	Council Policy CP14 Debt Recovery Code of Conduct – Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations

Record keeping	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19 All exercises of delegated authority is to be recorded into the Shire's ICT system. <i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</i>
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	128 Issuing Notices to Owner or Occupier of Land
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995</i> s.3.25 Notices requiring certain things to be done by owner or occupier of land s.3.26 Additional powers when notices given
Function	<p>1. Authority to give a person who is the owner or, unless Schedule 3.1 indicates otherwise, the occupier of land a notice in writing relating to the land requiring the person to do anything specified in the notice [s.3.25(1)].</p> <p>2. Authority to do anything that it considers necessary to achieve, so far as is practicable, the purpose for which the notice was given, if the person who is given the notice (notice recipient) fails to comply with it [s.3.26(2)].</p> <p>3. Authority to recover the cost of anything it does under subsection (2) as a debt due from the person who failed to comply with the notice [s.3.26(3)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.</i></p>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Development Manager Operations
Subdelegate conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Statutory framework	<i>Local Government Act 1995</i>
Policy	Code of Conduct – Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	<i>Local Government Act 1995 – Section 5.46(3)</i> <i>Local Government (Administration) Regulations 1996 r.19</i> All exercises of delegated authority to be recorded into the Shire's ICT system. <i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</i>

Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
14 Feb 2023	Amended delegation	<p>14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.</p> <p>22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).</p>	---
20 Jun 2023	Amended delegation	<p>Following subdelegate added on instruction of CEO,as follows: Mark Jones in position of Manager Operations (acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.</p>	
25 Jul 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	129 Actions on Land that is not Local Government Property
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government Act 1995</i> s.3.27 Particular things local Governments can do on land that is not local government property
Function	1. Authority to do any of the things prescribed in Schedule 3.2, in performing its general function, even though the land on which it is done is not local government property and the local government does not have consent to do it [s.3.27(1)]. <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.</i>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Operations Operations Maintenance Supervisor Parks & Gardens Supervisor Technical Services Supervisor
Subdelegate conditions	<i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i>
Statutory framework	<i>Local Government Act 1995</i>
Record keeping	<i>Local Government Act 1995 – Section 5.46(3)</i> <i>Local Government (Administration) Regulations 1996 r.19</i> All exercises of delegated authority are to be recorded into the Shire's ICT system. <i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</i>
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
14 Feb 2023	Amended delegation	<p>14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.</p> <p>22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).</p>	---
20 Jun 2023	Amended delegation	<p>Following subdelegate added on instruction of CEO,as follows: Mark Jones in position of Manager Operations (acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.</p>	
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	130 Works Required for Supply of Gas or Water
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.20(1) Works required for supply of gas or water — Sch. 9.1 cl. 11
Function	1. Where the Local Government is responsible for supplying water or gas, authority to carry out works that are necessary for the purpose of providing, maintaining or modifying the supply system [ULP r.20(1)]. <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Uniform Local Provisions) Regulations 1996.</i>
Delegates	CEO
Conditions	a. Works may only be undertaken where there is an approved budget allocation. <i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Statutory framework	<i>Local Government Act 1995</i> <i>Local Government (Uniform Local Provisions) Regulations 1996</i>
Record keeping	<i>Local Government Act 1995 – Section 5.46(3)</i> <i>Local Government (Administration) Regulations 1996 r.19</i> All exercises of delegated authority are to be recorded into the Shire's ICT system. <i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</i>
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
14 Feb 2023	Revoked	14 February 2023 - Sub-delegation removed as advised by CEO on 21.02.2023 - i.e. NO sub-delegation at this time.	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	131 Complaints Officer
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>The Local Government (Model Code of Conduct) Regulations 2021</i> 11(3) The local government must, in writing, authorise 1 or more persons to receive complaints and withdrawals of complaints.
Function	Authority to receive complaints and withdrawals of complaints alleging a breach of a requirement set out in the Model Code of Conduct.
Delegates	CEO
Conditions	The CEO may authorise, as Complaints Officers, one or more persons to receive complaints and withdrawals of complaints for the purposes of Division 3 of the Code of Conduct. Delegation is in accordance with section 5.42 of the Local Government Act 1995 [Council Decision 28/21(4)]. It is noted that the CEO, or another employee designated by the CEO, is the Complaints Officer for the purposes of s5.120 of the Local Government Act 1995, to deal with matters pursuant to Division 4 of the Code of Conduct. The CEO has not chosen to designate another employee for these purposes.
Express power to subdelegate	Local Government Act 1995 s.5.44 CEO may delegate some powers and duties to other employees
Statutory framework	<i>Local Government Act 1995</i> <i>Local Government (Model Code of Conduct) Regulations 2021</i>
Record keeping	All exercises of delegated authority to be recorded into the Shire's ICT system.
Date adopted	23 February 2021
Adoption references	Adopted by Absolute Majority OCM 23 Feb 2021 Minute#120221
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
23 Feb 2021	New delegation	OCM Decision #120221	OCM Decision #120221
23 Feb 2021	New delegation	OCM Decision #130221	OCM Decision #130221
23 Feb 2021	New delegation	Adopted by Absolute Majority OCM 23 Feb 2021 Minute#120221	Adopted by Absolute Majority OCM 23 Feb 2021 Minute#120221
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	132 Request Information (s.14) ROAD TRAFFIC (ADMINISTRATION) ACT 2008
Category	CEO to Employees
Head of power	Road Traffic (Administration) Act 2008
Delegator	CEO
Express power to delegate	r.7(2)(n) Disclosure of information to prescribed persons
Express power or duty delegated	<i>Road Traffic (Administration) Act 2008</i> s.14 – Disclosure of information to prescribed persons <i>Road Traffic (Administration) Regulations 2014</i> r.7 – Disclosure of information to prescribed persons
Function	Nominate Prescribed Persons to the CEO of the Public Authority for the purpose of requesting information on an ad hoc basis from the Department of Transport, Driver and Vehicle Services (DVS) and Release of Information (ROI) section via email.
Delegates	Executive Assistant to the CEO Manager Community Services
Conditions	<p>The information disclosed to the nominated persons will only be used in connection with the administration of the Acts and Regulations specifically the:</p> <ul style="list-style-type: none"> • <i>Local Government Act 1995;</i> • <i>Caravan Parks and Camping Grounds Act 1995;</i> • <i>Animal Welfare Act 2002;</i> • <i>Dog Act 1976;</i> • <i>Litter Act 1979;</i> • <i>Cat Act 2011;</i> • <i>Local Government (Miscellaneous Provisions) Act 1960;</i> and • <i>Bush Fires Act 1954.</i> <p>Any information provided by the Department of Transport cannot be used for a purpose other than the authorised purpose for which it was disclosed.</p>
Statutory framework	<i>Road Traffic (Administration) Act 2008</i> <i>Road Traffic (Administration) Regulations 2014</i> <i>Local Government Act 1995</i>
Record keeping	All exercises of delegated authority are to be recorded into the Shire's record keeping system
Date adopted	25 June 2024
Adoption references	CEO1-06/24
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting. Update to delegates to include Executive Assistant to the CEO as of 5 August 2024.	CEO 01-06/24 3.00024

Delegation	200 Grant a Building Permit
Category	Council to CEO
Head of power	02 Building Act 2011
Delegator	Permit Authority (Local Government)
Express power to delegate	<i>Building Act 2011:</i> s.127(1) & (3) <i>Delegation: special permit authorities and local government</i>
Express power or duty delegated	<i>Building Act 2011:</i> s.18 Further Information s.20 Grant of building permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit <i>Building Regulations 2012:</i> r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))
Function	<ol style="list-style-type: none"> 1. Authority to require an applicant to provide any documentation or information, within a specified time of not more than 21 days that it requires to determine a building permit application [s.18(1)]. 2. Authority to grant or refuse to grant a building permit [s.20(1) (2) and s.22]. 3. Authority to impose, vary or revoke conditions on a building permit before the building work is complete [s.27(1) (3)]. 4. Authority to determine an application to extend time during which a building permit has effect [r.23 and 24]. 5. Authority to approve an application for a new responsible person for a building permit [r.26]. <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Building Act 2011 and Building Regulations 2012.</i></p>
Delegates	CEO
Conditions	<p>a. As per Building Regulation 2012</p> <p>Decisions under this delegated authority should be either undertaken or informed by a person having the appropriate experience or qualifications in accordance with r.5.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
Express power to subdelegate	<i>Building Act 2011:</i> s.127(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section.
Subdelegates	EHO/Building Surveyor Manager Development

Subdelegate conditions	In accordance with Building Regulations 2012 r.5: Decisions under this delegated authority should be either undertaken or informed by a person having the appropriate experience or qualifications. <i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Statutory framework	<i>Building Act 2011 Building Regulations 2012 Building Services (Registration Act) 2011 – Section 7 Home Building Contracts Act 1991–Part 3A, Division 2 – Part 7, Division 2 Building and Construction Industry Training Levy Act 1990 Heritage of Western Australia Act 2018</i>
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	<i>Building Act 2011 s.130</i> All exercises of delegated authority to be recorded into the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	---
15 Dec 2023	Amended delegation	The role of EHO/Building Surveyor included, to accommodate staffing updates. As instructed by the CEO.	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	201 Demolition Permits
Category	Council to CEO
Head of power	02 Building Act 2011
Delegator	Permit Authority (Local Government)
Express power to delegate	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	<i>Building Act 2011:</i> s.18 Further Information s.21 Grant of demolition permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit <i>Building Regulations 2012:</i> r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))
Function	<ol style="list-style-type: none"> 1. Authority to require an applicant to provide any documentation or information, within a specified time of not more than 21 days that it requires to determine a demolition permit application [s.18(1)]. 2. Authority to grant or refuse to grant a demolition permit on the basis that all s.21(1) requirements have been satisfied [s.20(1) (2) and s.22]. 3. Authority to impose, vary or revoke conditions on a demolition permit, before demolition works are complete. [s.27(1) (3)]. 4. Authority to determine an application to extend time during which a demolition permit has effect [r.23]. 5. Authority to approve, or refuse to approve, an application for a new responsible person for a demolition permit [r.26]. <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Building Act 2011 and Building Regulations 2012.</i></p>
Delegates	CEO
Conditions	<p>a. As per Building Regulation 2012</p> <p>Decisions under this delegated authority should be either undertaken or informed by a person having the appropriate experience or qualifications in accordance with r.5.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
Express power to subdelegate	<i>Building Act 2011:</i> s.127(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section.
Subdelegates	EHO/Building Surveyor Manager Development

Subdelegate conditions	<p>In accordance with Building Regulations 2012 r.5: Decisions under this delegated authority should be either undertaken or informed by a person having the appropriate experience or qualifications.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
Statutory framework	<p><i>Building Act 2011</i> <i>Building Regulations 2012</i> <i>Building Services (Registration Act) 2011 – Section 7</i> <i>Home Building Contracts Act 1991–Part 3A, Division 2 – Part 7, Division 2</i> <i>Building and Construction Industry Training Levy Act 1990</i> <i>Heritage of Western Australia Act 2018</i></p>
Policy	<p>Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations</p>
Record keeping	<p><i>Building Act 2011 s.130</i> All exercises of delegated authority are to be recorded into the Shire's ICT system.</p>
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
14 Feb 2023	Amended delegation	<p>14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.</p> <p>22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).</p>	---
15 Dec 2023	Amended delegation	The role of EHO/Building Surveyor included to accommodate staffing updates. As instructed by the CEO.	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	202 Occupancy Permits or Building Approval Certificates
Category	Council to CEO
Head of power	02 Building Act 2011
Delegator	Permit Authority (Local Government)
Express power to delegate	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	<i>Building Act 2011:</i> Division 3 — Making and dealing with applications for occupancy permits and building approval certificates s.55 Further information s.58 Grant of occupancy permit, building approval certificate s.62(1) and (3) Conditions imposed by permit authority s.65(4) Extension of period of duration <i>Building Regulations 2012</i> r.40 Extension of period of duration of time limited occupancy permit or building approval certificate (s.65)
Function	<ol style="list-style-type: none"> 1. Authority to require an applicant to provide any documentation or information required, within a specified time of not more than 21 days in order to determine an application [s.55]. 2. Authority to grant, refuse to grant or to modify an occupancy permit or building approval certificate [s.58]. 3. Authority to impose, add, vary or revoke conditions on an occupancy permit, while the occupancy permit or building approval certificate has effect. [s.62(1) and (3)]. 4. Authority to extend, or refuse to extend, the period in which an occupancy permit or modification or building approval certificate has effect [s.65(4) and r.40]. <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Building Act 2011 and Building Regulations 2012.</i></p>
Delegates	CEO
Conditions	<p>a. As per Building Regulation 2012</p> <p>Decisions under this delegated authority should be either undertaken or informed by a person having the appropriate experience or qualifications in accordance with r.5.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
Express power to subdelegate	<i>Building Act 2011:</i> s.127(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section
Subdelegates	EHO/Building Surveyor Manager Development

Subdelegate conditions	<p>In accordance with Building Regulations 2012 r.5: Decisions under this delegated authority should be either undertaken or informed by a person having the appropriate experience or qualifications.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
Statutory framework	<p><i>Building Act 2011</i> <i>Building Regulations 2012</i> <i>Building Services (Registration Act) 2011 – Section 7</i> <i>Home Building Contracts Act 1991–Part 3A, Division 2 – Part 7, Division 2</i> <i>Building and Construction Industry Training Levy Act 1990</i> <i>Heritage of Western Australia Act 2018</i></p>
Policy	<p>Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations</p>
Record keeping	<p><i>Building Act 2011 s.130</i> All exercises of delegated authority are to be recorded in the Shire's ICT system.</p>
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
14 Feb 2023	Amended delegation	<p>14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.</p> <p>22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).</p>	---
15 Dec 2023	Amended delegation	the role of EHO/ Building Surveyor included to accommodate staffing updates. As instructed by the CEO.	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting	CEO 01-06/24 3.00024

Delegation	203 Authorised and Approved Persons/Officers
Category	Council to CEO
Head of power	02 Building Act 2011
Delegator	Permit Authority (Local Government)
Express power to delegate	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	<i>Building Act 2011:</i> s.96(3)(6) Authorised persons s.99(3) Limitation on powers of authorised person <i>Building Regulations 2012:</i> r.70 Approved officers and authorised officers
Function	<ol style="list-style-type: none"> 1. Authority to designate a local government employee as an authorised person [s.96(3)]. 2. Authority to revoke or vary a condition of designation as an authorised person or give written notice to an authorised person limiting powers that may be exercised by that employee [s.99(3)]. 3. Authority to appoint a specified employee of the local government as an approved officer for the purposes of s.6(a) of the Criminal Procedure Act 2004 [70(1),(1A)]. 4. Authority to 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 [70(2)]. <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Building Act 2011 and Building Regulations 2012.</i></p>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	<i>Building Act 2011:</i> s.127(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section.
Subdelegate conditions	Not sub delegated
Statutory framework	<i>Building Act 2011</i> Section 97. A permit authority must be give an identity card to each person designated by it as an authorised person. <i>Building Regulations 2012</i>
Record keeping	<i>Building Act 2011 s.130</i> <i>All exercises of delegated authority are to be recorded into the Shire's ICT system.</i>
Date adopted	28 July 2020

Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	204 Building Orders
Category	Council to CEO
Head of power	02 Building Act 2011
Delegator	Permit Authority (Local Government)
Express power to delegate	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	<i>Building Act 2011:</i> s.110(1) Building Orders s.111(1) Notice of proposed building order other than building order (emergency) s.117 Revocation of building order s.118(2) (3) Permit authority may give effect to building order if non-compliance s.133(1) Prosecutions
Function	<p>1. Authority to make Building Orders in relation to:</p> <ol style="list-style-type: none"> Building work Demolition work An existing building or incidental structure [s.110(1)]. <p>2. Authority to give notice of a proposed building order and consider submissions received in response [s.111(1)(c)].</p> <p>3. Authority to, by notice in writing revoke a building order at any time. [s.117(1)].</p> <p>4. If there is non-compliance with a building order, authority to cause an authorised person to:</p> <ol style="list-style-type: none"> take any action specified in the order; or commence or complete any work specified in the order; or if any specified action was required by the order to cease, to take such steps as are reasonable to cause the action to cease [s.118(2)]. <p>5. Authority to take court action to recover as a debt from a person who has been served with a copy of a building order the reasonable costs and expenses incurred in doing anything under s.118(2) in relation to the order. [s.118(3)].</p> <p>6. Authority to initiate a prosecution for an offense against this Act [s.133(1)] (see Council conditions)</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Building Act 2011 and Building Regulations 2012.</i></p>
Delegates	CEO
Conditions	<p>a. Decisions under this delegated authority should be in accordance with r.5 of the Building Regulations 2012.</p> <p>b. Authority to initiate a prosecution for an offense against this Act [s.133(1)] is limited to non-compliance with a building order made pursuant to section 110 of the Building Act 2011.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>

Express power to subdelegate	<i>Building Act 2011:</i> s.127(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section.
Subdelegates	EHO/Building Surveyor Manager Development
Subdelegate conditions	In accordance with Building Regulations 2012 r.5: Decisions under this delegated authority should be either undertaken or informed by a person having the appropriate experience or qualifications. <i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Statutory framework	<i>Building Act 2011</i>
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	<i>Building Act 2011 s.130</i> All exercises of delegated authority are to be recorded into the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	---
15 Dec 2023	Amended delegation	The role of EHO/Building Surveyor included to accommodate staffing updates. As instructed by the CEO.	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	205 Inspection and Copies of Building Records
Category	Council to CEO
Head of power	02 Building Act 2011
Delegator	Permit Authority (Local Government)
Express power to delegate	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	<i>Building Act 2011:</i> s.131(2) Inspection, copies of building records
Function	1. Authority to, on application by an interested person and on payment of the prescribed fee, if any — (a) allow the interested person to inspect a building record; and (b) provide to the interested person a copy of a building record [s.131(2)]. <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Building Act 2011 and Building Regulations 2012.</i>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	Building Act 2011: s.127(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section.
Subdelegates	EHO/Building Surveyor Manager Development
Subdelegate conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Statutory framework	<i>Building Act 2011</i>
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	<i>Building Act 2011 s.130</i> All exercises of delegated authority are to be recorded into the Shire's ICT System.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
14 Feb 2023	Amended delegation	<p>14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.</p> <p>22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).</p>	---
15 Dec 2023	Amended delegation	The role of EHO/Building Surveyor included to accommodate staffing updates. As instructed by the CEO.	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	206 Referrals and Issuing Certificates
Category	Council to CEO
Head of power	02 Building Act 2011
Delegator	Permit Authority (Local Government)
Express power to delegate	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	<i>Building Act 2011:</i> s.145A Local Government functions
Function	<p>1. Authority to refer uncertified applications under s.17(1) to a building surveyor who is not employed by the local government [s.145A(1)].</p> <p>2. Authority to issue a certificate for Design Compliance, Construction Compliance or Building Compliance that is signed by a building surveyor who is employed by the local government whether or not -</p> <p>a. the building or incidental structure that is the subject of the application is, or is proposed to be, located in the local government's district; or</p> <p>b. the applicant is an owner or occupier of land in the local government's district [s.145A(2)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Building Act 2011 and Building Regulations 2012.</i></p>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	Building Act 2011: s.127(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section.
Subdelegates	EHO/Building Surveyor Manager Development
Subdelegate conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Statutory framework	<i>Building Act 2011</i>
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	<i>Building Act 2011 s.130</i> All exercises of delegated authority are to be recorded into the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720

Last reviewed	24 June 2025
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Amendments			
Date	Type	Amendment	References
14 Feb 2023	Amended delegation	<p>14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.</p> <p>22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).</p>	---
15 Dec 2023	Amended delegation	The role of EHO/Building Surveyor included to accommodate staffing updates, As instructed by the CEO.	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	207 Private Pool Barrier – Alternative and Performance Solutions
Category	Council to CEO
Head of power	02 Building Act 2011
Delegator	Permit Authority (Local Government)
Express power to delegate	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	<i>Building Regulations 2012:</i> r.51 Approvals by permit authority
Function	<p>1. Authority to approve requirements alternative to a fence, wall, gate or other component included in the barrier, if satisfied that the alternative requirements will restrict access by young children as effectively as if there were compliance with AS 1926.1 [r.51(2)].</p> <p>2. Authority to approve a door for the purposes of compliance with AS 1926.1, where a fence or barrier would cause significant structural or other problem which is beyond the control of the owner / occupier or the pool is totally enclosed by a building or a fence or barrier between the building and pool would create a significant access problem for a person with a disability [r.51 (3)].</p> <p>3. Authority to approve a performance solution to a Building Code pool barrier requirement if satisfied that the performance solution complies with the relevant performance requirement [r.51(5)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Building Act 2011 and Building Regulations 2012.</i></p>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	<i>Building Act 2011:</i> s.127(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section.
Subdelegates	EHO/Building Surveyor Manager Development
Subdelegate conditions	<p>In accordance with Building Regulations 2012 r.5: Decisions under this delegated authority should be either undertaken or informed by a person having the appropriate experience or qualifications.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
Statutory framework	<i>Building Act 2011</i>
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations

Record keeping	<i>Building Act 2011 s.130</i> All exercises of delegated authority are to be recorded into the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	---
15 Dec 2023	Amended delegation	The role of EHO/Building Surveyor included to accommodate staffing updates. As instructed by the CEO.	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	208 Smoke Alarms – Alternative Solutions
Category	Council to CEO
Head of power	02 Building Act 2011
Delegator	Local Government
Express power to delegate	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	<i>Building Regulations 2012:</i> r.55 Terms Used (alternative building solution approval) r.61 Local Government approval of battery powered smoke alarms
Function	1. Authority to approve or refuse to approve a battery powered smoke alarm and to determine the form of an application for such approval [r.61]. In accordance with Division 3 – Smoke Alarms. <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Building Act 2011 and Building Regulations 2012.</i>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	Building Act 2011: s.127(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section.
Subdelegates	EHO/Building Surveyor Manager Development
Subdelegate conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Statutory framework	<i>Building Act 2011</i>
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	<i>Building Act 2011 s.130</i> All exercises of delegated authority are to be recorded into the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
14 Feb 2023	Amended delegation	<p>14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.</p> <p>22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).</p>	---
15 Dec 2023	Amended delegation	The role of EHO/Building Surveyor included to accommodate staffing updates. As instructed by the CEO	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	300 Firebreaks
Category	Council to CEO
Head of power	03 Bush Fires Act 1954
Delegator	Local Government
Express power to delegate	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express power or duty delegated	<i>Bush Fires Act 1954:</i> s.33 Local government may require occupier of land to plough or clear fire-breaks
Function	<p>1. Authority to, subject to subsection s.33(2) give written notice to all owners or occupiers of land within the District, or shall give notice to all owners or occupiers of land in its district by publishing a notice in the Government Gazette and in a newspaper circulating in the area requiring within a time specified in the notice and to the satisfaction of the Shire of Irwin:</p> <p>a. clearing and maintaining of firebreaks as determined necessary and specified in the notice; and</p> <p>b. act in respect to anything which is on the land and is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire; and</p> <p>c. as a separate or coordinated operation with any other person carry out a similar operation on adjoining or neighbouring land [s.33(1)].</p> <p>2. Authority to direct a Bush Fire Control Officer or any other officer of the local government to enter onto the land of an owner or occupier to carry out the requisitions of the notice which have not been complied with [s.33(4)].</p> <p>a. Authority to recover any costs and expenses incurred in doing the acts, matters or things required to carry out the requisitions of the notice in any court of competent jurisdiction as a debt due from the owner or occupier of land to the local government [s.33(5)].</p> <p>3. Authority to, at the request of the owner or occupier of land within Shire of Irwin district, carry out on the land, at the expense of the owner or occupier, any works for the removal or abatement of a fire danger, and the amount of the expense, if not paid on demand, may be recovered from the owner or occupier in a court of competent jurisdiction as a debt due from the owner or occupier to the local government. [s.33(6)]</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Bush Fire Act 1954.</i></p>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	NIL – Sub-delegation is prohibited by s.48(3)
Statutory framework	Bush Fires Act 1954 - s.50
Policy	Council Policy - CP02 Fire Management
Record keeping	All exercises of delegated authority to be recorded in the Shire's ICT system.
Date adopted	28 July 2020

Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	301 Make Request to FES Commissioner – Control of Fire
Category	Council to CEO
Head of power	03 Bush Fires Act 1954
Delegator	Local Government
Express power to delegate	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express power or duty delegated	<i>Bush Fires Act 1954:</i> s.13(4) Duties and powers of bush fire liaison officers
Function	1. Authority to request on behalf of the Shire of Irwin that the FES Commissioner authorise a Bush Fire Liaison Officer or another person to take control of all operations in relation to the fire. [s.13(4)]. <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Bush Fire Act 1954.</i>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	NIL – Sub-delegation is prohibited by s.48(3)
Statutory framework	<i>Bush Fires Act 1954 - s.50</i>
Policy	Council Policy - CP02 Fire Management
Record keeping	All exercises of delegated authority is to be recorded into the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	302 Prohibited Burning Times - Vary
Category	Council to CEO
Head of power	03 Bush Fires Act 1954
Delegator	Local Government
Express power to delegate	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government s. 17(10) A local government may by resolution delegate to its mayor, or president, and its Chief Bush Fire Control Officer, jointly its powers and duties under subsections (7) and (8)
Express power or duty delegated	<i>Bush Fires Act 1954:</i> s.17(7) Prohibited burning times may be declared by Minister.
Function	1. Authority to, subject to subsection s.17(7B), in any year in which a local government considers that seasonal conditions warrant a variation of the prohibited burning times in its district, after consultation with an authorised CALM Act officer if forest land is situated in the district, vary the prohibited burning times in respect of that year in the district or a part of the district by — (a) shortening, extending, suspending or reimposing a period of prohibited burning times; or (b) imposing a further period of prohibited burning times. [s.17(7)] In accordance with the provisions of s.17(7B) (8). <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Bush Fire Act 1954.</i>
Delegates	Chief Bush Fire Control Officer Shire President
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	NIL – Sub-delegation is prohibited by s.48(3)
Statutory framework	<i>Bush Fires Act 1954 - s.50</i>
Policy	Council Policy - CP02 Fire Management
Record keeping	All exercises of delegated authority are to be recorded in the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	303 Restricted Burning Times - Vary
Category	Council to CEO
Head of power	03 Bush Fires Act 1954
Delegator	Local Government
Express power to delegate	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express power or duty delegated	<i>Bush Fires Act 1954:</i> s.18(5) Restricted burning times may be declared by FES Commissioner <i>Bush Fire Regulations 1954:</i> r.15C Local government may prohibit burning on certain days
Function	<p>1. Authority, subject to subsection s.18(5B), where seasonal conditions warrant it and after consultation with an authorised CALM Act officer if forest land is situated in its district, to -</p> <p>(a) vary the restricted burning times in respect of that year in the district or a part of the district by —</p> <p>(i) shortening, extending, suspending or reimposing a period of restricted burning times; or</p> <p>(ii) imposing a further period of restricted burning times;</p> <p>or</p> <p>(b) vary the prescribed conditions by modifying or suspending all or any of those conditions. [s.18(5)].</p> <p>2. Authority, by notice published in a newspaper circulating in its district, to prohibit the burning of the bush in that district on Sundays and specified public holidays during restricted burning times, and may, by subsequent notice so published, revoke that notice. [r.15C]</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Bush Fire Act 1954.</i></p>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	NIL – Sub-delegation is prohibited by s.48(3)
Statutory framework	<i>Bush Fires Act 1954 - s.50</i>
Policy	Council Policy - CP02 Fire Management
Record keeping	All exercises of delegated authority are to be recorded into the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	304 Prohibited and/or Restricted Burning Times – Control Activities
Category	Council to CEO
Head of power	03 Bush Fires Act 1954
Delegator	Local Government
Express power to delegate	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express power or duty delegated	<i>Bush Fires Act 1954:</i> s.18(11) Restricted burning times may be declared by FES Commissioner s.22(6) and (7) Burning on exempt land and land adjoining exempt land s.27(2) (3) (4) Prohibition on use of tractors or engines except under certain conditions s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land <i>Bush Fire Regulations 1954:</i> r.15 Permit to burn form of and applying for after refusal etc. r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times

Function	<p>1. Authority to, during restricted burning times, where a person starts a fire on land, if the fire escapes from the land or if the fire is in the opinion of a bush fire control officer or an officer of a bush fire brigade out of control on the land, the person shall be liable to pay to the local government on the request of and for recoup to its bush fire brigade, any expenses up to a maximum amount of \$10,000 incurred by it in preventing the extension of or extinguishing the fire, and such expenses may be recovered in any court of competent jurisdiction [s.18(11)].</p> <p>2. Authority to arrange with the occupier of exempt land, the occupier of land adjoining it and the Bush Fire Brigade to cooperate in burning fire-breaks on the respective lands. The local government shall notify the occupier of the adjoining land of the date the burning is to take place and require him to provide by that date ploughed or cleared fire-breaks parallel to the common boundary and of a distance therefrom of not more than 60m and as specified by the local government [s.22(6) and (7)].</p> <p>3. Authority to prohibit the operation in its district of any tractor, or self-propelled harvester other than a tractor or self-propelled harvester that is equipped with a fire extinguisher, during a prohibited or restricted burning times, and to give permission for use of same during the prohibited or restricted burning time subject to compliance with requirements specified in a notice [s.27(2) (3) (4)].</p> <p>4. Authority to recover the cost of measures taken by the Bush Fire Liaison Officer or Bush Fire Control Officer or authorised CALM Act Officer, to extinguish a fire burning during prohibited and restricted burning times, where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire on the land they occupy [s.28(4)], including authority to recover expenses in any court of competent jurisdiction [s.28(5)].</p> <p>5. Authority to grant permits to burn during prohibited and restricted burning times that have previously been refused or granted with special conditions by a Bush Fire Control Officer [r.15].</p> <p>6. Authority to declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during prohibited or restricted burning times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C].</p> <p>7. Authority to determine, during a prohibited or restricted burning time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B(2)].</p> <p>8. Authority to issue directions, during a prohibited or restricted burning time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Bush Fire Act 1954.</i></p>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	NIL – Sub-delegation is prohibited by s.48(3)
Statutory framework	<i>Bush Fires Act 1954 - s.50</i>
Policy	Council Policy - CP02 Fire Management
Record keeping	All exercises of delegated authority to be recorded into the Shire's ICT system.

Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	305 Control of Operations Likely to Create Bush Fire Danger
Category	Council to CEO
Head of power	03 Bush Fires Act 1954
Delegator	Local Government
Express power to delegate	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express power or duty delegated	<i>Bush Fires Act 1954:</i> s.27D Requirements for carriage and deposit of incendiary material <i>Bush Fires Regulations 1954:</i> r.39C Welding and cutting apparatus, use of in open air r.39CA Bee smoker devices, use of in restricted or prohibited burning times r.39D Explosives, use of r.39E Fireworks, use of
Function	<p>1. Authority to determine directions or requirements for the carriage and deposit of incendiary materials (hot or burning ash, cinders, hot furnace refuse, or any combustible matter that is burning), in accordance with provisions in s.27D (2) (3). Note: this authority is also prescribed to a Bush Fire Control Officer, a Bush Fire Liaison Officer or an authorised CALM Act officer.</p> <p>2. Authority to give directions to a Bush Fire Control Officer regarding matters necessary for the prevention of fire arising from:</p> <ol style="list-style-type: none"> a person operating a bee smoker device during a prescribed period [r.39CA(5)]. a person operating welding apparatus, or a power operated abrasive cutting disc [r.39C(3)]. a person using explosives [r.39D(2)]. a person using fireworks [r.39E(3)]. <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Bush Fire Act 1954.</i></p>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	NIL – Sub-delegation is prohibited by s.48(3)
Statutory framework	<i>Bush Fires Act 1954 - s.50</i>
Policy	Council Policy - CP02 Fire Management
Record keeping	All exercises of delegated authority are to be recorded in the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	306 Burning Garden Refuse / Open Air Fires
Category	Council to CEO
Head of power	03 Bush Fires Act 1954
Delegator	Local Government
Express power to delegate	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express power or duty delegated	<i>Bush Fires Act 1954:</i> s.24F Burning garden refuse during limited burning times s.24G Minister or local government may further restrict burning of garden refuse s.25 No fire to be lit in open air unless certain precautions taken s.25A Power of Minister to exempt from provisions of section 25 <i>Bush Fires Regulations 1954:</i> r.27(3) Permit, issue of
Function	<p>1. Authority to give written permission, during prohibited times and restricted times, for an incinerator located within 2m of a building or fence, only where satisfied it is not likely to create a fire hazard [s.24F(2)(b)(ii) and (4)].</p> <p>2. Authority to, by notice of published in the Gazette and a newspaper circulating in the its district, prohibit or impose restrictions on the burning of garden refuse that is otherwise permitted under s.24F [s.24G(2)]:</p> <p>a. Authority to issue directions to an authorised officer as to the manner in which or the conditions under which permits to burn plants or plant refuse shall be issued in the District [r.27 (3) and r.33(5)].</p> <p>b. Authority to prohibit (object to) the issuing of a permit for the burning of a proclaimed plant growing upon any land within the District, specified by the Shire of Irwin in a notice in writing given by it to the duly authorised officer for the Shire of Irwin [r.34].</p> <p>3. Authority to provide written approval, during prohibited times and restricted times, for fires to be lit for the purposes of:</p> <p>a. camping or cooking [s.25(1)(a)].</p> <p>b. conversion of bush into charcoal or in or about a lime kiln for the production of lime, in consultation with a bush fire control officer or authorised CALM Act officer [s.25(1)(b)].</p> <p>4. Authority to prohibit the lighting of fires in the open area for the purposes of camping or cooking for such period during the prohibited burning times, as specified in a note published in the Gazette and newspaper circulating in the District and authority to cancel or vary such notice [s.25(1a) and (1b)].</p> <p>5. Authority to serve written notice on a person to whom an exemption has been given under s.25 for lighting a fire in open air, prohibiting that person and any person acting under his instructions from lighting a fire and to determine conditions on the notice [s.25A(5)(6)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Bush Fire Act 1954.</i></p>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>

Express power to subdelegate	NIL – Sub-delegation is prohibited by s.48(3)
Statutory framework	<i>Bush Fires Act 1954 - s.50</i>
Record keeping	All exercises of delegated authority is to be recorded into the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting	CEO 01-06/24 3.00024

Delegation	307 Appoint Bush Fire Control Officer/s and Fire Weather Officer
Category	Council to CEO
Head of power	03 Bush Fires Act 1954
Delegator	Local Government
Express power to delegate	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express power or duty delegated	<i>Bush Fires Act 1954:</i> s.38 Local Government may appoint bush fire control officer
Function	<p>1. Authority to appoint persons to be Bush Fire Control Officers for the purposes of the Bush Fires Act 1954; and</p> <p>a. Of those Officers, appoint 2 as the Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer; and</p> <p>b. Determine the respective seniority of the other Bush Fire Officers so appointed [s.38(1)].</p> <p>2. Authority to issue directions to an appointed Bush Fire Control Officer or to an officer of a bush fire brigade registered by the Shire of Irwin to burn, subject to the provision of the Bush Fires Act 1954, on or at the margins of a road reserve under the care, control and management of the Shire of Irwin [s.38(5A)].</p> <p>3. Authority to appoint a Fire Weather Officer, selected from senior Bush Fire Control Officers previously appointed and where more than one Fire Weather Officer is appointed, define a part of the District in which each Fire Weather Officer shall have exclusive right to exercise the powers of s.38(17). [s.38(8) and (9)].</p> <p>a. Authority to appoint deputy Fire Weather Officer/s as considered necessary and where two or more deputies are appointed, determine seniority [s.38(10)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Bush Fire Act 1954.</i></p>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	NIL – Sub-delegation is prohibited by s.48(3)
Statutory framework	<i>Bush Fires Act 1954 - s.50</i>
Policy	Bush Fire Brigades Local Law
Record keeping	All exercises of delegated authority are to be recorded into the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	308 Control and Extinguishment of Bush Fires
Category	Council to CEO
Head of power	03 Bush Fires Act 1954
Delegator	Local Government
Express power to delegate	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express power or duty delegated	<i>Bush Fires Act 1954:</i> s.46 Bush fire control officer or forest officer may postpone lighting fire
Function	<p>1. Authority to prohibit or postpone the lighting of a fire, despite a permit having been issued, where in the opinion of the delegate the lighting of a fire would be or become a source of danger by escaping from the land on which it is proposed to be lit [s.46(1A)].</p> <p>a. Where it is proposed that the fire will be lit on land within 3km of the boundary of forest land, and an authorised CALM Act officer is not available or has not exercised the power to prohibit or proposed a fire considered to become a source of danger, then the Delegate may make the decision [s.46(1B)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Bush Fire Act 1954.</i></p>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	NIL – Sub-delegation is prohibited by s.48(3)
Statutory framework	Bush Fires Act 1954 - s.50
Record keeping	All exercises of delegated authority are to be recorded in the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	309 Recovery of Expenses Incurred through Contraventions of this Act
Category	Council to CEO
Head of power	03 Bush Fires Act 1954
Delegator	Local Government
Express power to delegate	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express power or duty delegated	<i>Bush Fires Act 1954:</i> s.58 General penalty and recovery of expenses incurred
Function	1. Authority to recover expenses incurred as a result of an offence against the Bush Fires Act, being expenses incurred through the fulfilment of a duty or doing anything for which the Act empowered or required the Shire of Irwin or those on behalf of the Shire of Irwin to do, in accordance with the provisions of s.58 (3) (3A) (3B) (4). <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Bush Fire Act 1954.</i>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	NIL – Sub-delegation is prohibited by s.48(3)
Statutory framework	<i>Bush Fires Act 1954 - s.50</i>
Record keeping	All exercises of delegated authority are to be recorded into the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	310 Prosecution of Offences
Category	Council to CEO
Head of power	03 Bush Fires Act 1954
Delegator	Local Government
Express power to delegate	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express power or duty delegated	<i>Bush Fires Act 1954:</i> s.59 Prosecution of offences s.59A(2) Alternative procedure – infringement notices
Function	<p>1. Authority to institute and carry on proceedings against a person for an offence alleged to be committed against this Act in accordance with the provisions of s.59 (1) (2) (3) (4) (5).</p> <p>2. Authority to serve an infringement notice for an offence against this Act [s.59A(2)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Bush Fire Act 1954.</i></p>
Delegates	CEO Chief Bush Fire Control Officer
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	NIL – Sub-delegation is prohibited by s.48(3)
Statutory framework	<i>Bush Fires Act 1954 - s.50</i>
Record keeping	All exercises of delegated authority are to be recorded in the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	311 Withdrawal of Infringement Notices
Category	Council to CEO
Head of power	03 Bush Fires Act 1954
Delegator	Local Government
Express power to delegate	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express power or duty delegated	<i>Bush Fires Act 1954:</i> s.59A(5) Alternative procedure – infringement notices
Function	<p>1. Authority to withdraw an infringement notice for an offence against this Act, at any time within 60 days after the service of the notice, by the sending of a notice, in the prescribed form, signed by a prescribed officer, to the alleged offender at his last known place of residence or business, advising the alleged offender that the infringement notice has been withdrawn, and, in that event, the amount of any prescribed penalty that has been paid shall be refunded [s.59A (5)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Bush Fire Act 1954.</i></p>
Delegates	CEO
Conditions	<p>a. The person who issued an infringement and/or notice is not permitted to determine an objection, extend time, withdraw or revoke an infringement and/or notice, as is applicable, for the same applicant and/or issue.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
Express power to subdelegate	NIL – Sub-delegation is prohibited by s.48(3)
Statutory framework	Bush Fires Act 1954 - s.50
Record keeping	All exercises of delegated authority to be recorded into the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	400 Cat Registrations
Category	Council to CEO
Head of power	04 Cat Act 2011
Delegator	Local Government
Express power to delegate	<i>Cat Act 2011:</i> s.44 Delegation by local government
Express power or duty delegated	<i>Cat Act 2011:</i> s.9 Registration s.10 Cancellation of registration s.11 Registration numbers, certificates and tags <i>Cat Regulations 2012</i> Schedule 3, cl.1(4) Fees Payable
Function	<ol style="list-style-type: none"> 1. Authority to grant, or refuse to grant, a cat registration or renewal of a cat registration [s.9 (1)]. 2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.9(6)]. 3. Authority to cancel a cat registration [s.10]. 4. Authority to give the cat owner a new registration certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.11(2)]. 5. Authority to reduce or waive a registration or approval to breed fee, in respect of any individual cat or any class of cats within the shire of Irwin's District [Regs. Sch. 3 cl.1(4)]. 6. Authority to reduce or waiver a fee payable under Schedule 3 clauses (2) or (3) in respect to any individual cat. [Schedule 3 s.1(4)]. <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Cat Act 2011 and Cat Regulations 2012.</i></p>
Delegates	CEO
Conditions	<ol style="list-style-type: none"> a. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the Cat Act 2011. b. This delegation does NOT provide authority to determine to reduce or waiver the fees payable in regard to any class of cat within the District. This matter requires a Council decision in accordance with s.6.16, 6.17 and 6.18 of the Local Government Act 1995. <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
Express power to subdelegate	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
Subdelegate conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>

Statutory framework	<i>Cat Act 2011</i> <i>Cat Regulations 2012</i>
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	<i>Cat Act 2011 s.47</i> All exercises of delegated authority is recorded in the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
14 Feb 2023	Amended delegation	14 February 2023 - previously not sub-delegated. Sub-delegated to Manager Community Services as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	401 Cat Control Notices
Category	Council to CEO
Head of power	04 Cat Act 2011
Delegator	Local Government
Express power to delegate	<i>Cat Act 2011:</i> s.44 Delegation by local government
Express power or duty delegated	<i>Cat Act 2011:</i> s.26 Cat control notice may be given to cat owner
Function	1. Authority to give a cat control notice to a person who is the owner of a cat ordinarily kept within the Shire of Irwin's District [s.26]. <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Cat Act 2011 and associated Regulations.</i>
Delegates	CEO
Conditions	a. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the Cat Act 2011. <i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
Subdelegate conditions	Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the Cat Act 2011. <i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Statutory framework	<i>Cat Act 2011</i> <i>Cat Regulations 2012</i>
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	Cat Act 2011 s.47 All exercises of delegated authority are to be recorded into the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
14 Feb 2023	Amended delegation	<p>14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.</p> <p>22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).</p>	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	402 Approval to Breed Cats
Category	Council to CEO
Head of power	04 Cat Act 2011
Delegator	Local Government
Express power to delegate	<i>Cat Act 2011:</i> s.44 Delegation by local government
Express power or duty delegated	<i>Cat Act 2011:</i> s.37 Approval to Breed Cats s.38 Cancellation of approval to breed cats s.39 Certificate to be given to approved cat breeder
Function	<p>1. Authority to grant or refuse to grant approval or renew an approval to breed cats [s.37(1) and (2)].</p> <p>2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information, within a specified time of not more than 21 days, required to determine the application [s.37(4)].</p> <p>3. Authority to cancel an approval to breed cats if one or more of the things set out in s.37(2) applies in respect of the approved cat breeder [s.38].</p> <p>4. Authority to give an approved breeder a new certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.39(2)].</p> <p>5. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the Cat Act 2011.</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Cat Act 2011 and associated Regulations.</i></p>
Delegates	CEO
Conditions	<p>a. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i>.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
Express power to subdelegate	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
Subdelegates	Manager Development
Subdelegate conditions	<p>Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i>.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
Statutory framework	<i>Cat Act 2011</i> <i>Cat Regulations 2012</i>

Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	<i>Cat Act 2011 s.47</i> All exercises of delegated authority are to be recorded into the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.

Delegation	403 Appoint Authorised Person
Category	Council to CEO
Head of power	04 Cat Act 2011
Delegator	Local Government
Express power to delegate	<i>Cat Act 2011:</i> s.44 Delegation by local government
Express power or duty delegated	<i>Cat Act 2011:</i> s. 48 Authorised persons
Function	1. Authority to appoint authorised persons by issuing a certificate of authorisation [s.48]. <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Cat Act 2011 and associated Regulations.</i>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
Subdelegate conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Statutory framework	<i>Cat Act 2011</i> <i>Cat Regulations 2012</i>
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	Cat Act 2011 s.47 All exercises of delegated authority are to be recorded into the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
14 Feb 2023	Amended delegation	<p>14 February 2023 - not previously sub-delegated. Sub-delegated to Manager Community Services as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.</p> <p>22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).</p>	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	404 Recovery of Costs – Destruction of Cats
Category	Council to CEO
Head of power	04 Cat Act 2011
Delegator	Local Government
Express power to delegate	<i>Cat Act 2011:</i> s.44 Delegation by local government
Express power or duty delegated	<i>Cat Act 2011:</i> s.49(3) Authorised person may cause cat to be destroyed
Function	1. Authority to recover the amount of the costs associated with the destruction and the disposal of a cat from the owner in a court of competent jurisdiction. [s.49(3)]. <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Cat Act 2011 and associated Regulations.</i>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
Subdelegate conditions	Not sub-delegated
Statutory framework	<i>Cat Act 2011</i> <i>Cat Regulations 2012</i>
Record keeping	Cat Act 2011 s.47 All exercises of delegated authority are to be recorded in the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	405 Applications to Keep Additional Cats
Category	Council to CEO
Head of power	04 Cat Act 2011
Delegator	Local Government
Express power to delegate	<i>Cat Act 2011:</i> s.44 Delegation by local government
Express power or duty delegated	<i>Cat (Uniform Local Provisions) Regulations 2013:</i> r.8 Application to keep additional number of cats r.9 Grant of approval to keep additional number of cats
Function	<p>1. Authority to require any document or additional information to be provided within a specified time of not more than 21 days to determine an application. [r.8(3)]</p> <p>2. Authority to refuse to consider an application if the applicant does not comply with a requirement to provide any document or information required to determine an application. [r.8 (4)]</p> <p>3. Authority to grant or refuse approval for additional number of cats specified in an application or less than the amount specified in the application, to be kept at the prescribed premises and to determine any condition reasonably necessary to ensure premises are suitable for the additional number of cats. [r.9]</p> <p>4. Notices of decisions must include advice as to review rights in accordance with r.11 of the Cat (Uniform Local Provisions) Regulations 2013.</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Cat Act 2011 and associated Regulations.</i></p>
Delegates	CEO
Conditions	<p>a. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i>.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
Express power to subdelegate	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
Subdelegate conditions	<p>Notices of decisions must include advice as to review rights in accordance with r.11 of the <i>Cat (Uniform Local Provisions) Regulations 2013</i>.</p> <p><i>Actions under this Delegation are required to comply with any related local law and/or policies.</i></p>
Statutory framework	<i>Cat Act 2011</i> <i>Cat (Uniform Local Provision) Regulations 2013</i>

Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	Cat Act 2011 s.47 All exercises of delegated authority are to be recorded into the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	500 Refuse or Cancel Registration
Category	Council to CEO
Head of power	05 Dog Act 1976
Delegator	Local Government
Express power to delegate	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express power or duty delegated	<i>Dog Act 1976:</i> s.15(2) (4A) Registration periods and fees s.16(2) (3) Registration procedure s.17A(2) If no application for registration made
Function	<ol style="list-style-type: none"> 1. Authority to discount or waive a registration fee, including a concessional fee, for any individual dog or any class of dogs within the Shire of Irwin's District [s15(4A)]. 2. Authority to determine to refuse a dog registration and refund the fee, if any [s.16(2)]. 3. Authority to direct the registration officer to refuse to effect or renew or to cancel the registration of a dog, and to give notice of such decisions as per the requirements the Dog Act 1976 because - [s.16(3) and s.17A(2)] <ol style="list-style-type: none"> a. the applicant, owner or registered owner has been convicted or paid a modified penalty within the past 3-years in respect of 2 or more offences against this Act, the Cat Act 2011 or the Animal Welfare Act 2002; or b. the dog is determined to be destructive, unduly mischievous or to be suffering from a contagious or infectious disease; or c. the delegate is not satisfied that the dog is or will be effectively confined in or at premises where the dog is ordinarily kept; or d. the dog is required to be microchipped but is not microchipped; or e. the dog is a dangerous dog [s.16(3) and s.17A(2)]. 4. Authority to apply to a Justice of the Peace for an order to seize a dog following a decision to refuse or cancel a registration where the owner/applicant was given proper notice of the reason for the decision and has not applied to the State Administrative Tribunal for the decision to be reviewed within the time fixed. [s.17(4)]. 5. Authority to cause the dog to be seized, if an order for the seizure of the dog is made under subsection (4) or (5), and detained or destroyed or otherwise disposed of as though it had been found in contravention of section 31, 32 or 33A and had not been claimed [s.17(6)] <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Dog Act 1976 and associated Regulations.</i></p>
Delegates	CEO
Conditions	<p>a. The Chief Executive Officer may further delegate to a person which is determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.</p> <p><i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i></p>

Express power to subdelegate	<i>Dog Act 1976:</i> s.10AA(3) The delegation may expressly authorise the delegate to further delegate the power or duty.
Subdelegate conditions	Not sub-delegated
Statutory framework	<i>Dog Act 1976</i>
Policy	Dog Local Law 2000
Record keeping	<i>Dog Act 1976 s.10AA</i> All exercises of delegated authority are to be recorded into the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	501 Kennel Establishments
Category	Council to CEO
Head of power	05 Dog Act 1976
Delegator	Local Government
Express power to delegate	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express power or duty delegated	<i>Dog Act 1976:</i> s.27 Licensing of approved kennel establishments
Function	<p>1. Authority to grant a licence to keep an approved kennel establishment, upon an application received in the Shire's prescribed manner and form. If due notice of the proposed use of the land was required to be given to persons in the locality, the Shire shall have regard to any objections raised. [s.27(4)].</p> <p>2. Authority to cancel a licence for a kennel buy the service of a notice on the licensee specifying a period at the end of which the licence is cancelled, which shall be a period of not less than 3 months [s.27(6)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Dog Act 1976 and associated Regulations.</i></p>
Delegates	CEO
Conditions	<p>a. The Chief Executive Officer may further delegate to a person which is determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.</p> <p><i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i></p>
Express power to subdelegate	<i>Dog Act 1976:</i> s.10AA(3) The delegation may expressly authorise the delegate to further delegate the power or duty.
Subdelegates	Manager Development
Subdelegate conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Statutory framework	<i>Dog Act 1976</i>
Policy	An error has occurred while processing HtmlTextBox 'htmlTextBox1': The 'br' start tag on line 1 position 130 does not match the end tag of 'div'. Line 1, position 207.
Record keeping	<i>Dog Act 1976 s.10AA</i> All exercises of delegated authority are to be recorded into the Shire's ICT system. <i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</i>
Date adopted	28 July 2020

Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
14 Feb 2023	Amended delegation	<p>14 February 2023 - previously not sub-delegated. Sub-delegated to Manager Development as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.</p> <p>22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).</p>	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	502 Appoint Authorised Persons
Category	Council to CEO
Head of power	05 Dog Act 1976
Delegator	Local Government
Express power to delegate	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express power or duty delegated	<i>Dog Act 1976:</i> s.11 Staff and Services
Function	1. Authority to appoint authorised persons to exercise the powers conferred on an authorised person by this Act [s.3 s.11(1)(2)(3) and s.29(1)]. <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Dog Act 1976 and associated Regulations.</i>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i>
Express power to subdelegate	<i>Dog Act 1976:</i> s.10AA(3) The delegation may expressly authorise the delegate to further delegate the power or duty.
Subdelegate conditions	Not sub-delegated
Statutory framework	<i>Dog Act 1976</i>
Policy	Dog Local Law 2000
Record keeping	Dog Act 1976 s.10AA All exercises of delegated authority are to be recorded into the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	310720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	503 Recovery of Moneys Due Under this Act
Category	Council to CEO
Head of power	05 Dog Act 1976
Delegator	Local Government
Express power to delegate	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express power or duty delegated	<i>Dog Act 1976:</i> s.29(5) Power to seize dogs
Function	1. Authority to recover moneys, in a court of competent jurisdiction, due in relation to a dog for which the owner is liable [s.29(5)]. <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Dog Act 1976 and associated Regulations.</i>
Delegates	CEO
Conditions	a. The Chief Executive Officer may further delegate to a person which is determined as being suitably capable of fulfilling the powers and duties contained in this Delegation. <i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i>
Express power to subdelegate	<i>Dog Act 1976:</i> s.10AA(3) The delegation may expressly authorise the delegate to further delegate the power or duty.
Subdelegate conditions	Not sub-delegated
Statutory framework	<i>Dog Act 1976</i>
Policy	Dog Local Law 2000
Record keeping	Dog Act 1976 s.10AA All exercises of delegated authority are to be recorded into the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	504 Dispose of or Sell Dogs Liable to be Destroyed
Category	Council to CEO
Head of power	05 Dog Act 1976
Delegator	Local Government
Express power to delegate	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express power or duty delegated	<i>Dog Act 1976:</i> s.29(11) Power to seize dogs
Function	1. Authority to dispose of or sell a dog which is liable to be destroyed pursuant to subsection (10) [s.29(11)]. <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Dog Act 1976 and associated Regulations.</i>
Delegates	CEO
Conditions	a. The Chief Executive Officer may further delegate to a person which is determined as being suitably capable of fulfilling the powers and duties contained in this Delegation. <i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i>
Express power to subdelegate	<i>Dog Act 1976:</i> s.10AA(3) The delegation may expressly authorise the delegate to further delegate the power or duty.
Subdelegate conditions	Not sub-delegated
Statutory framework	<i>Dog Act 1976</i>
Policy	Dog Local Law 2000 Council Policy CP43 Disposal of Property
Record keeping	<i>Dog Act 1976 s.10AA</i> All exercises of delegated authority are to be recorded into the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	505 Declare a Dangerous Dog
Category	Council to CEO
Head of power	05 Dog Act 1976
Delegator	Local Government
Express power to delegate	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express power or duty delegated	<i>Dog Act 1976:</i> s.33E(1) Individual dog may be declared to be dangerous dog (declared)
Function	1. Authority to declare an individual dog to be a dangerous dog by notice in writing given in accordance with section 33F [s.33E(1)]. <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Dog Act 1976 and associated Regulations.</i>
Delegates	CEO
Conditions	a. If the Chief Executive Officer declares a Dangerous Dog, objections are to be referred to Council. b. The Chief Executive Officer may further delegate to a person which is determined as being suitably capable of fulfilling the powers and duties contained in this Delegation. <i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i>
Express power to subdelegate	<i>Dog Act 1976:</i> s.10AA(3) The delegation may expressly authorise the delegate to further delegate the power or duty.
Statutory framework	<i>Dog Act 1976</i>
Policy	Dog Local Law 2000
Record keeping	<i>Dog Act 1976 s.10AA</i> All exercises of delegated authority are to be recorded into the Shire's ICT system. <i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</i>
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
14 Feb 2023	Revoked	14 February 2023 - Sub-delegation revoked as advised by CEO on 21.02.2023 - not to be sub-delegated at this time.	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	506 Dangerous Dog Declared or Seized – Deal with Objections and Determine when to Revoke
Category	Council to CEO
Head of power	05 Dog Act 1976
Delegator	Local Government
Express power to delegate	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express power or duty delegated	<i>Dog Act 1976:</i> s.33F(6) Owners to be notified of making of declaration s.33G(4) Seizure and destruction s.33H(1)(2)(5) Local government may revoke declaration or proposal to destroy
Function	<p>1. Authority to consider and determine to either dismiss or uphold an objection to the declaration of a dangerous dog [s.33F(6)].</p> <p>2. Authority to consider and determine to either dismiss or uphold an objection to seizure of a dangerous dog [s.33G(4)].</p> <p>3. Authority to revoke a declaration of a dangerous dog or revoke notice proposing to cause a dog to be destroyed, only where satisfied that the dog can be kept without likelihood of any contravention of this Act [s.33H(1)].</p> <p>4. Authority to, before dealing with an application to revoke a declaration or notice, require the owner of the dog to attend with the dog a course in behaviour and training or otherwise demonstrate a change in the behaviour of the dog [s.33H(2)].</p> <p>5. Authority to consider and determine to either dismiss or uphold an objection to a decision to revoke [s.33H(5)]: (a) a notice declaring a dog to be dangerous; or (b) a notice proposing to cause a dog to be destroyed.</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Dog Act 1976 and associated Regulations.</i></p>
Delegates	CEO
Conditions	<p>a. If the Chief Executive Officer declares a Dangerous Dog, objections are to be referred to Council.</p> <p>b. The Chief Executive Officer may further delegate to a person which is determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.</p> <p><i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i></p>
Express power to subdelegate	<i>Dog Act 1976:</i> s.10AA(3) The delegation may expressly authorise the delegate to further delegate the power or duty.
Subdelegate conditions	Not sub-delegated

Statutory framework	<i>Dog Act 1976</i>
Policy	Dog Local Law 2000
Record keeping	Dog Act 1976 s.10AA All exercises of delegated authority are to be recorded in the Shire's ICT system. <i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</i>
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	507 Determine Recoverable Expenses for Dangerous Dog Declaration
Category	Council to CEO
Head of power	05 Dog Act 1976
Delegator	Local Government
Express power to delegate	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express power or duty delegated	<i>Dog Act 1976:</i> s.33M(1)(a) Local Government expenses to be recoverable
Function	<p>1. Authority to determine the reasonable charge to be paid by an owner at the time of payment of the registration fee under s.15, up to any maximum amount prescribed, having regard to the expenses incurred by the Local Government in making inquiries, investigations and inspections concerning the behaviour of a dog declared to be dangerous [s.33H(5)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Dog Act 1976 and associated Regulations.</i></p>
Delegates	CEO
Conditions	<p>a. The Chief Executive Officer may further delegate to a person which are determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.</p> <p><i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i></p>
Express power to subdelegate	<i>Dog Act 1976:</i> s.10AA(3) The delegation may expressly authorise the delegate to further delegate the power or duty.
Subdelegate conditions	Not sub-delegated
Statutory framework	<i>Dog Act 1976</i>
Policy	Dog Local Law 2000
Record keeping	<p>Dog Act 1976 s.10AA</p> <p>All exercises of delegated authority to recorded into the Shire's ICT system.</p> <p><i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</i></p>
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	600 Food Business Registrations
Category	Council to CEO
Head of power	06 Food Act 2008
Delegator	Enforcement Agency (Local Government)
Express power to delegate	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express power or duty delegated	<i>Food Act 2008:</i> s.110(1) and (5) Registration of food business s.112 Variation of conditions or cancellation of registration of food businesses
Function	1. Authority to consider applications and determine registration of a food business and grant the application with or without conditions or refuse the registration [s.110(1) and (5)]. 2. Authority to vary the conditions or cancel the registration of a food business [s.112]. <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Food Act 2008 and associated Regulations.</i>
Delegates	CEO
Conditions	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, see ww2.health.wa.gov.au for up-to-date DoH CEO approved documents. <i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i>
Express power to subdelegate	NIL – Food Regulations 2009 do not provide for sub-delegation.
Subdelegate conditions	NIL – Food Regulations 2009 do not provide for sub-delegation.
Statutory framework	<i>Food Act 2008</i>
Record keeping	All exercises of delegated authority are to be recorded into the Shire's ICT system. Note - Decisions under this delegation may be referred for review by the State Administration Tribunal.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	601 Appoint Authorised Officers and Designated Officers
Category	Council to CEO
Head of power	06 Food Act 2008
Delegator	Enforcement Agency (Local Government)
Express power to delegate	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express power or duty delegated	<i>Food Act 2008:</i> s.122(1) Appointment of authorised officers s.126(6), (7) and (13) Infringement Officers
Function	<p>1. Authority to appoint a person to be an authorised officer for the purposes of the Food Act 2008 [s.122(2)].</p> <p>2. Authority to appoint an Authorised Officer appointed under s.122(2) of this Act or the s.24(1) of the Public Health Act 2016, to be a Designated Officer for the purposes of issuing Infringement Notices under the Food Act 2008 [s.126(13)].</p> <p>3. Authority to appoint an Authorised Officer to be a Designated Officer (who is prohibited by s.126(13) from also being a Designated Officer for the purpose of issuing infringements), for the purpose of extending the time for payment of modified penalties [s.126(6)] and determining withdrawal of an infringement notice [s.126(7)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Food Act 2008 and associated Regulations.</i></p>
Delegates	CEO
Conditions	<p>a. In accordance with s.122(2) the Department of Health (DoH) CEO may issue guidelines that describe the qualifications and experience that are appropriate for a person to be appointed as an authorised officer. See ww2.health.wa.gov.au for up-to-date DoH CEO approved guidelines.</p> <p><i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i></p>
Express power to subdelegate	NIL – Food Regulations 2009 do not provide for sub-delegation.
Statutory framework	<i>Food Act 2008</i>
Record keeping	All exercises of delegated authority to be recorded in the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	602 Determine Compensation
Category	Council to CEO
Head of power	06 Food Act 2008
Delegator	Enforcement Agency (Local Government)
Express power to delegate	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express power or duty delegated	<i>Food Act 2008:</i> s.56(2) Compensation to be paid in certain circumstances s.70(2) and (3) Compensation
Function	<p>1. Authority to determine applications for compensation in relation to any item seized, if no contravention has been committed and the item cannot be returned [s.56(2)(3)].</p> <p>2. Authority to determine an application for compensation from a person on whom a prohibition notice has been served and who has suffered loss as the result of the making of the order and who considers that there were insufficient grounds for making the order [s.70(2)(3)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Food Act 2008 and associated Regulations.</i></p>
Delegates	CEO
Conditions	<p>a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health (DoH) CEO Guidelines, as amended from time to time.</p> <p>b. Compensation under this delegation may only be determined upon documented losses up to a maximum of \$1,000. Compensation requests above this value are to be reported to Council.</p> <p>c. The person who seized an item is not permitted to determine an objection, extend time, withdraw or revoke and/or compensation, as is applicable.</p> <p><i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i></p>
Express power to subdelegate	NIL – Food Regulations 2009 do not provide for sub-delegation.
Statutory framework	Food Act 2008 <i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</i>
Record keeping	All exercises of delegated authority are to be recorded in the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	603 Prohibition Orders
Category	Council to CEO
Head of power	06 Food Act 2008
Delegator	Local Government
Express power to delegate	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express power or duty delegated	<i>Food Act 2008:</i> s.65(1) Prohibition orders s.66 Certificate of clearance to be given in certain circumstances s.67(4) Request for re-inspection
Function	<ol style="list-style-type: none"> 1. Authority to serve a prohibition order on the proprietor of a food business in accordance with s.65 of the Food Act 2008 [s.65(1)]. 2. Authority to give a certificate of clearance, where inspection demonstrates compliance with a prohibition order and any relevant improvement notices [s.66]. 3. Authority to give written notice to proprietor of a food business on whom a prohibition order has been served of the decision not to give a certificate of clearance after an inspection [s.67(4)]. <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Food Act 2008 and associated Regulations.</i></p>
Delegates	CEO
Conditions	<p>a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health (DoH) CEO Guidelines, as amended from time to time.</p> <p><i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i></p>
Express power to subdelegate	NIL – Food Regulations 2009 do not provide for sub-delegation.
Statutory framework	Food Act 2008 <i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</i>
Record keeping	All exercises of delegated authority are to be recorded in the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	604 Debt Recovery and Prosecutions
Category	Council to CEO
Head of power	06 Food Act 2008
Delegator	Local Government
Express power to delegate	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express power or duty delegated	<i>Food Act 2008:</i> s.54 Cost of destruction or disposal of forfeited item s.125 Institution of proceedings
Function	<p>1. Authority to recover costs incurred in connection with the lawful destruction or disposal of an item (seized) including any storage costs s.54(1) and the costs of any subsequent proceedings in a court of competent jurisdiction [s.54(3)].</p> <p>2. Authority to institute proceedings for an offence under the Food Act 2008 within 12 months after the date of which the offence is alleged to have been committed, or within 6 months if proceedings are in respect of a food sample [s.125].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Food Act 2008 and associated Regulations.</i></p>
Delegates	CEO
Conditions	<p>a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health (DoH) CEO Guidelines, as amended from time to time.</p> <p><i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i></p>
Express power to subdelegate	NIL – Food Regulations 2009 do not provide for sub-delegation.
Statutory framework	<i>Food Act 2008</i>
Record keeping	All exercises of delegated authority are to be recorded into the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	605 Food Business List – Preparation, Maintenance and Public Access
Category	Council to CEO
Head of power	06 Food Act 2008
Delegator	Local Government
Express power to delegate	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express power or duty delegated	<i>Food Act 2008:</i> r.51 Enforcement agency may make list of food businesses publicly available
Function	1. Authority to prepare and maintain a list of — (a) food businesses notified to the agency in respect of any premises under section 107; and (b) food businesses registered by the agency in respect of any premises under section 110 [s.115]. 2. Authority to decide to make a list of food businesses maintained under s.115(a) or (b) publicly available [r.51]. <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Food Act 2008 and associated Regulations.</i>
Delegates	CEO
Conditions	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health (DoH) CEO Guidelines, as amended from time to time. <i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i>
Express power to subdelegate	NIL – Food Regulations 2009 do not provide for sub-delegation.
Statutory framework	Food Act 2008
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Delegation	700 Give Notice Requiring Obliteration of Graffiti
Category	Council to CEO
Head of power	07 Graffiti Vandalism Act 2016
Delegator	Local Government
Express power to delegate	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
Express power or duty delegated	<i>Graffiti Vandalism Act 2016</i> s.18(2) Notice requiring removal of graffiti s.19(3) & (4) Additional powers when notice is given
Function	<p>1. Authority to give written notice to a person who is an owner or occupier of property on which graffiti is applied, if applicable with s.18(1), requiring the person to ensure that the graffiti is obliterated in an acceptable manner, within the time set out in the notice [s.18(2)].</p> <p>2. Authority, where a person fails to comply with a notice, to do anything considered necessary to obliterate the graffiti in an acceptable manner s.19(3) and to take action to recover reasonable costs incurred as a debt due from the person who failed to comply with the notice [s.19(4)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Graffiti Vandalism Act 2016 and associated Regulations.</i></p>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i>
Express power to subdelegate	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government
Subdelegates	Manager Operations
Subdelegate conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Statutory framework	<i>Graffiti Vandalism Act 2016</i> <i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</i>
Policy	An error has occurred while processing HtmlTextBox 'htmlTextBox1': The 'br' start tag on line 1 position 96 does not match the end tag of 'html'. Line 1, position 173.
Record keeping	All exercises of delegate authority are to be recorded in the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	701 Notices – Deal with Objections and Suspension of Effect of Notices
Category	Council to CEO
Head of power	07 Graffiti Vandalism Act 2016
Delegator	Local Government
Express power to delegate	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
Express power or duty delegated	<i>Graffiti Vandalism Act 2016</i> s.22(3) Objection may be lodged s.24(1)(b) & (3) Suspension of effect of notice
Function	<p>1. Authority to deal with an objection to a notice [s.22(3)].</p> <p>2. Authority, where an objection has been lodged against a notice or a decision or for a review of a decision, to:</p> <p>i. determine that there are urgent reasons why the effect of the notice or decision should not be suspended; or</p> <p>ii. suspension of the effect of the notice or decision is reasonably likely to endanger the safety of any person, cause damage to property or to create a serious public nuisance [s.24(1)(b)]; and</p> <p>ii. to give notice to the affected person in writing of its decision explaining its reasons under subsection s.24(1)(b) [s.24(3)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Graffiti Vandalism Act 2016 and associated Regulations.</i></p>
Delegates	CEO
Conditions	<p>a. The person who issued an infringement and/or notice is not permitted to determine an objection, extend time, withdraw or revoke an infringement and/or notice, as is applicable, for the same applicant and/or issue.</p> <p><i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i></p>
Express power to subdelegate	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government
Subdelegate conditions	Not sub-delegated
Statutory framework	Graffiti Vandalism Act 2016 <i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</i>
Record keeping	All exercises of delegated authority to be recorded into the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	702 Obliterate Graffiti on Land not Local Government Property
Category	Council to CEO
Head of power	07 Graffiti Vandalism Act 2016
Delegator	Local Government
Express power to delegate	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
Express power or duty delegated	<i>Graffiti Vandalism Act 2016</i> s.25(1) Local government graffiti powers on land not local government property
Function	<p>1. Authority to determine to obliterate graffiti that is visible from a public place and has been applied without consent of the owner or occupier, even though the land on which it is done is not local government property and the local government does not have consent to do it [s.25 (1)].</p> <p>a. Subject to exercising Powers of Entry.</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Graffiti Vandalism Act 2016 and associated Regulations.</i></p>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i>
Express power to subdelegate	Graffiti Vandalism Act 2016: s.17 Delegation by CEO of local government
Subdelegate conditions	Not sub-delegated
Statutory framework	Graffiti Vandalism Act 2016
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Delegation	703 Powers of Entry
Category	Council to CEO
Head of power	07 Graffiti Vandalism Act 2016
Delegator	Local Government
Express power to delegate	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
Express power or duty delegated	<i>Graffiti Vandalism Act 2016</i> s.28 Notice of entry s.29 Entry under warrant
Function	<p>1. Authority to give notice, not less than 24 hours before, of an intended entry to the owner or occupier of land, premises or thing, specifying the purpose for which entry is required [s.28].</p> <p>2. Authority to obtain a warrant to enable entry onto any land, premises or thing for the purposes of this Act [s.29].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Graffiti Vandalism Act 2016 and associated Regulations.</i></p>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i>
Express power to subdelegate	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government
Subdelegate conditions	Not sub-delegated
Statutory framework	<i>Graffiti Vandalism Act 2016</i>
Record keeping	All exercises of delegated authority to be recorded into the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	800 Appoint Authorised Officer or Approved Officer (Asbestos Regs)
Category	Council to CEO
Head of power	08 Public Health Act 2016
Delegator	Local Government
Express power to delegate	<i>Health (Asbestos) Regulations 1992:</i> r.15D(7) Infringement Notices
Express power or duty delegated	<i>Health (Asbestos) Regulations 1992:</i> r.15D(5) Infringement Notices
Function	1. Authority to appoint a person or classes of persons as an authorised officer or approved officer for the purposes of the Criminal Procedure Act 2004 Part 2. [r.15D(5)] <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Public Health Act 2016 and associated Regulations.</i>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i>
Express power to subdelegate	Nil – the <i>Health (Asbestos) Regulations 1992</i> do not provide a power to sub-delegate.
Statutory framework	<i>Health (Miscellaneous Provisions) Act 1911</i> <i>Public Health Act 2016</i> <i>Health (Asbestos) Regulations 1992</i> <i>Criminal Procedure Act 2004 – Part 2</i>
Record keeping	All exercises of delegated authority to be recorded in the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	801 Enforcement Agency Reports to the Chief Health Officer
Category	Council to CEO
Head of power	08 Public Health Act 2016
Delegator	Enforcement Agency (Local Government)
Express power to delegate	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
Express power or duty delegated	<i>Public Health Act 2016</i> s.22 Reports by and about enforcement agencies
Function	<p>1. Authority to prepare and provide to the Chief Health Officer, the Local Government's report on the performance of its functions under this Act and the performance of functions by persons employed or engaged by the Shire of Irwin [s.22(1)].</p> <p>2. Authority to prepare and provide to the Chief Health Officer, a report detailing any proceedings for an offence under this Act [s.22(2)].</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Public Health Act 2016 and associated Regulations.</i></p>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i>
Express power to subdelegate	Nil – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].
Statutory framework	<i>Public Health Act 2016</i>
Record keeping	All exercises of delegated authority are to be recorded in the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	802 Designate Authorised Officers
Category	Council to CEO
Head of power	08 Public Health Act 2016
Delegator	Enforcement Agency (Local Government)
Express power to delegate	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
Express power or duty delegated	<i>Public Health Act 2016</i> s.24(1) and (3) Designation of authorised officers
Function	<p>1. Authority to designate a person or class of persons as authorised officers for the purposes of:</p> <ol style="list-style-type: none"> The <i>Public Health Act 2016</i> or other specified Act Specified provisions of the <i>Public Health Act 2016</i> or other specified Act Provisions of the <i>Public Health Act 2016</i> or another specified Act, other than the specified provisions of that Act. <p>Including:</p> <ol style="list-style-type: none"> an environmental health officer or environmental health officers as a class; OR a person who is not an environmental health officer or a class of persons who are not environmental health officers; OR a mixture of the two [s.24(1) and (3)]. <p>Subject to each person so appointed being appropriately qualified and experienced s.25(1)(a) and has regard to any guidelines issued under s.29.</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Public Health Act 2016 and associated Regulations.</i></p>
Delegates	CEO
Conditions	<ol style="list-style-type: none"> Subject to each person appointed being; <ol style="list-style-type: none"> Appropriately qualified and experienced [s.25(1)(a)]; and Issued with a certificate, identity card identifying the authorised officer [s.30 and 31] A register (list) of authorised officers is to be maintained in accordance with s.27. <p><i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i></p>
Express power to subdelegate	Nil – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].
Statutory framework	<i>Public Health Act 2016</i>
Record keeping	All exercises of delegated authority are to be recorded to be in the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	803 Determine Compensation for Seized Items
Category	Council to CEO
Head of power	08 Public Health Act 2016
Delegator	Enforcement Agency (Local Government)
Express power to delegate	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
Express power or duty delegated	<i>Public Health Act 2016</i> s.264 Compensation
Function	1. Authority, in response to an application for compensation, to determine compensation that is just and reasonable in relation to any item seized under Part 16 if there has been no contravention of the Act in relation to the item and the item cannot be returned or has in consequence of the seizure depreciated in value [s.264]. <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Public Health Act 2016 and associated Regulations.</i>
Delegates	CEO
Conditions	a. Compensation is limited to a maximum value of \$100, with any proposal for compensation above this value to be referred for Council's determination. <i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i>
Express power to subdelegate	Nil – Unless a Regulation enacted under the <i>Public Health Act 2016</i> , specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].
Statutory framework	<i>Public Health Act 2016</i> <i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal.</i>
Record keeping	All exercises of delegated authority are to be recorded into the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	804 Commence Proceedings
Category	Council to CEO
Head of power	08 Public Health Act 2016
Delegator	Enforcement Agency (Local Government)
Express power to delegate	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
Express power or duty delegated	<i>Public Health Act 2016</i> s.280 Commencing Proceedings
Function	1. Authority to commence proceedings for an offence under the Public Health Act 2016 [s.280] <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Public Health Act 2016 and associated Regulations.</i>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local laws and/or policies.</i>
Express power to subdelegate	Nil – Unless a Regulation enacted under the <i>Public Health Act 2016</i> , specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].
Statutory framework	<i>Public Health Act 2016</i>
Record keeping	All exercises of delegated authority to be recorded into the Shire's ICT system.
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	900 Illegal Development
Category	Council to CEO
Head of power	09 Planning and Development Act 2005
Delegator	Council
Express power to delegate	<i>Planning and Development Act 2005:</i> s.16(3)(e) - Delegation by Commission
Express power or duty delegated	<i>Planning and Development Act 2005:</i> s.214(2), (3) and (5) Illegal development, responsible authority's powers as to s.215 Illegal development, responsible Authority's powers to remove
Function	<p>1. Authority to give a written direction to the owner or any other person undertaking an unauthorised development to stop, and not recommence, the development or that part of the development that is undertaken in contravention of the planning scheme, interim development order or planning control area requirements. [s.214(2)]</p> <p>2. Authority to give a written direction to the owner or any other person who undertook an unauthorised development: (a) to remove, pull down, take up, or alter the development; and (b) to restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the responsible authority. [s.214(3)]</p> <p>3. Authority to give a written direction to the person whose duty it is to execute work to execute that work where it appears that delay in the execution of the work to be executed under a planning scheme or interim development order would prejudice the effective operation of the planning scheme or interim development order. [s.214(5)]</p> <p>4. Authority to recover any expenses incurred by a responsible authority under subsection s.215 (1) may be recovered from the person to whom the direction was given as a debt due in a court of competent jurisdiction. [s.215] See Council conditions.</p> <p>Note - Authority to prosecute a person for an offence under Division 2 Offences irrespective of whether or not a direction has been given under section 214. [s.224] Authority to give an infringement notice can be issued under section 234.</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Planning and Development Act 2005, Planning and Development Regulations 2009 and Local Planning Scheme 05.</i></p>
Delegates	CEO Manager Development
Conditions	a. The authority to recover expenses is only exercisable by the Chief Executive Officer. <i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	s.16(6) Delegation by Commission – A delegate must not further delegate any function.
Statutory framework	<i>Planning and Development Act 2005 Part 13</i>
Policy	An error has occurred while processing HtmlTextBox 'htmlTextBox1': The 'br' start tag on line 1 position 96 does not match the end tag of 'html'. Line 1, position 173.

Record keeping	All exercises of delegated authority are to be recorded into the Shire's ICT system.
Date adopted	22 September 2020
Adoption references	060920
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
14 Feb 2023	Amended delegation	14 February 2023 - amendments to delegations as advised by CEO at meeting 14/2/23 (Old role of A/Manager Infrastructure and Development removed). Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	901 Waiving or Refunding Planning Application Fee
Category	Council to CEO
Head of power	09 Planning and Development Act 2005
Delegator	Council
Express power to delegate	<i>Planning and Development Act 2005:</i> s.16(3)(e) - Delegation by Commission
Express power or duty delegated	<i>Planning and Development Regulations 2009</i> r.52 Local Government may waive or refund fee
Function	1. Authority to waive or refund, in whole or in part, payment of a fee for a planning service. [r.52] <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Planning and Development Act 2005, Planning and Development Regulations 2009 and Local Planning Scheme 05.</i>
Delegates	CEO Manager Development
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	s.16(6) Delegation by Commission – A delegate must not further delegate any function.
Statutory framework	<i>Planning and Development Act 2005</i> Part 13
Policy	An error has occurred while processing HtmlTextBox 'htmlTextBox1': The 'br' start tag on line 1 position 96 does not match the end tag of 'html'. Line 1, position 173.
Record keeping	All exercises of delegated authority to be recorded into the Shire's ICT system.
Date adopted	22 September 2020
Adoption references	060920
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
14 Feb 2023	Amended delegation	14 February 2023 - amendments to delegations as advised by CEO at meeting 14/2/23 (Old role of A/Manager Infrastructure and Development removed). Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	902 Grant a Certificate
Category	Council to CEO
Head of power	09 Planning and Development Act 2005
Delegator	Council
Express power to delegate	<i>Planning and Development Act 2005:</i> s.16(3)(e) - Delegation by Commission
Express power or duty delegated	<i>Liquor Control Act 1988:</i> s.40 Certificate of planning authority as to whether use of premises complies with planning laws
Function	1. Authority to grant a certificate, with or without conditions, to support an application for a licence under the <i>Liquor Control Act 1988</i> . [s.40(1) & (4)] <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Planning and Development Act 2005, Planning and Development Regulations 2009 and Local Planning Scheme 05.</i>
Delegates	CEO Manager Development
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	s.16(6) Delegation by Commission – A delegate must not further delegate any function.
Statutory framework	<i>Planning and Development Act 2005</i> Part 13
Policy	An error has occurred while processing HtmlTextBox 'htmlTextBox1': The 'br' start tag on line 1 position 96 does not match the end tag of 'html'. Line 1, position 173.
Record keeping	All exercises of delegated authority are to be recorded into the Shire's ICT system.
Date adopted	22 September 2020
Adoption references	060920
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	903 Subdivision Clearances
Category	Council to CEO
Head of power	09 Planning and Development Act 2005
Delegator	Council
Express power to delegate	Planning and Development Act 2005: s.16(3)(e) - Delegation by Commission
Express power or duty delegated	Planning and Development Act 2005: s.157(1) When approval of subdivision deemed to be approval under planning scheme
Function	<p>1. Upon subdivision approval by the Commission, authority under the planning scheme to approve the carrying out of works necessary to enable the subdivision of the land that are —</p> <p>(a) shown on the plan of subdivision; or</p> <p>(b) required by the Commission to be carried out as a condition of approval of the plan of subdivision.</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Planning and Development Act 2005, Planning and Development Regulations 2009 and Local Planning Scheme 05.</i></p>
Delegates	CEO Manager Development
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	s.16(6) Delegation by Commission – A delegate must not further delegate any function.
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	All exercises of delegated authority are to be recorded in the Shire's ICT system.
Date adopted	22 September 2020
Adoption references	060920
Last reviewed	24 June 2025

Delegation	904 Local Planning Scheme No.5
Category	Council to CEO
Head of power	09 Planning and Development Act 2005
Delegator	Council
Express power to delegate	<p><i>Planning and Development (Local Planning Schemes) Regulations 2015</i> s.82 Delegations by local government s.84 Other matters relevant to delegations under this Division</p> <p><i>Local Government Act 1995:</i> s.5.45 Other matters relevant to delegations under this Division s.5.46 Register of, and records relevant to, delegations to CEO and employees</p> <p><i>Local Planning Scheme 5 (The Scheme)</i> 11.3 Delegation of functions</p>

<p>Express power or duty delegated</p>	<p>PART 4 – ZONES AND THE USE OF THE LAND 4.3 Zoning table</p> <p>PART 5 – GENERAL DEVELOPMENT REQUIREMENTS 5.3 Special application of residential design codes 5.5 Variations to site and development standards and requirements 5.7 Home businesses, home occupations and cottage industries 5.8 Car Parking Standards 5.9 Car Parking – Cash in Lieu or Staging 5.10 Secondhand Dwellings 5.12 Waste Disposal 5.15 Development of land without constructed road frontage 5.16 Land liable to flooding and the Irwin River Floodplain 5.17 Development of lots with more than one street frontage 5.22 Traffic Entrances 5.23 Flora preservation and planting 5.25 Residential Zone 5.26 Special Residential Zone 5.30 Rural Residential Zone and the Rural Smallholdings Zone 5.34 Structure Planning Areas</p> <p>PART 6 SPECIAL CONTROL AREAS 6.2 Water Supply Protection Area</p> <p>PART 7 HERITAGE 7.4 Heritage Assessment 7.5 Variations to Scheme provisions for a heritage place or heritage area</p> <p>PART 8 – DEVELOPMENT OF LAND 8.1 Requirement for approval to commence development 8.3 Amending or revoking a planning approval 8.4 Unauthorised existing developments</p> <p>PART 9 – APPLICATION FOR PLANNING APPROVAL 9.4 Advertising of applications</p> <p>PART 10 PROCEDURE FOR DEALING WITH APPLICATIONS 10.1 Consultations with other authorities 10.6 Temporary planning approval</p> <p>PART 11 ENFORCEMENT AND ADMINISTRATION 11.1 Powers of the Local Government 11.2 Removal and repair of existing advertisements</p>
<p>Function</p>	<p>PART 4 – ZONES AND THE USE OF LAND 1 Change the use of land from one use to another. [cl.4.3.3 & 4.3.4]</p> <p>PART 5 – GENERAL DEVELOPMENT REQUIREMENTS 2 Approve a Grouped Dwelling development containing a maximum of two (2) dwelling units, subject to relevant provision of R20 and The Scheme. [cl.5.3.1]</p> <p>3 Approve Ancillary Dwelling as per the provision of the development application process, Zoning Table and the Residential Design Codes. [cl.5.3.3 & 5.11]</p>

4 Approve an application for planning approval that does not comply with a standard or requirement prescribed under The Scheme, unconditionally or subject to such conditions as the local government thinks fit. Except for development in respect of which the Residential Design Codes apply. [cl.5.5.1] In accordance with cl.5.5.2 & 5.5.3.

5 Issue an annual approval to conduct a home business, home occupation or industry-cottage. Re-issue or refuse to re-issue annual approvals. [cl.5.7.1 & 5.7.2].

6 Authority to determine parking standards not specified in The Scheme [cl.5.8.1]

7 Authority to permit car parking to be provided in stages subject to the landowner setting aside an area of land sufficient to accommodate the total car parking requirement for the development and entering into a legal agreement to satisfactorily complete all the remaining parking when required to do so by the local government. [cl.5.9.1]

8 Refuse a development application until the road has been constructed or access by means of a constructed road is provided. Or grant approval to the application subject to a condition requiring the applicant to pay a sum of money in or towards the cost of constructing the road or part thereof and any other condition it considers fit to impose. Or require other legal arrangements are made for permanent access. [cl.5.15]

9 Refuse an application for planning approval for any building or development located on land which is considered as being liable to flooding or inundation. [cl.5.16]

10 Decide which street frontage the street setback shall be applied and allow up to a 50% reduction in the street frontage setback to the other street, where development is proposed on a lot with frontage to more than one street or road, and the lot is in a zone or zones other than Residential. Except where development is subject to the Residential Design Codes. [cl.5.17]

11 Approve Outbuildings, through a development application, that are consistent with The Scheme. [cl.5.18]

12 Approve, through a development application, retaining walls or boundary fences in accordance with The Scheme. [cl.5.21.1 & 5.21.2]

13 Refuse to permit more than one vehicular entrance or exit to or from any lot. May require separate entrances and exits; or may require that entrances and exits be placed in positions nominated by it, if it considers such provision necessary to avoid or reduce traffic hazards. [cl.5.22.1]

14 Authority to as a condition of any approval for new development or change of use, require existing accesses to major roads to be closed where access from a secondary street is or can be made possible. [cl.5.22.2]

15 Authority to approve to vary the position of any required firebreak to avoid destruction of vegetation due to the physical features on the subject land. [cl.5.23.4]

16 May, by notice served upon individual landowners or developers of land, require the preservation of groups and/or corridors of indigenous flora and thereafter no landowner shall cut, remove or otherwise destroy any such flora unless the Shire rescinds the notice or orders. And may impose conditions on a planning approval or request conditions on a subdivision approval. [cl.5.23.5 & 5.23.6]

17 Approve the parking of a commercial vehicle on a lot in the Residential Zone in accordance with The Scheme. [cl.5.25.3]

18 At the time of subdivision, the local government may request the Western Australian Planning Commission to impose conditions related to the subdivision, in accordance with The Scheme.

19 Refuse planning approval for any outbuildings on any Rural Residential zoned lot which does not contain a residence unless forming Stage 1 of a planning application containing a residence, the local government may require a performance bond for the future construction of the residence [cl.5.30.12]

20 Notwithstanding clause 5.34.4.1 may recommend subdivision or approve the development of land within a Structure Planning Area prior to a structure plan coming into effect in relation to that land, if the local government is satisfied that this will not prejudice the specific purposes and requirements for the Structure Planning Area. [cl.5.34.4.2]

21 Notwithstanding the provisions of sub-clause 5.34.4.4, may approve the construction of the following structures outside of the building envelopes—

- Water tanks;
- Windmills;
- Stock watering and feed troughs; and
- Roofed structure open on all sides for the purposes of providing shelter to animals.

[cl.5.34.4.5]

PART 6 SPECIAL CONTROL AREAS

22 Authority to refuse a use or development where DWER advises that a use or development should be refused, notwithstanding that a use or development may be classified as 'P' in the zoning table. [cl.6.2.5]

PART 7 HERITAGE

23 May require a heritage assessment to be carried out prior to the approval of any development proposed in a heritage area or in respect of a heritage place listed on the Heritage List. [cl.7.4]

24 May vary any site or development requirement specified in The Scheme or the Residential Design Codes, where desirable to –

- a) Facilitate the conservation of a heritage place entered in the Register of Places under the Heritage of Western Australia Act 1990 or listed in the Heritage List under Clause 7.1.1; or
- b) Enhance or preserve heritage values in a heritage area designated under Clause 7.2.1.

In accordance with the procedures set out in Clause 5.5.2.

PART 8 – DEVELOPMENT OF LAND

25 Approve and or refuse, with or without conditions, subject to Clause 8.2, all development on land zoned and reserved under The Scheme and in accordance with Part 9 Application for Planning Approval [8.1] With regard to the following:

- a) For the purpose of a use of land mentioned in the Zoning table of the LPS5 and designated 'P', 'D' or 'A'.
- b) On a Local Reserve under the LPS05 for the purpose for which the land is reserved under. [cl.3.4]
- c) On Land specified in Schedule No.2 Additional Uses of the LPS05 for the purpose specified with respect to that land in Schedule No.2.
- d) On land specified in Schedule No.3 Restricted Uses for the purpose specified with respect to that land in Schedule No.3.
- e) For the purpose of a use of land mentioned in Schedule No.4 Special Use Zones of LPS05 and designated 'P', 'D' or 'A'.
- f) To the erection placement and display of advertisements and the use of land or buildings for that purpose in accordance with The Scheme.

26 Revoke or amend, on written application from the owner of land in respect of which planning approval has been granted, revoke or amend the planning approval, prior to the commencement of the use or development subject of the planning approval. [cl.8.3]

27 Grant planning approval, for an unauthorised development, if the development conforms to the provisions of The Scheme and in accordance with Part 9 Application for Planning Approval. [cl.8.4]

	<p>PART 9 APPLICATION FOR PLANNING APPROVAL</p> <p>28 May give notice or require the applicant to give notice of an application for planning approval in accordance with Part 9 and for the purpose of a use or commence or carry out development which involves a use which is-</p> <p>a) An 'A' use under Clause 4.3.2; or b) A use not listed in the Zoning Table [cl.9.4.1]</p> <p>PART 10 PROCEDURE FOR DEALING WITH APPLICATIONS</p> <p>29 May consult with any other statutory, public, or planning authority it considers appropriate in considering any application for planning approval. [cl.10.1.1]</p> <p>30 May impose conditions limiting the period of time for which a temporary planning approval is granted. [cl.10.6]</p> <p>PART 11 ENFORCEMENT AND ADMINISTRATION</p> <p>31 May, 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. [cl.11.1.2]</p> <p>32 May by written notice (giving clear reasons) require the advertiser to remove, relocate, repair, adapt or otherwise modify the advertisement, where an existing advertisement at, or at any time after, the coming into force of The Scheme, is, in the opinion of the local government, in conflict with the amenity of the locality. [cl.11.2.1]</p> <p>33 Where, in the opinion of the local government, an advertisement has deteriorated to a point where it is in conflict with the aims of The Scheme or it ceases to be effective for the purpose for which it was erected or displayed, the local government may by written notice require the advertiser to –</p> <p>a) repair, repaint or otherwise restore the advertisement to a standard specified by the local government in the notice; or b) remove the advertisement. [cl.11.2.2]</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Planning Scheme 05, local planning policies and the standards and policies of the Western Australia Planning Commission.</i></p>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> s.83 Local Government CEO may delegate powers s.84 Other matters relevant to delegations under this Division
Subdelegates	Manager Development
Subdelegate conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Statutory framework	<i>Planning and Development Act 2005 Part 13</i> <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> <i>Local Planning Scheme 05</i>

Policy	Local Planning Policy – Advertising Signs Local Planning Policy – Developer Contributions for Upgrades to Roads and Footpaths Local Planning Policy – Extractive Industries LPP01 Local Planning Policy – Shipping Containers Local Planning Policy – Water Sensitive Urban Design Local Planning Policy – Wind Turbines Code of Conduct – Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	Local Government Act s.5.46 All exercises of delegated authority are to be recorded into the Shire's ICT system.
Date adopted	22 September 2020
Adoption references	060920
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
1 Jul 2024	Amended delegation	Determining applications for prescribed single house development is no longer a function able to be delegated by the local government, this function is now performed under authorisation from the Chief Executive Officer. From 1 July 2024. Please refer to Planning and Development (Local Planning Schemes) Amendment (Single House Development) Regulations 2024	INT24/D9C3974

Delegation	905 Strata Title Applications - Certificates of Approval
Category	Council to CEO
Head of power	09 Planning and Development Act 2005
Delegator	Council
Express power to delegate	<i>Planning and Development Act 2005:</i> Section 16(3)(e) - Delegation by Commission
Express power or duty delegated	<i>Strata Titles Act 1985:</i> s.23 Requirement for local government approval
Function	<p>1 Authority to provide written subdivision approval in accordance with s.15 if the parcel is situated in the Shire of Irwin district, if the subdivision involves —</p> <p>(a) 2 or more lots being consolidated into 1 lot; or</p> <p>(b) 1 or more lots being converted into common property; or</p> <p>(c) the removal, from the parcel, of land comprised of common property. [s.23(1)]</p> <p>2 If the subdivision is approved, it is subject to any planning (scheme by-laws) condition attached to the local government approval. [s.23(2)]</p> <p><i>Actions under this Delegation are required to comply with procedural requirements detailed in the Strata Titles Act 1985 and associated legislation.</i></p>
Delegates	CEO Manager Development
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	s.16(6) Delegation by Commission – A delegate must not further delegate any function.
Statutory framework	<i>Planning and Development Act 2005</i> Part 13 <i>Strata Titles Act 1985</i> SOI Local Planning Scheme No.5
Policy	An error has occurred while processing HtmlTextBox 'htmlTextBox1': The 'br' start tag on line 1 position 96 does not match the end tag of 'html'. Line 1, position 173.
Record keeping	All exercises of delegated authority are to be recorded in the Shire's ICT system.
Date adopted	22 September 2020
Adoption references	060920
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
14 Feb 2023	Amended delegation	14 February 2023 - amendments to delegations as advised by CEO at meeting 14/2/23 (Old role of A/Manager Infrastructure and Development removed). Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	CEO1000 Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Council
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	<i>Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000</i>
Function	Authority to administer the Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000, subject to Part 9, Division 1 of the Local Government Act 1995. <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000.</i>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Operations
Statutory framework	<i>Local Government Act 1995</i>
Policy	P22 Stallholder Permits
Record keeping	<i>Local Government Act 1995 – Section 5.46(3)</i> All exercises of delegated authority are to be recorded in the Shire's ICT system.
Date adopted	22 September 2020
Adoption references	050920
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO,as follows: Mark Jones in position of Manager Operations (acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper. Manager Regulatory Services role no longer exists. Delegation changed to Manager Community Services.	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	CEO1001 Bush Fire Brigades Local Law
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Council
Express power or duty delegated	Bush Fire Brigades Local Law
Function	Authority to administer the Bush Fire Brigades Local Law, subject to Part 9, Division 1 of the Local Government Act 1995. <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Bush Fire Brigades Local Law.</i>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
Subdelegate conditions	Not sub-delegated
Statutory framework	Local Government Act 1995
Policy	CP02 Bush Fire Management E21 Protective Clothing Volunteer Bush Fire Brigades
Record keeping	Local Government Act 1995 s.5.46(3)
Date adopted	22 September 2020
Adoption references	050920
Last reviewed	24 June 2025

Delegation	CEO1002 Cemeteries Local Law 2000
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Council
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	Cemeteries Local Law 2000
Function	Authority to administer the Cemeteries Local Law, subject to Part 9, Division 1 of the Local Government Act 1995. <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Cemeteries Local Law.</i>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Community Services Manager Operations
Statutory framework	<i>Local Government Act 1995</i>
Record keeping	<i>Local Government Act 1995 s.5.46(3)</i> All exercises of delegated authority are to be recorded into the Shire's ICT system.
Date adopted	22 September 2020
Adoption references	050920
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO,as follows: Mark Jones in position of Manager Operations (acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper. Manager Corporate & Community role no longer exists. Delegation changed to Manager Community Services.	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	CEO1003 Dogs Local Law
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Council
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	Dogs Local Law 2000
Function	Authority to administer the Dogs Local Law, subject to Part 9, Division 1 of the Local Government Act 1995. <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Dogs Local Law.</i>
Delegates	CEO
Conditions	Actions under this Delegation are required to comply with any related local law and/or policies.
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Community Services Manager Operations
Statutory framework	<i>Local Government Act 1995</i>
Record keeping	<i>Local Government Act 1995 s.5.46(3)</i> All exercises of delegated authority are to be recorded into the Shire's ICT system.
Date adopted	22 September 2020
Adoption references	050920
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
20 Jun 2023	Amended delegation	Following subdelegates added on instruction of CEO, as follows: Manager Infrastructure and Development and Manager Regulatory Services roles no longer exist. Delegation changed to Manager Operations and Community Services.	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	CEO1004 Extractive Industries Local Law 2000
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Council
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	Extractive Industries Local Law 2000
Function	Authority to administer the Extractive Industries Local Law, subject to Part 9, Division 1 of the <i>Local Government Act 1995</i> . <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Extractive Industries Local Law 2000.</i>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Community Services Manager Operations
Statutory framework	<i>Local Government Act 1995</i>
Policy	LLP Extractive Industries
Record keeping	<i>Local Government Act 1995 s.5.46(3)</i> All exercises of delegated authority are to be recorded in the Shire's ICT system.
Date adopted	22 September 2020
Adoption references	050920
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
20 Jun 2023	Amended delegation	Manager Infrastructure and Development & Manager Regulatory Services roles no longer exist. Delegations amended to Manager Operations and Manager Community Services.	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	CEO1005 Health Local Laws 2002
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Council
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	Health Local Laws 2002
Function	Authority to administer the Health Local Laws, subject to Part 9, Division 1 of the Local Government Act 1995. <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Health Local Laws 2002.</i>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Development Manager Operations
Statutory framework	<i>Local Government Act 1995</i>
Record keeping	<i>Local Government Act 1995 s.5.46(3)</i> All exercises to be delegated authority are to be recorded into the Shire's ICT system.
Date adopted	22 September 2020
Adoption references	050920
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
20 Jun 2023	Amended delegation	Manager Infrastructure and Development & Manager Regulatory Services roles, no longer exist. Delegations amended to Manager Development and Manager Operations.	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	CEO1006 Local Government Property Local Law
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Council
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	Local Government Property Local Law 2000
Function	Authority to administer the Local Government Property Local Law, subject to Part 9, Division 1 of the Local Government Act 1995. <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government Property Local Law.</i>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Development Manager Operations
Statutory framework	Local Government Act 1995
Record keeping	<i>Local Government Act 1995 s.5.46(3)</i> All exercises of delegated authority are to be recorded in the Shire's ICT system.
Date adopted	22 September 2020
Adoption references	050920
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
20 Jun 2023	Amended delegation	Manager Infrastructure and Development & Manager Regulatory Services roles no longer exist. Delegations amended to Manager Development and Manager Operations.	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	CEO1007 Local Law Relating to Signs, Hoarding and Bill Posting
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Council
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	Local Law Relating to Signs, Hoarding and Bill Posting 2005
Function	Authority to administer the Local Law Relating to Signs, Hoarding and Bill Posting, subject to Part 9, Division 1 of the Local Government Act 1995. <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Law Relating to Signs, Hoarding and Bill Posting.</i>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Community Services Manager Operations
Statutory framework	<i>Local Government Act 1995</i>
Policy	LLP Advertising Signs
Record keeping	<i>Local Government Act 1995 s.5.46(3)</i> All exercises of delegated authority are to be recorded into the Shire's ICT system.
Date adopted	22 September 2020
Adoption references	050920
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
20 Jun 2023	Amended delegation	Manager Infrastructure and Development & Manager Regulatory Services roles no longer exist. Delegation amended to Manager Community Services and Manager Operations.	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	CEO1008 Local Laws Relating to Fencing
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Council
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	Local Law Relating to Fencing 2002
Function	Authority to administer the Local Law Relating to Fencing, subject to Part 9, Division 1 of the <i>Local Government Act 1995</i> . <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Law Relating to Fencing.</i>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Community Services Manager Operations
Statutory framework	<i>Local Government Act 1995</i>
Record keeping	<i>Local Government Act 1995 s.5.46(3)</i> All exercises of delegated authority are to be recorded in the Shire's ICT system.
Date adopted	22 September 2020
Adoption references	050920
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
20 Jun 2023	Amended delegation	Manager Infrastructure and Development & Manager Regulatory Services roles no longer exist. Delegation amended to Manager Community Services and Manager Operations.	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	CEO1009 Meeting Procedures Local Law 2016
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Council
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	Meeting Procedures Local Law 2016
Function	Authority to administer the Meeting Procedures Local Law 2016, subject to Part 9, Division 1 of the Local Government Act 1995. <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Meeting Procedures Local Law 2016.</i>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegate conditions	Not sub-delegated
Statutory framework	<i>Local Government Act 1995</i>
Policy	CP36 Council or Committee Meeting attendance by telephone, video conference or other electronic means
Record keeping	<i>Local Government Act 1995 s.5.46(3)</i>
Date adopted	22 September 2020
Adoption references	050920
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	CEO1010 Parking and Parking Facilities Local Law 2000
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Council
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	Parking and Parking Facilities Local Law 2000
Function	Authority to administer the Parking and Parking Facilities Local Law 2000, subject to Part 9, Division 1 of the <i>Local Government Act 1995</i> . <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Parking and Parking Facilities Local Law 2000.</i>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Community Services Manager Operations
Statutory framework	<i>Local Government Act 1995</i>
Record keeping	<i>Local Government Act 1995 s.5.46(3)</i> All exercises of delegated authority are to be recorded into the Shire's ICT system.
Date adopted	22 September 2020
Adoption references	050920
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
20 Jun 2023	Amended delegation	Manager Infrastructure and Development & Manager Regulatory Services roles no longer exist. Delegations amended to Manager Community Services and Manager Operations.	---
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	CEO1011 Prevention and Abatement of Sand Drift Local Law 2004
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Council
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	Prevention and Abatement of Sand Drift Local Law 2004
Function	Authority to administer the Prevention and Abatement of Sand Drift Local Law 2004, subject to Part 9, Division 1 of the <i>Local Government Act 1995</i> . <i>Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Prevention and Abatement of Sand Drift Local Law 2004.</i>
Delegates	CEO
Conditions	<i>Actions under this Delegation are required to comply with any related local law and/or policies.</i>
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Community Services Manager Operations
Statutory framework	<i>Local Government Act 1995</i>
Record keeping	<i>Local Government Act 1995 s.5.46(3)</i> All exercises of delegated authority are to be recorded into the Shire's ICT system.
Date adopted	22 September 2020
Adoption references	050920
Last reviewed	24 June 2025

Amendments			
Date	Type	Amendment	References
25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

AMENDMENTS

Delegation	Date	Type	Amendment	References
10 Information to be available to the public	25 Jun 2024	Revoked	This delegation was revoked at the 25 June 2024 Ordinary Council Meeting.	CEO 01- 06/24 - 3.00024
13 Infringement Notices	14 Feb 2023	Amended delegation	14.02.2023 - as advised during meeting with CEO, new delegate to be Manager, Community Services. Subsequently advised by WALGA (on 23.02.23) that no Council-CEO delegation required for this Delegation as legislation allows for CEO to be the delegator.	Nil
13 Infringement Notices	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 - 3.00024
40 Infringement Notices - Extensions and Withdrawals	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
100 Tenders for Goods and Services	28 Feb 2023	Amended delegation	Adopted by Council at OCM 28.02.2023	Minute reference: 100223
100 Tenders for Goods and Services	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
101 Payments from the Municipal or Trust Funds	14 Feb 2023	Amended delegation	Correction to Amendment comment above - Manager Finance and Chief Operating Officer given delegation 14/02/2023 (not 2022).	Nil
101 Payments from the Municipal or Trust Funds	22 Feb 2023	Amended delegation	Following subdelegates added, on instruction of CEO, as follows: - 20/08/2022: Human Resources Supervisor (refer amendment comment 20/8/22 in EMP101); - 23/08/2022: Community Emergency Services Manager (refer amendment comment 23/08/22 in EMP101); - 14/09/2022: Manager, Community Services (refer amendment comment 14/09/22 in EMP101); - 15/02/2022: Manager Finance and Chief Operating Officer (ALTUS folder: 3.00342; ref: INT23/14767209).	Nil

Delegation	Date	Type	Amendment	References
101 Payments from the Municipal or Trust Funds	8 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO, as follows: Mark Jones in position of Manager Operations (acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.	Nil
101 Payments from the Municipal or Trust Funds	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
102 Trust Fund	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
102 Trust Fund	20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO, as follows: Mark Jones in position of Manager Operations (acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.	
102 Trust Fund	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.0024
103 Expression of Interest Goods and Services	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
104 Application of Regional Price Preference Policy	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
105 Appoint Authorised Persons	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	Date	Type	Amendment	References
106 Compensation for Damage Incurred when Performing Executive Functions	20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO, as follows: Mark Jones in position of Manager Operations (acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.	
106 Compensation for Damage Incurred when Performing Executive Functions	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
107 Powers of Entry	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
107 Powers of Entry	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
108 Declare Vehicle is Abandoned Vehicle Wreck	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
108 Declare Vehicle is Abandoned Vehicle Wreck	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	Date	Type	Amendment	References
109 Confiscate or Uncollected Goods	14 Feb 2023	Amended delegation	<p>14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.</p> <p>22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).</p>	Nil
109 Confiscate or Uncollected Goods	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
110 Disposal of Sick or Injured Animals	14 Feb 2023	Amended delegation	<p>14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.</p> <p>22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).</p>	Nil
110 Disposal of Sick or Injured Animals	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
111 Close Thoroughfares to Vehicles	14 Feb 2023	Amended delegation	<p>14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.</p> <p>22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).</p>	Nil
111 Close Thoroughfares to Vehicles	20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO, as follows: Mark Jones in position of Manager Operations (acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.	

Delegation	Date	Type	Amendment	References
111 Close Thoroughfares to Vehicles	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
112 Control Reserves and Certain Unvested Facilities	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
112 Control Reserves and Certain Unvested Facilities	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
113 Obstruction of Footpaths and Thoroughfares	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
113 Obstruction of Footpaths and Thoroughfares	20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO, as follows: Mark Jones in position of Manager Operations (acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.	
113 Obstruction of Footpaths and Thoroughfares	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	Date	Type	Amendment	References
114 Gates Across Public Thoroughfares	14 Feb 2023	Amended delegation	<p>14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.</p> <p>22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).</p>	Nil
114 Gates Across Public Thoroughfares	20 Jun 2023	Amended delegation	<p>Following subdelegate added on instruction of CEO, as follows: Mark Jones in position of Manager Operations (acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.</p>	
114 Gates Across Public Thoroughfares	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
115 Public Thoroughfare – Dangerous Excavations	14 Feb 2023	Amended delegation	<p>14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.</p> <p>22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).</p>	Nil
115 Public Thoroughfare – Dangerous Excavations	20 Jun 2023	Amended delegation	<p>Following subdelegate added on instruction of CEO,as follows: Mark Jones in position of Manager Operations(acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.</p>	
115 Public Thoroughfare – Dangerous Excavations	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	Date	Type	Amendment	References
116 Crossing – Construction, Repair and Removal	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
116 Crossing – Construction, Repair and Removal	20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO,as follows: Mark Jones in position of Manager Operations(acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.	
116 Crossing – Construction, Repair and Removal	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
117 Private Works on, over or under Public Places	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
118 Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
118 Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift	20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO,as follows: Mark Jones in position of Manager Operations(acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.	
118 Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	Date	Type	Amendment	References
119 Disposal of Property	14 Feb 2023	Revoked	14 February 2023 - Sub-delegation revoked as advised by CEO on 21.02.2023 - not to be sub-delegated at this time.	Nil
119 Disposal of Property	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
120 Defer, Grant Discounts, Waive or Write off Debts	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
120 Defer, Grant Discounts, Waive or Write off Debts	18 Jul 2023	New delegation	Additional sub-delegation added for Peter Bracegirdle	Altus INT23/5F9E3DB
120 Defer, Grant Discounts, Waive or Write off Debts	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
121 Power to Invest and Manage Investments	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
121 Power to Invest and Manage Investments	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	Date	Type	Amendment	References
122 Rate Record Amendment	14 Feb 2023	Amended delegation	<p>14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.</p> <p>22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).</p>	Nil
122 Rate Record Amendment	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
123 Agreement as to Payment of Rates and Service Charges	14 Feb 2023	Amended delegation	<p>14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.</p> <p>22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).</p>	Nil
123 Agreement as to Payment of Rates and Service Charges	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
124 Determine Due Date for Rates or Service Charges	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
125 Recovery of Rates or Service Charges	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
126 Recovery of Rates – Lessee to Pay Rent	14 Feb 2023	Amended delegation	<p>14 February 2023 - previously not sub-delegated. Sub-delegated to Manager Finance as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.</p> <p>22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).</p>	Nil

Delegation	Date	Type	Amendment	References
126 Recovery of Rates – Lessee to Pay Rent	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
127 Rate Record - Objections	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
127 Rate Record - Objections	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
128 Issuing Notices to Owner or Occupier of Land	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
128 Issuing Notices to Owner or Occupier of Land	20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO,as follows: Mark Jones in position of Manager Operations(acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.	
128 Issuing Notices to Owner or Occupier of Land	25 Jul 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	Date	Type	Amendment	References
129 Actions on Land that is not Local Government Property	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
129 Actions on Land that is not Local Government Property	20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO,as follows: Mark Jones in position of Manager Operations(acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.	
129 Actions on Land that is not Local Government Property	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
130 Works Required for Supply of Gas or Water	14 Feb 2023	Revoked	14 February 2023 - Sub-delegation removed as advised by CEO on 21.02.2023 - i.e. NO sub-delegation at this time.	Nil
130 Works Required for Supply of Gas or Water	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
131 Complaints Officer	23 Feb 2021	New delegation	OCM Decision #120221	OCM Decision #120221
131 Complaints Officer	23 Feb 2021	New delegation	OCM Decision #130221	OCM Decision #130221
131 Complaints Officer	23 Feb 2021	New delegation	Adopted by Absolute Majority OCM 23 Feb 2021 Minute#120221	Adopted by Absolute Majority OCM 23 Feb 2021 Minute#120221
131 Complaints Officer	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	Date	Type	Amendment	References
132 Request Information (s.14) ROAD TRAFFIC (ADMINISTRATION) ACT 2008	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting. Update to delegates to include Executive Assistant to the CEO as of 5 August 2024.	CEO 01-06/24 3.00024
200 Grant a Building Permit	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
200 Grant a Building Permit	15 Dec 2023	Amended delegation	The role of EHO/Building Surveyor included, to accommodate staffing updates. As instructed by the CEO.	Nil
200 Grant a Building Permit	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
201 Demolition Permits	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
201 Demolition Permits	15 Dec 2023	Amended delegation	The role of EHO/Building Surveyor included to accommodate staffing updates. As instructed by the CEO.	Nil
201 Demolition Permits	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	Date	Type	Amendment	References
202 Occupancy Permits or Building Approval Certificates	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
202 Occupancy Permits or Building Approval Certificates	15 Dec 2023	Amended delegation	the role of EHO/ Building Surveyor included to accommodate staffing updates. As instructed by the CEO.	Nil
202 Occupancy Permits or Building Approval Certificates	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting	CEO 01-06/24 3.00024
203 Authorised and Approved Persons/Officers	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
204 Building Orders	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
204 Building Orders	15 Dec 2023	Amended delegation	The role of EHO/Building Surveyor included to accommodate staffing updates. As instructed by the CEO.	Nil
204 Building Orders	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	Date	Type	Amendment	References
205 Inspection and Copies of Building Records	14 Feb 2023	Amended delegation	<p>14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.</p> <p>22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).</p>	Nil
205 Inspection and Copies of Building Records	15 Dec 2023	Amended delegation	The role of EHO/Building Surveyor included to accommodate staffing updates. As instructed by the CEO.	Nil
205 Inspection and Copies of Building Records	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
206 Referrals and Issuing Certificates	14 Feb 2023	Amended delegation	<p>14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.</p> <p>22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).</p>	Nil
206 Referrals and Issuing Certificates	15 Dec 2023	Amended delegation	The role of EHO/Building Surveyor included to accommodate staffing updates, As instructed by the CEO.	Nil
206 Referrals and Issuing Certificates	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
207 Private Pool Barrier – Alternative and Performance Solutions	14 Feb 2023	Amended delegation	<p>14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.</p> <p>22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).</p>	Nil

Delegation	Date	Type	Amendment	References
207 Private Pool Barrier – Alternative and Performance Solutions	15 Dec 2023	Amended delegation	The role of EHO/Building Surveyor included to accommodate staffing updates. As instructed by the CEO.	Nil
207 Private Pool Barrier – Alternative and Performance Solutions	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
208 Smoke Alarms – Alternative Solutions	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
208 Smoke Alarms – Alternative Solutions	15 Dec 2023	Amended delegation	The role of EHO/Building Surveyor included to accommodate staffing updates. As instructed by the CEO	Nil
208 Smoke Alarms – Alternative Solutions	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
300 Firebreaks	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
301 Make Request to FES Commissioner – Control of Fire	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
302 Prohibited Burning Times - Vary	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
303 Restricted Burning Times - Vary	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
304 Prohibited and/or Restricted Burning Times – Control Activities	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
305 Control of Operations Likely to Create Bush Fire Danger	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	Date	Type	Amendment	References
306 Burning Garden Refuse / Open Air Fires	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting	CEO 01-06/24 3.00024
307 Appoint Bush Fire Control Officer/s and Fire Weather Officer	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
308 Control and Extinguishment of Bush Fires	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
309 Recovery of Expenses Incurred through Contraventions of this Act	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
310 Prosecution of Offences	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
311 Withdrawal of Infringement Notices	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
400 Cat Registrations	14 Feb 2023	Amended delegation	<p>14 February 2023 - previously not sub-delegated. Sub-delegated to Manager Community Services as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.</p> <p>22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).</p>	Nil
400 Cat Registrations	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
401 Cat Control Notices	14 Feb 2023	Amended delegation	<p>14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.</p> <p>22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).</p>	Nil

Delegation	Date	Type	Amendment	References
401 Cat Control Notices	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
402 Approval to Breed Cats	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
402 Approval to Breed Cats	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.
403 Appoint Authorised Person	14 Feb 2023	Amended delegation	14 February 2023 - not previously sub-delegated. Sub-delegated to Manager Community Services as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
403 Appoint Authorised Person	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
404 Recovery of Costs – Destruction of Cats	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	Date	Type	Amendment	References
405 Applications to Keep Additional Cats	14 Feb 2023	Amended delegation	<p>14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.</p> <p>22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).</p>	Nil
405 Applications to Keep Additional Cats	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
500 Refuse or Cancel Registration	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
501 Kennel Establishments	14 Feb 2023	Amended delegation	<p>14 February 2023 - previously not sub-delegated. Sub-delegated to Manager Development as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.</p> <p>22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).</p>	Nil
501 Kennel Establishments	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
502 Appoint Authorised Persons	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
503 Recovery of Moneys Due Under this Act	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
504 Dispose of or Sell Dogs Liable to be Destroyed	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
505 Declare a Dangerous Dog	14 Feb 2023	Revoked	14 February 2023 - Sub-delegation revoked as advised by CEO on 21.02.2023 - not to be sub-delegated at this time.	Nil

Delegation	Date	Type	Amendment	References
505 Declare a Dangerous Dog	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
506 Dangerous Dog Declared or Seized – Deal with Objections and Determine when to Revoke	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
507 Determine Recoverable Expenses for Dangerous Dog Declaration	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
600 Food Business Registrations	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
601 Appoint Authorised Officers and Designated Officers	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
602 Determine Compensation	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
603 Prohibition Orders	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
604 Debt Recovery and Prosecutions	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
700 Give Notice Requiring Obliteration of Graffiti	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
701 Notices – Deal with Objections and Suspension of Effect of Notices	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
703 Powers of Entry	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
800 Appoint Authorised Officer or Approved Officer (Asbestos Regs)	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	Date	Type	Amendment	References
801 Enforcement Agency Reports to the Chief Health Officer	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
802 Designate Authorised Officers	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
803 Determine Compensation for Seized Items	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
804 Commence Proceedings	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
900 Illegal Development	14 Feb 2023	Amended delegation	14 February 2023 - amendments to delegations as advised by CEO at meeting 14/2/23 (Old role of A/Manager Infrastructure and Development removed). Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.	Nil
900 Illegal Development	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
901 Waiving or Refunding Planning Application Fee	14 Feb 2023	Amended delegation	14 February 2023 - amendments to delegations as advised by CEO at meeting 14/2/23 (Old role of A/Manager Infrastructure and Development removed). Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.	Nil
901 Waiving or Refunding Planning Application Fee	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
902 Grant a Certificate	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	Date	Type	Amendment	References
904 Local Planning Scheme No.5	14 Feb 2023	Amended delegation	<p>14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.</p> <p>22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).</p>	Nil
904 Local Planning Scheme No.5	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
904 Local Planning Scheme No.5	1 Jul 2024	Amended delegation	Determining applications for prescribed single house development is no longer a function able to be delegated by the local government, this function is now performed under authorisation from the Chief Executive Officer. From 1 July 2024. Please refer to Planning and Development (Local Planning Schemes) Amendment (Single House Development) Regulations 2024	INT24/D9C3974
905 Strata Title Applications - Certificates of Approval	14 Feb 2023	Amended delegation	14 February 2023 - amendments to delegations as advised by CEO at meeting 14/2/23 (Old role of A/Manager Infrastructure and Development removed). Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.	Nil
905 Strata Title Applications - Certificates of Approval	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
CEO1000 Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000	20 Jun 2023	Amended delegation	<p>Following subdelegate added on instruction of CEO,as follows: Mark Jones in position of Manager Operations(acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.</p> <p>Manager Regulatory Services role no longer exists. Delegation changed to Manager Community Services.</p>	Nil

Delegation	Date	Type	Amendment	References
CEO1000 Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
CEO1002 Cemeteries Local Law 2000	20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO,as follows: Mark Jones in position of Manager Operations(acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper. Manager Corporate & Community role no longer exists. Delegation changed to Manager Community Services.	Nil
CEO1002 Cemeteries Local Law 2000	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
CEO1003 Dogs Local Law	20 Jun 2023	Amended delegation	Following subdelegates added on instruction of CEO, as follows: Manager Infrastructure and Development and Manager Regulatory Services roles no longer exist. Delegation changed to Manager Operations and Community Services.	Nil
CEO1003 Dogs Local Law	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
CEO1004 Extractive Industries Local Law 2000	20 Jun 2023	Amended delegation	Manager Infrastructure and Development & Manager Regulatory Services roles no longer exist. Delegations amended to Manager Operations and Manager Community Services.	Nil
CEO1004 Extractive Industries Local Law 2000	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
CEO1005 Health Local Laws 2002	20 Jun 2023	Amended delegation	Manager Infrastructure and Development & Manager Regulatory Services roles, no longer exist. Delegations amended to Manager Development and Manager Operations.	Nil

Delegation	Date	Type	Amendment	References
CEO1005 Health Local Laws 2002	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
CEO1006 Local Government Property Local Law	20 Jun 2023	Amended delegation	Manager Infrastructure and Development & Manager Regulatory Services roles no longer exist. Delegations amended to Manager Development and Manager Operations.	Nil
CEO1006 Local Government Property Local Law	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
CEO1007 Local Law Relating to Signs, Hoarding and Bill Posting	20 Jun 2023	Amended delegation	Manager Infrastructure and Development & Manager Regulatory Services roles no longer exist. Delegation amended to Manager Community Services and Manager Operations.	Nil
CEO1007 Local Law Relating to Signs, Hoarding and Bill Posting	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
CEO1008 Local Laws Relating to Fencing	20 Jun 2023	Amended delegation	Manager Infrastructure and Development & Manager Regulatory Services roles no longer exist. Delegation amended to Manager Community Services and Manager Operations.	Nil
CEO1008 Local Laws Relating to Fencing	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
CEO1009 Meeting Procedures Local Law 2016	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024
CEO1010 Parking and Parking Facilities Local Law 2000	20 Jun 2023	Amended delegation	Manager Infrastructure and Development & Manager Regulatory Services roles no longer exist. Delegations amended to Manager Community Services and Manager Operations.	Nil
CEO1010 Parking and Parking Facilities Local Law 2000	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024

Delegation	Date	Type	Amendment	References
CEO1011 Prevention and Abatement of Sand Drift Local Law 2004	25 Jun 2024	Amended delegation	This delegation was reviewed and presented to the 25 June 2024 Ordinary Council Meeting.	CEO 01-06/24 3.00024



Ordinary Council Meeting

23 June 2026

Item CEO 03-06/26
Attachment 2
Register of Delegations
Review Information

SHIRE OF IRWIN

REVIEW OF DELEGATIONS 2026

	A	B	C
1	SHIRE OF IRWIN		
2	REVIEW OF DELEGATIONS 2026		
3			
4	Delegation	Title	Comment
5	13	Infringement Notices	No legislative change appears to require amendment of Delegation 13 at this time.
6	40	Infringement Notices - Extensions and Withdrawals	No legislative amendment appears necessary for Delegation 40. The delegation remains consistent with the current Cat Act 2011 provisions.
7	100	Tenders for Goods and Services	A review of Delegation 100 has not identified any legislative amendments requiring changes to the delegation. The delegation remains consistent with the Local Government Act 1995 and the Local Government (Functions and General) Regulations 1996, including recent procurement-related amendments concerning Aboriginal procurement, contract renewals and contract variations. Minor housekeeping amendments may be considered, including verification of procurement directory references and correction of minor drafting inconsistencies.
8	101	Payments from the Municipal or Trust Funds	A review of Delegation 101 has not identified any legislative amendments requiring changes to the delegation. The delegation remains consistent with the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.
9	102	Trust Fund	A review of Delegation 102 has not identified any legislative amendments requiring changes to the delegation. The delegation remains consistent with section 6.9(4) of the Local Government Act 1995.
10	103	Expression of Interest Goods and Services	A review of Delegation 103 has not identified any legislative amendments requiring changes to the delegation. The delegation remains consistent with the procurement framework established under the Local Government Act 1995 and the Local Government (Functions and General) Regulations 1996.
11	104	Application of Regional Price Preference Policy	A review of Delegation 104 has not identified any legislative amendments requiring changes to the delegation. The delegation remains consistent with the Local Government Act 1995 and associated procurement framework.
12	105	Appoint Authorised Persons	A review of Delegation 105 has not identified any legislative amendments requiring changes to the delegation. The delegation remains current.
13	106	Compensation for Damage Incurred when Performing Executive Functions	A review of Delegation 106 has not identified any legislative amendments requiring changes to the delegation. The delegation remains consistent with the Local Government Act 1995.
14	107	Power of Entry	A review of Delegation 107 has not identified any legislative amendments requiring changes to the delegation.
15	108	Declare Vehicle is Abandoned - Vehicle Wreck	A review of Delegation 108 has not identified any legislative amendments requiring changes to the delegation. The delegation remains consistent with section 3.40A of the Local Government Act 1995.
16	109	Confiscate or uncollected goods	A review of Delegation 109 has not identified any legislative amendments requiring changes to the delegation. The delegation remains consistent with the impounding and disposal provisions of the Local Government Act 1995.
17	110	Disposal of Sick or Injured Animals	A review of Delegation 110 has not identified any legislative amendments requiring changes to the delegation.
18	111	Close Thoroughfares for Vehicles	A review of Delegation 111 has not identified any legislative amendments requiring changes to the delegation.
19	112	Control Reserves and some Unvested Facilities	A review of Delegation 112 has not identified any legislative amendments requiring changes to the delegation. The delegation remains consistent with sections 3.53 and 3.54 of the Local Government Act 1995.
20	113	Obstruction of Footpaths and Thoroughfares	A review of Delegation 113 has not identified any legislative amendments requiring amendment. The delegation remains consistent with Regulations 5, 6, 7 and 7A of the Local Government (Uniform Local Provisions) Regulations 1996.

SHIRE OF IRWIN

REVIEW OF DELEGATIONS 2026

	A	B	C
1	SHIRE OF IRWIN		
2	REVIEW OF DELEGATIONS 2026		
3			
4	Delegation	Title	Comment
21	114	Gates across Public Thoroughfare	A review of Delegation 114 has not identified any legislative amendments requiring amendment. The delegation remains consistent with Regulation 9 of the Local Government (Uniform Local Provisions) Regulations 1996.
22	115	Public Thoroughfare - Dangerous Excavations	A review of Delegation 115 has not identified any legislative amendments requiring amendment. The delegation remains consistent with Regulation 11 of the Local Government (Uniform Local Provisions) Regulations 1996.
23	116	Crossing - Construction, Repair and Removal	A review of Delegation 116 has not identified any legislative amendments requiring amendment. The delegation remains consistent with Regulations 12 and 13 of the Local Government (Uniform Local Provisions) Regulations 1996.
24	117	Private Works on, over or under Public Places	A review of Delegation 117 has not identified any legislative amendments requiring amendment. The delegation remains consistent with Regulation 15 of the Local Government (Uniform Local Provisions) Regulations 1996.
25	118	Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift	A review of Delegation 118 has not identified any legislative amendments requiring amendment. The delegation remains consistent with Regulation 16 of the Local Government (Uniform Local Provisions) Regulations 1996.
26	119	Disposal of Property	A review of Delegation 119 has not identified any legislative amendments requiring amendment. The delegation remains consistent with section 3.58 of the Local Government Act 1995 and Regulation 30 of the Local Government (Functions and General) Regulations 1996.
27	120	Defer, Grant Discounts, Waive or Write off Debts	A review of Delegation 120 has not identified any legislative amendments requiring amendment. The delegation remains consistent with section 6.12 of the Local Government Act 1995.
28	121	Power to Invest and Manage Investments	A review of Delegation 121 has not identified any legislative amendments requiring amendment. The delegation remains consistent with the investment provisions of the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.
29	122	Rate Record Amendment	A review of Delegation 122 has not identified any legislative amendments requiring amendment. The delegation remains consistent with sections 6.39 and 6.40 of the Local Government Act 1995.
30	123	Agreement as to Payment of Rates and Service Charges	A review of Delegation 123 has not identified any legislative amendments requiring amendment. The delegation remains consistent with the debt recovery provisions of the Local Government Act 1995 relating to rates and service charges.
31	124	Determine Due Date for Rates or Service Charges	Delegation reviewed. No legislative amendments identified affecting the delegated authority under s.6.50 of the Local Government Act 1995.
32	125	Recovery of Rates or Service Charges	Delegation reviewed. No legislative amendments identified affecting the delegated powers under ss.6.56 and 6.64 of the Local Government Act 1995.
33	126	Recovery of Rates - Lessee to Pay Rent	A review of Delegation 126 has not identified any legislative amendments requiring amendment. The delegation remains consistent with section 6.60 of the Local Government Act 1995 and continues to provide an appropriate administrative mechanism for recovery of unpaid rates and service charges through lessee rental payments.
34	127	Rate Record - Objections	A review of Delegation 127 has not identified any legislative amendments requiring amendment. The delegation remains consistent with section 6.76 of the Local Government Act 1995 and continues to provide an appropriate mechanism for determining objections to the rate record.
35	128	Issuing Notices to owner or occupier of land	Delegation reviewed. Legislative references remain current.

SHIRE OF IRWIN

REVIEW OF DELEGATIONS 2026

	A	B	C
1	SHIRE OF IRWIN		
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3			
4	Delegation	Title	Comment
36	129	Actions on Land that is of Local Government Property	Delegation reviewed. Legislative references remain current. Delegation continues to provide appropriate authority to undertake actions permitted under section 3.27 of the Local Government Act 1995 on land that is not local government property when performing local government functions.
37	130	Works required for supply of gas or water	Delegation reviewed. Legislative references remain current and no legislative amendments requiring change have been identified.
38	131	Complaints Officer	A review of Delegation 131 has not identified any legislative amendments requiring amendment. The delegation remains necessary to support the Shire's complaint handling and integrity framework.
39	132	Request Information	A review of Delegation 132 has not identified any legislative amendments requiring amendment. The delegation remains consistent with section 14 of the Road Traffic (Administration) Act 2008 and continues to provide an appropriate administrative mechanism for obtaining information required for enforcement and infringement administration purposes.
40	200	Grant a Building Permit	A review of Delegation 200 has not identified any legislative amendments requiring amendment. The delegation remains consistent with sections 18, 20, 22 and 27 of the Building Act 2011 and Regulations 23, 24 and 26 of the Building Regulations 2012.
41	201	Demolition Permit	No legislative amendments requiring amendment identified. The delegated powers remain aligned with: ss.18, 21, 22 and 27 Building Act 2011 and rr.23, 24 and 26 Building Regulations 2012.
42	202	Occupancy Permit	No legislative issues identified requiring amendment.
43	203	Authorised and Approved Persons/Officers	No legislative amendments identified affecting: s.96, s.99, r.70 Building Regulations 2012.
44	204	Building Orders	No legislative amendments requiring amendment identified. The delegation remains consistent with: ss.110, 111, 117, 118 and 133 Building Act 2011.
45	205	Inspection and Copies of Building Records	No legislative amendments requiring amendment identified. The delegation remains consistent with: s.131(2) Building Act 2011.
46	206	Referrals and Issuing Certificates	No legislative concerns identified requiring amendment.
47	207	Private Pool Barriers	No legislative amendments requiring amendment identified. The delegation remains aligned with: r.51 Building Regulations 2012.
48	208	Smoke Alarms - Alternative Solutions	No legislative amendments requiring amendment identified. The delegation remains aligned with: rr.55 and 61 Building Regulations 2012
49	300	Firebreaks	No significant legislative amendments have been identified that would require wholesale amendment of Delegations 300–310.
50	301	Make request to the FES Commissioner	No significant legislative amendments have been identified that would require wholesale amendment of Delegations 300–310.
51	302	Prohibited burning times - varied	No significant legislative amendments have been identified that would require wholesale amendment of Delegations 300–310.

SHIRE OF IRWIN

REVIEW OF DELEGATIONS 2026

	A	B	C
1	SHIRE OF IRWIN		
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3			
4	Delegation	Title	Comment
52	303	Restricted burning times - varied	No significant legislative amendments have been identified that would require wholesale amendment of Delegations 300–310.
53	304	Prohibited and/or Restricted Burning Times - Control Activities	No significant legislative amendments have been identified that would require wholesale amendment of Delegations 300–310.
54	305	Control of Operations Likely to Create Bush Fire Danger	No significant legislative amendments have been identified that would require wholesale amendment of Delegations 300–310.
55	306	Burning Garden Refuse / Open Air Fires	No significant legislative amendments have been identified that would require wholesale amendment of Delegations 300–310.
56	307	Appointment of Bush Fire Control Officers	No significant legislative amendments have been identified that would require wholesale amendment of Delegations 300–310.
57	308	Control and Extinguishment of Bush Fires	No significant legislative amendments have been identified that would require wholesale amendment of Delegations 300–310.
58	309	Recovery of Expenses through Contraventions of the Act	No significant legislative amendments have been identified that would require wholesale amendment of Delegations 300–310.
59	310	Prosecution of Offences	No significant legislative amendments have been identified that would require wholesale amendment of Delegations 300–310.
60	311	Withdrawal of Infringement Notices	A review of Delegation 311 has not identified any legislative amendments requiring amendment. The delegation remains consistent with section 59A(5) of the Bush Fires Act 1954 and continues to provide an appropriate mechanism for the withdrawal of infringement notices.
61	400	Cat Registrations	A review of Delegation 400 has not identified any legislative amendments requiring amendment. The delegation remains consistent with sections 9, 10 and 11 of the Cat Act 2011 and Schedule 3 of the Cat Regulations 2012.
62	401	Cat Control Notices	A review of Delegation 401 has not identified any legislative amendments requiring amendment. The delegation remains consistent with the breeder approval provisions of the Cat Act 2011 and Cat Regulations 2012 and continues to provide an appropriate mechanism for the administration of cat breeding approvals.
63	402	Approval to Breed Cats	A review of Delegation 402 – Approval to Breed Cats has been undertaken. No legislative amendments affecting sections 37, 38, 39, 44 or 45 of the Cat Act 2011 have been identified that require amendment to the delegation.
64	403	Appoint Authorised Persons	A review of Delegation 403 has not identified any legislative amendments requiring amendment. The delegation remains consistent with sections 44, 45 and 48 of the Cat Act 2011 and continues to provide appropriate authority for the appointment of authorised persons for the administration and enforcement of the Act.
65	404	Recovery of Costs - Destruction of Cats	No legislative amendments have been identified that require amendment of Delegation 404. The delegation remains consistent with the cost recovery provisions of the Cat Act 2011 and continues to provide appropriate authority to recover expenses incurred by the local government in relation to the destruction of cats where authorised under the Act.

SHIRE OF IRWIN

REVIEW OF DELEGATIONS 2026

	A	B	C
1	SHIRE OF IRWIN		
2	REVIEW OF DELEGATIONS 2026		
3			
4	Delegation	Title	Comment
66	405	Application to Keep Additional Cats	A review of Delegation 405 has not identified any legislative amendments requiring amendment. The delegation remains consistent with regulations 8, 9 and 11 of the Cat (Uniform Local Provisions) Regulations 2013 and continues to provide an appropriate mechanism for determining applications to keep additional cats.
67	500	Refuse or Cancel Registration	A review of Delegation 500 has not identified any legislative amendments requiring amendment. The delegation remains consistent with the registration, refusal and cancellation provisions of the Dog Act 1976 and no amendments are recommended
68	501	Kennel Establishments	A review of Delegation 501 has not identified any legislative amendments requiring amendment. The delegation remains appropriate and no amendments are recommended.
69	502	Appoint Authorised Persons	A review of Delegation 502 has not identified any legislative amendments requiring amendment. The delegation remains necessary for the appointment of authorised persons under the Dog Act 1976 and no amendments are recommended.
70	503	Recovery of Moneys Due Under this Act	A review of Delegation 503 has not identified any legislative amendments requiring amendment. The delegation remains consistent with the recovery provisions of the Dog Act 1976 and no amendments are recommended.
71	504	Dispose of or Sell Dogs Liable to be Destroyed	A review of Delegation 504 has not identified any legislative amendments requiring amendment. The delegation remains consistent with the disposal and sale provisions of the Dog Act 1976 and no amendments are recommended.
72	505	Declare a Dangerous Dog	A review of Delegation 505 has not identified any legislative amendments requiring amendment. The delegation remains consistent with the dangerous dog declaration provisions of the Dog Act 1976 and no amendments are recommended.
73	506	Dangerous Dog Declared or Seized	A review of Delegation 506 has not identified any legislative amendments requiring amendment. The delegation remains consistent with the objection, review and revocation provisions of the Dog Act 1976 and no amendments are recommended.
74	507	Determine Recoverable Expenses for Dangerous Dog Declaration	A review of Delegation 507 has not identified any legislative amendments requiring amendment. The delegation remains consistent with the cost recovery provisions associated with dangerous dog declarations under the Dog Act 1976 and no amendments are recommended.
75	600	Food and Business Registrations	Following review of Delegations 600–605 against the current Food Act 2008 and Food Regulations 2009 framework, no legislative amendments have been identified that require amendment of the delegations.
76	601	Appoint Authorised Officers and Designated Officers	Following review of Delegations 600–605 against the current Food Act 2008 and Food Regulations 2009 framework, no legislative amendments have been identified that require amendment of the delegations.
77	602	Determine Compensation	Following review of Delegations 600–605 against the current Food Act 2008 and Food Regulations 2009 framework, no legislative amendments have been identified that require amendment of the delegations.
78	603	Prohibition Orders	Following review of Delegations 600–605 against the current Food Act 2008 and Food Regulations 2009 framework, no legislative amendments have been identified that require amendment of the delegations.
79	604	Debt Recover and Prosecutions	Following review of Delegations 600–605 against the current Food Act 2008 and Food Regulations 2009 framework, no legislative amendments have been identified that require amendment of the delegations.

SHIRE OF IRWIN

REVIEW OF DELEGATIONS 2026

	A	B	C
1	SHIRE OF IRWIN		
2	REVIEW OF DELEGATIONS 2026		
3			
4	Delegation	Title	Comment
80	605	Food Business List	Following review of Delegations 600–605 against the current Food Act 2008 and Food Regulations 2009 framework, no legislative amendments have been identified that require amendment of the delegations.
81	700	Give notice requiring obliteration of Graffiti	Delegations 700–702 have been reviewed against the current Graffiti Vandalism Act 2016. No legislative amendments have been identified that require amendment of these delegations.
82	701	Notice - Deal with Objections and Suspensions of Effect of Notice	Delegations 700–702 have been reviewed against the current Graffiti Vandalism Act 2016. No legislative amendments have been identified that require amendment of these delegations.
83	702	Obliterate Graffiti on land not Local Government Property	Delegations 700–702 have been reviewed against the current Graffiti Vandalism Act 2016. No legislative amendments have been identified that require amendment of these delegations.
84	800	Appoint Authorised Officers or Approved Officer (Asbestos Regs)	No amendments have been identified to the relevant provisions of the Public Health Act 2016 that invalidate or require amendment of Delegations 800–804.
85	801	Enforcement Agency Reports to the Chief Health Officer	No amendments have been identified to the relevant provisions of the Public Health Act 2016 that invalidate or require amendment of Delegations 800–804.
86	802	Designate Authorised Officers	No amendments have been identified to the relevant provisions of the Public Health Act 2016 that invalidate or require amendment of Delegations 800–804.
87	803	Determine comensation for Seized Items	No amendments have been identified to the relevant provisions of the Public Health Act 2016 that invalidate or require amendment of Delegations 800–804.
88	804	Commence Proceedings	No amendments have been identified to the relevant provisions of the Public Health Act 2016 that invalidate or require amendment of Delegations 800–804.
89	900	Illegal Development	A review of Delegations 900–905 has been undertaken. No legislative amendments requiring amendment have been identified, with the exception of the Planning and Development (Local Planning Schemes) Amendment (Single House Development) Regulations 2024, which have already been incorporated into Delegation 904. The delegations remain consistent with the Planning and Development Act 2005, Planning and Development Regulations 2009, Planning and Development (Local Planning Schemes) Regulations 2015 and associated legislation.
90	901	Waiving or Refunding Planning Application Fee	A review of Delegations 900–905 has been undertaken. No legislative amendments requiring amendment have been identified, with the exception of the Planning and Development (Local Planning Schemes) Amendment (Single House Development) Regulations 2024, which have already been incorporated into Delegation 904. The delegations remain consistent with the Planning and Development Act 2005, Planning and Development Regulations 2009, Planning and Development (Local Planning Schemes) Regulations 2015 and associated legislation.
91	902	Grant a Certificate	A review of Delegations 900–905 has been undertaken. No legislative amendments requiring amendment have been identified, with the exception of the Planning and Development (Local Planning Schemes) Amendment (Single House Development) Regulations 2024, which have already been incorporated into Delegation 904. The delegations remain consistent with the Planning and Development Act 2005, Planning and Development Regulations 2009, Planning and Development (Local Planning Schemes) Regulations 2015 and associated legislation.

	A	B	C
1	SHIRE OF IRWIN		
2	REVIEW OF DELEGATIONS 2026		
3			
4	Delegation	Title	Comment
92	903	Subdivision Clearances	A review of Delegations 900–905 has been undertaken. No legislative amendments requiring amendment have been identified, with the exception of the Planning and Development (Local Planning Schemes) Amendment (Single House Development) Regulations 2024, which have already been incorporated into Delegation 904. The delegations remain consistent with the Planning and Development Act 2005, Planning and Development Regulations 2009, Planning and Development (Local Planning Schemes) Regulations 2015 and associated legislation.
93	904	Local Planning Scheme No.5	A review of Delegations 900–905 has been undertaken. No legislative amendments requiring amendment have been identified, with the exception of the Planning and Development (Local Planning Schemes) Amendment (Single House Development) Regulations 2024, which have already been incorporated into Delegation 904. The delegations remain consistent with the Planning and Development Act 2005, Planning and Development Regulations 2009, Planning and Development (Local Planning Schemes) Regulations 2015 and associated legislation.
94	905	Strata Title Application - Certificates of Approval	A review of Delegations 900–905 has been undertaken. No legislative amendments requiring amendment have been identified, with the exception of the Planning and Development (Local Planning Schemes) Amendment (Single House Development) Regulations 2024, which have already been incorporated into Delegation 904. The delegations remain consistent with the Planning and Development Act 2005, Planning and Development Regulations 2009, Planning and Development (Local Planning Schemes) Regulations 2015 and associated legislation.
95	CEO1000	Local Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000	A review of Delegation CEO1000 has been undertaken. No legislative amendments requiring amendment have been identified. The delegation remains consistent with the Local Government Act 1995 and the Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000. The delegation continues to provide an appropriate administrative authority framework for the CEO and Manager Operations. Accordingly, the delegation should be retained without amendment.
96	CEO1001	Bush Fire Brigades Local Law	A review of Delegation CEO1001 has been undertaken. No legislative amendments requiring amendment have been identified. The delegation remains consistent with the Local Government Act 1995 and the Bush Fire Brigades Local Law and continues to provide an appropriate governance framework for administration of brigade matters. Accordingly, the delegation should be retained without amendment.
97	CEO1002	Cemeteries Local Law 2000	A review of Delegation CEO1002 has been undertaken. No legislative amendments requiring amendment have been identified. The delegation remains consistent with the Local Government Act 1995 and the Cemeteries Local Law 2000 and continues to provide an appropriate framework for the administration of cemetery matters. The current sub-delegation arrangements remain appropriate. Accordingly, the delegation should be retained without amendment.
98	CEO1003	Dogs Local Law	A review of Delegation CEO1003 has been undertaken. No legislative amendments requiring amendment have been identified. The delegation remains consistent with the Local Government Act 1995 and the Dogs Local Law and continues to provide an appropriate framework for the administration of dog control matters under the local law. The current sub-delegation arrangements remain appropriate. Accordingly, the delegation should be retained without amendment.

	A	B	C
1	SHIRE OF IRWIN		
2	REVIEW OF DELEGATIONS 2026		
3			
4	Delegation	Title	Comment
99	CEO1004	Extractive Industries Local Law 2000	Retain without amendment. Consideration may be given separately to a future review of the underlying Extractive Industries Local Law 2000, however no changes to the delegation are required.
100	CEO1005	Health Local Law 2002	Retain without amendment. A review of the underlying Health Local Laws 2002 may be considered separately as a policy and legislative housekeeping exercise, but no changes to the delegation itself are required
101	CEO1006	Local Government Property Local Law	Retain without amendment. The delegation remains operationally necessary, legally valid and aligned with the Shire's current organisational structure.
102	CEO1007	Local Law Relating to Signs, Hoarding and Bill Posting	Retain without amendment. No legislative or governance issues have been identified that require amendment to the delegation.
103	CEO1008	Local Laws Relating to Fencing	Retain without amendment. No legislative or governance issues have been identified that require amendment to the delegation.
104	CEO1009	Meeting Procedures Local Law 2016	Retain without amendment. The delegation remains valid, administratively appropriate and consistent with the Local Government Act 1995 and the Shire's Meeting Procedures Local Law 2016.
105	CEO1010	Parking and Parking Facilities Local Law 2000	Retain without amendment. No legislative, administrative or governance amendments are required.
106	CEO1011	Prevention and Abatement of Sand Drift Local Law 2004	A review of Delegation CEO1011 has been undertaken. No legislative amendments requiring amendment have been identified. The delegation remains consistent with the Local Government Act 1995 and the Prevention and Abatement of Sand Drift Local Law 2004 and continues to provide an appropriate framework for administration of sand drift management and compliance matters. The current sub-delegation arrangements remain appropriate. Accordingly, the delegation should be retained without amendment.