

City of Kwinana

Register of Delegated

Authority 2026/27

Table of Contents

City of Kwinana	1
Register of Delegated Authority 2026/27	1
Delegations and authorisations under other Legislation	6
Delegations	7
<i>Local Government Act 1995</i>	7
1.1.1 Appoint Authorised Person and Authorise Persons to Perform Specified Functions under the <i>Local Government Act 1995</i>	7
1.1.4 Legal action, notice, proceedings, prosecutions and withdrawals	9
1.1.12 Objections to the rates record.....	11
1.1.13 Recovery of rates and services charges from lessee.....	13
1.1.14 Recovery and actions against land where rates or service charges are unpaid	15
1.1.15 Payments from municipal and trust funds	17
1.1.16 Power to invest.....	19
1.1.18 Disposing of property.....	21
1.1.19 Write off, grant a concession or authorise a waiver for monies owing	24
1.1.20 Authorised to negotiate and sign Consent Orders for recovery of rates on behalf of the local government	26
1.1.21 Make alternative arrangements for payment of rates and services charges.....	28
1.1.22 Amendment to Rates Record.....	30
1.1.25 Notices requiring certain things to be done by property owner/occupier.....	31
1.1.26 Particular things local government can do on land that is not local government property.....	33
1.1.27 Crossing – Construction, Repair and Removal	35
1.1.28 Requirement to construct and repair crossing.....	37
1.1.29 Private works, on, over or under public places.....	39
1.1.30 Power of entry	41
1.1.31 <i>Road Traffic (Administration) Act 2008</i> – Damage to road infrastructure.....	43
1.1.32 Disposal of sick or injured animals.....	45
1.1.33 Closure of beaches and reserves in the interest of public safety.....	46
1.1.36 Declare Vehicle is Abandoned Vehicle Wreck	47
1.1.37 Confiscated or Uncollected Goods.....	48
1.1.38 Obstruction of Footpaths and Thoroughfares.....	50
1.1.39 Close Thoroughfares to Vehicles	53
1.1.40 Determining that tenders do not have to be invited for the supply of goods and services (sole supplier)	55
1.1.41 Tenders for goods and services – Call for Tenders.....	57
1.1.42 Extension of Contracts.....	59
1.1.43 Tenders for goods and services – Accepting, clarifying and rejecting Tenders; Minor variation to goods and services prior to contract.....	61

1.1.44 Variation to contract for the supply of goods and services	64
1.1.45 Panels of pre-qualified suppliers for goods and services	66
1.1.46 Expressions of interest for goods and services	69
1.1.47 Tenders for Goods and Services – Exempt Procurement	71
1.3.1 <i>Activities on Thoroughfares and Public Places and Trading Local Law 2011</i>	73
1.3.3 <i>Bush Fire Brigades Local Law 2025</i>	76
1.3.4 <i>Extractive Industries Local Law</i>	78
1.3.5 <i>Fencing Local Law 2016</i>	80
1.3.6 <i>Local Government Property Local Law</i>	82
1.3.7 <i>Pest Plants Local Law</i>	84
1.3.9 <i>Parking and Parking Facilities Local Law 2018</i>	86
1.3.10 <i>Animal, Environment and Amenity Local Law</i>	88
<i>Building Act 2011</i>	90
2.1.1 <i>Building Act 2011 – Powers and duties</i>	90
<i>Bush Fires Act 1954</i>	92
3.1.1 <i>Bush Fires Act 1954 – Functions of a local government</i>	92
3.1.2 <i>Bush Fires Act 1954 – Restricted and prohibited burning times</i>	94
<i>Cat Act 2011</i>	96
4.1.1 <i>Cat Act 2011 – Administration and enforcement</i>	96
<i>Dog Act 1976</i>	98
5.1.1 <i>Dog Act 1976 – Appointment of registration officers</i>	98
5.1.2 <i>Dog Act 1976 – Power or duty of the local government under any provision of the Act</i>	100
5.1.3 <i>Dogs Local Law 2010</i>	102
<i>Food Act 2008</i>	104
7.1.1 <i>Food Act 2008 – Appointment of Officers</i>	104
7.1.2 <i>Food Act 2008 – Functions of enforcement agency</i>	106
<i>Graffiti Vandalism Act 2016</i>	109
8.1.1 <i>Graffiti Vandalism Act 2016 – Administration and Enforcement</i>	109
<i>Litter Act 1979</i>	110
9.1.1 <i>Litter Act 1979 – Appointment of persons authorised to withdraw infringement notices</i>	110
<i>Public Health Act 2016</i>	111
10.1.1 <i>Designate Authorised Officers – Public Health Act 2016</i>	111
10.1.2 <i>Authority to Appoint Approved and Authorised Officers for the Purposes of the Criminal Procedure Act 2004</i>	113
<i>Planning and Development Act 2005</i>	114
11.1.1 <i>Subdivision and development control</i>	114
11.1.2 <i>Determine applications pursuant to the requirements of Local Planning Policy (LPP) No 5 – Development Contribution towards Public Art</i>	117

11.1.3 Illegal Development	118
<i>Health (Miscellaneous Provisions) Act 1911</i>	120
12.1.1 <i>Health (Miscellaneous Provisions) Act 1911</i>	120

Purpose

Section 5.42 of the *Local Government Act 1995* (the Act) allows for a local government to delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the Act (other than those under section 5.43). The local government may also delegate the exercise of any of its powers to Committees pursuant to section 5.16, other than those under section 5.17(1) of the Act.

Section 5.44 of the Act allows the Chief Executive Officer (CEO) to delegate any of the CEO's powers or duties under the Act to another employee of the local government, except for the power of delegation itself. This delegation must be documented in writing and can be either broad or specifically detailed as outlined in the written instrument. If a power or duty was originally delegated to the CEO by the local government under section 5.42, the CEO may further delegate that power or duty to another employee, but any such delegation must comply with any conditions, qualifications, limitations, or exceptions set by the local government when it made the original delegation to the CEO.

Additionally, the CEO has the authority to impose further conditions or restrictions on the delegation to employees. However, these delegated powers or duties cannot be sub-delegated beyond what is permitted by legislation. The purpose of these delegations is to streamline decision-making processes and enhance customer service, while ensuring all actions remain within the boundaries established by the relevant laws and policies.

The Department of Local Government, Industry Regulation and Safety publication *Delegations, Authorisations and Acting Through* provides guidance on the use of delegations, authorisations and the 'acting through' concept.

Where the relevant legislation requires the decision maker to exercise judgement or discretion, the function should generally be performed by the decision maker or by a person who has been properly delegated or authorised to exercise that discretion, or in accordance with an adopted policy where this is appropriate and lawful.

The Act does not specifically define the meaning of the term "acting through"; however, section 5.45(2) of the Act states:

5.45 Other matters relevant to delegations under this Division

2) Nothing in this Division is to read as preventing –

- a) A local government from performing any of its functions by acting through a person other than the CEO"; or*
- b) A CEO from performing any of his or her functions by acting through another person."*

The purpose of this register is to ensure a record is kept of those powers or duties that have been delegated to ensure accountability and to meet the requirements of section 5.46 of the Act. This register is a public document that contains ‘Instruments of Delegation’ that detail the function being delegated and the relevant statutory reference which is the source of power for the exercise of that function. Without limiting the effect of sections 58 and 59 of the *Interpretation Act 1984*, these delegations, made under the Act have effect for the period of time specified in the delegation or where no period has been specified, indefinitely. Any decision to amend or revoke these delegations by a local government is to be by an absolute majority.

This register of delegated authority will be reviewed in accordance with the Act on an annual basis.

Delegations and authorisations under other Legislation

Some legislation provides for the direct delegation to authorise a person or a member of a class of persons, by other agencies or decision makers. For example, the *Environmental Protection Act 1986* allows for the CEO of the Department of Environment Regulation to grant delegated authority direct to a local government.

The authorisation is dealt with in the relevant legislation and, where required, the Instrument of Delegation or Notice of the Appointment is advertised in the Government Gazette.

Those Delegations or authorisations that may occur under legislation other than the *Local Government Act 1995*, its regulations and the local government’s local laws include:

- *Planning and Development Act 2005* and associated regulations;
- *Dog Act 1976* and regulations;
- *Cat Act 2011* and regulations;
- *Bush Fires Act 1954*, regulations and local law created under that Act;
- *Litter Act 1979* and regulations;
- *Local Government (Miscellaneous Provisions) Act 1960* as amended;
- *Caravan Parks and Camping Grounds Act 1995*;
- *Control of Vehicles (Off-Road Areas) Act 1978* and regulations;
- *Environmental Protection Act 1986*;
- *Environmental Protection (Noise) Regulations 1979*; and
- *Building Act 2011*.

N.B. – This is not an exhaustive list.

Delegations

Local Government Act 1995

<p>Delegation</p>	<p>1.1.1 Appoint Authorised Person and Authorise Persons to Perform Specified Functions under the <i>Local Government Act 1995</i></p>
<p>Category</p>	<p><i>Local Government Act 1995</i> Delegations</p>
<p>Delegator</p> <p>Express power to delegate</p> <p>Express power or duty delegated</p>	<p>Council</p> <p><i>Local Government Act 1995:</i> <i>s.5.42 Delegation of some powers or duties to the CEO</i> <i>s.5.43 Limitations on delegations to the CEO</i></p> <p><i>Local Government Act 1995:</i> <i>s.3.24 Authorising persons under this Subdivision</i> <i>s.3.31(2) General Procedure for entering property</i> <i>s.3.39(1) Power to remove and impound</i> <i>3.40A(1) Abandoned vehicle wreck may be taken</i> <i>s.9.24(1)(c) and (2)(b) Prosecutions, commencing</i></p> <p><i>Local Government (Miscellaneous Provisions) Act 1960</i> <i>s.449 Pounds, establishing; poundkeepers and rangers, appointing</i></p>
<p>Function</p>	<ol style="list-style-type: none"> 1) Authority to authorise persons for the purposes of Part 3, Subdivision 2 – Certain provisions about land to exercise the Local Government’s powers under s.3.25 to 3.27 inclusive, to issue and administer notices requiring certain things to be done by owner or occupier of land [s.3.24] 2) Authority to authorise persons to enter onto land, premises or anything without consent of the owner/occupier [s.3.31(2)] 3) Authority to authorise an employee to remove and impound any goods that are involved in a contravention that can lead to impounding [s.3.39(1)]. 4) Authority to authorise persons to commence prosecutions for offences under the <i>Local Government Act 1995</i> and any Local Laws made under the <i>Local Government Act 1995</i> [s.9.24(1)(c) and (2)(b)].

	<p>5) Authority to authorise an employee to remove and impound a vehicle that has been determined as an abandoned vehicle wreck [s.3.40A(1)].</p> <p>6) Authority to appoint fit and proper persons as poundkeepers or rangers [Misc.Prov.r.449].</p>
Delegates	Chief Executive Officer
Conditions	<p>1) A register of Authorisations is to be maintained as a Local Government Record.</p> <p>2) Only persons who are appropriately qualified and trained may be authorised to perform relevant functions.</p> <p>3) Authorisations are to be provided in writing by issuing a Certificate of Authorisation.</p>
Express power to subdelegate	<p><i>Local Government Act 1995:</i></p> <p><i>s.5.44 CEO may delegate some powers and duties to other employees</i></p>
Record keeping	<p>1) Any exercise of this delegation is to be recorded in the Delegated Authority Register;</p> <p>2) A copy of the Certificate of Authorisation for each authorised person to be retained by the City via Attain; and</p> <p>3) Each Certificate of Authorisation is to be reviewed and updated annually.</p>
Date adopted	24 June 2026
Adoption references	OCM118
Last reviewed	June 2026

Delegation	1.1.4 Legal action, notice, proceedings, prosecutions and withdrawals
Category	Local Government Act 1995 Delegations
Delegator	Council
Express power to delegate	<p><i>Local Government Act 1995:</i> <i>s.5.42 Delegation of some powers or duties to the CEO</i> <i>s.5.43 Limitations on delegations to the CEO</i> As determined by the Act under which the function is to be performed.</p> <p>The exercise of any powers, the enforcement of any statutory provisions or the protection of any legal interests under;</p> <ol style="list-style-type: none"> 1) The <i>Local Government Act 1995</i> and its Regulations; 2) City of Kwinana Local Laws; or 3) Any other written law.
Express power or duty delegated	<p>For clarity, this includes (but is not limited to) the exercise of enforcement, notice, infringement and prosecution powers under legislation in which the local government is an enforcement agency or has statutory authority, including:</p> <ul style="list-style-type: none"> • Building Act 2011; • Planning and Development Act 2005; • Public Health Act 2016; • Bush Fires Act 1954; • Other relevant written laws relating to environmental health, animal management and community safety. <p>Where a written law requires the appointment or designation of an authorised officer, the power must only be exercised by a person so authorised.</p>
Function	The taking of any action, serving of notice or otherwise, commencement of legal proceedings or prosecution on behalf of the City of Kwinana.
Delegates	Chief Executive Officer

Conditions	<p>As determined by the Act under which the function is to be performed. A memorandum to Elected Members in the event of intention to enter into prosecution if the amount is over \$50,000.</p> <p>The exercise of this delegation is subject to any requirements under a written law for the appointment, designation, or authorisation of an authorised officer.</p>
Express power to subdelegate	<p><i>Local Government Act 1995:</i> <i>s.5.44 CEO may delegate some powers and duties to other employees</i></p>
Policy	<p>City of Kwinana Policies</p> <ul style="list-style-type: none"> • Legal Representation for Elected Members and Officer - Costs Indemnification and Liability
Record keeping	<p>Any exercise of this delegation is to be recorded in the Delegated Authority Register.</p>
Date adopted	<p>24 June 2026</p>
Adoption references	<p>OCM118</p>
Last reviewed	<p>June 2026</p>

Delegation	1.1.12 Objections to the rates record
Category	<i>Local Government Act 1995 Delegations</i>
Delegator	Council
Express power to delegate	<i>Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</i>
Express power or duty delegated	<i>Local Government Act 1995, s.6.76 Grounds of objection.</i>
Function	<ol style="list-style-type: none"> 1) Authority to extend the time for a person to make an objection to a rate record [s.6.76 (4)]. 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)].
Delegates	Chief Executive Officer
Conditions	<ol style="list-style-type: none"> 1) Objection to be received within the required timeframe identifying all relevant information as required by s.6.76(2), unless an application for extension has been granted; 2) Objection is to be considered promptly; 3) Written notice of the decision, including a statement of the reasons for the decision to be promptly served on the person who has made the objection; and 4) Objections that are allowed must not exceed \$50,000 in lost revenue per property per financial year. Amounts greater than this must be referred to Council for determination.
Express power to subdelegate	<i>Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees</i>

Record keeping	<ol style="list-style-type: none"> 1) Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain; 2) The full details of the decision made under this delegation are to be recorded in the rate record; and 3) Notice to be provided to the person of the decision made.
Date adopted	24 June 2026
Adoption references	OCM118
Last reviewed	June 2026

Delegation	1.1.13 Recovery of rates and services charges from lessee
Category	<i>Local Government Act 1995 Delegations</i>
Delegator	Council
Express power to delegate	<i>Local Government Act 1995:</i> <i>s.5.42 Delegation of some powers or duties to the CEO</i> <i>s.5.43 Limitations on delegations to the CEO</i>
Express power or duty delegated	<i>Local Government Act 1995:</i> <i>s.6.56(1) Rates or service charges recoverable in court</i> <i>s.6.60 Local government may require lessee to pay rent</i>
Function	<ol style="list-style-type: none"> 1) Authorises the recovery of rent to offset an unpaid rate or service charge from the lessee of land, as well as costs of proceedings for the recovery, in a court of competent jurisdiction [s.6.56(1)]. 2) Authority to give notice to a lessee of land in respect of which there is an unpaid rate or service charge, requiring the lessee to pay its rent to the City of Kwinana [s.6.60(2)]. 3) 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)].
Delegates	Chief Executive Officer
Conditions	<ol style="list-style-type: none"> 1) Recovery action is in accordance with s.6.60 of the <i>Local Government Act 1995</i>; 2) Recovery action is in accordance with the City's policies and work procedures.
Express power to subdelegate	<i>Local Government Act 1995:</i> <i>s.5.44 CEO may delegate some powers and duties to other employees</i>
Policy	City of Kwinana Policies Debtors Management
Record keeping	<ol style="list-style-type: none"> 1) Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain; and

<p>Date adopted</p> <p>Adoption references</p>	<p>2) The full details of the decision and actions taken under this delegation to be recorded on the rate record.</p> <p>24 June 2026</p> <p>OCM118</p>
<p>Last reviewed</p>	<p>June 2026</p>

Delegation	1.1.14 Recovery and actions against land where rates or service charges are unpaid
Category	<i>Local Government Act 1995 Delegations</i>
Delegator	Council
Express power to delegate	<i>Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</i>
Express power or duty delegated	<i>Local Government Act 1995: s.6.56 Rates or service charges recoverable in court s.6.64 Actions to be taken s.6.69(2) Right to pay rates, service charges and costs, and stay proceedings s.6.71 Power to transfer land to Crown or local government s.6.74 Power to have land revested in Crown if rates in arrears 3 years</i>
Function	<ol style="list-style-type: none"> 1) Authority to represent the City in the recovery of rates or service charges, as well as to seek costs of proceedings for their recovery, in a court of competent jurisdiction [s.6.56 (1)]. 2) Authority to take possession of land and hold the land against a person having an estate or interest in the land where rates or service charges have remained unpaid for at least three years [s.6.64(1)]. 3) Authority to agree terms and conditions with a person having estate or interest in land and to accept payment of outstanding rates, service charges and costs within 7 days of and prior to the proposed sale [s.6.69(2)].
Delegates	Chief Executive Officer

<p>Conditions</p>	<p>1) Recovery action to be taken in accordance with:</p> <ul style="list-style-type: none"> a) sections 6.64(3), 6.69(2), 6.71(1) (subject to conditions set out in the disposal of property delegations limits), and 6.74 of the <i>Local Government Act 1995</i>; b) regulation 77(3) of the <i>Local Government (Financial Management) Regulations 1996</i>; and c) City policies and procedures. <p>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)].</p>
<p>Express power to subdelegate</p> <p>Policy</p>	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p> <p>City of Kwinana Policies Debtors Management</p>
<p>Record keeping</p> <p>Date adopted</p>	<p>Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain; and</p> <p>The full details of the decision made under this delegation are to be recorded in the rate record.</p> <p>24 June 2026</p>
<p>Adoption references</p>	<p>OCM118</p>
<p>Last reviewed</p>	<p>June 2026</p>

Delegation	1.1.15 Payments from municipal and trust funds
Category	<i>Local Government Act 1995 Delegations</i>
Delegator	Council
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 <i>Delegation of some powers or duties to the CEO</i> s.5.43 <i>Limitations on delegations to the CEO</i>
Express power or duty delegated	<i>Local Government Act 1995:</i> s.6.7(2) <i>Municipal Fund</i> s.6.9(4) <i>Trust Fund</i> <i>Local Government (Financial Management) Regulations 1996:</i> r.12(1)(a) <i>Payments from municipal fund or trust fund</i>
Function	Authority to make payment from the municipal or trust funds [r.12(1)(a)].
Delegates	Chief Executive Officer
Conditions	<ol style="list-style-type: none"> 1) Authority to make payments is subject to annual budget limitations. 2) May transfer of money held in trust for 10 years to its municipal fund, but must repay it to a person who establishes a right to the repayment, together with any interest earned on the investment. - 6.9(4) Trust Fund. 3) In relation to financial assistance for legal expenses by Elected Members and Officers in an emergency: <ol style="list-style-type: none"> a) The delegation is only applicable where a delay in the approval of an application would be detrimental to the legal rights of the applicant; b) The amount approved is to a maximum of \$10,000 in respect of each application; c) All approved applications are to be presented to the next Ordinary Council Meeting; and d) The delegation is exercised in conjunction with the Legal Representation for Elected Members and Employees.
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 <i>CEO may delegate some powers and duties to other employees</i>

<p>Policy</p>	<p>City of Kwinana Policies</p> <p>Use of Corporate Credit Cards Elected Members Allowances, Expenses and Gifts Legal Representation for Elected Members and Employees</p>
<p>Record keeping</p>	<p>Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain; and A list of accounts paid by the CEO from the municipal fund and trust fund under this delegation is to be presented to Council each month.</p>
<p>Date adopted</p>	<p>24 June 2026</p>
<p>Adoption references</p>	<p>OCM118</p>
<p>Last reviewed</p>	<p>June 2026</p>

Delegation	1.1.16 Power to invest
Category	<i>Local Government Act 1995 Delegations</i>
Delegator	Council
Express power to delegate	<i>Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</i>
Express power or duty delegated	<i>Local Government Act 1995, s.6.14(1) Power to invest Local Government (Financial Management) Regulations 1996, r.19 Investments, control procedures for</i>
Function	<ol style="list-style-type: none"> 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 [s.6.14(1)]. 2) Authority to establish and document internal control procedures to be followed in the investment and management of investments [FM r.19].
Delegates	Chief Executive Officer
Conditions	<ol style="list-style-type: none"> 1) Must establish, document, and adhere to internal control procedures and the relevant Council Policies to ensure control over investments; 2) Must have regard to the matters referred to at s.20 of the <i>Trustees Act 1962</i>; and 3) All investment activity must comply with the R.19 of the <i>Local Government (Financial Management) Regulation 1996</i> and Council Policies, subject to the following: <ol style="list-style-type: none"> a) A report detailing the investment portfolio's performance, exposures and changes since the last reporting, is to be provided as part of the Monthly Financial Reports. b) Procedures are to be systematically documented and retained in accordance with the City's Record Keeping Plan and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles.

	<p>c) Procedures are to be administratively reviewed for continuing compliance and confirmed as ‘fit for purpose’ and subsequently considered by the Audit, Risk and Improvement Committee at least once within every 3 financial years.</p>
Express power to subdelegate	<p><i>Local Government Act 1995:</i> <i>s.5.44 CEO may delegate some powers and duties to other employees</i></p>
Policy	<p>City of Kwinana Policies Investment Policy</p>
Record keeping	<ol style="list-style-type: none"> 1) Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain; and 2) An investment report must be presented to each monthly Council meeting including the details of investments in accordance with the investment control procedures that have been established.
Date adopted	<p>24 June 2026</p>
Adoption references	<p>OCM118</p>
Last reviewed	<p>June 2026</p>

Delegation	1.1.18 Disposing of property
Category	<i>Local Government Act 1995 Delegations</i>
Delegator	Council
Express power to delegate	<p><i>Local Government Act 1995:</i> <i>s.5.42 Delegation of some powers or duties to the CEO</i> <i>s.5.43 Limitations on delegations to the CEO</i></p>
Express power or duty delegated	<p><i>Local Government Act 1995:</i> <i>s.3.58(2) & (3) Disposing of Property</i> <i>Local Government (Functions and General) Regulations 1996:</i> <i>r.30 Dispositions of property excluded from Act s.3.58</i></p>
Function	<ol style="list-style-type: none"> 1) Authority to dispose of property to: <ol style="list-style-type: none"> a) 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 tenders [s.3.58(2)(b)] 2) Authority to dispose of property by private treaty only in accordance with s.3.58(3) and prior to the disposal, to consider any submissions received following the giving of public notice [s.3.58(3)]. 3) Authority to dispose of property, that is prescribed as exempt from the provisions of s.3.58: <ol style="list-style-type: none"> a) disposal of land to an adjoining owner, where the market value is less than \$5000 and the delegate has determined that the land would not be of benefit to anyone other than the adjoining owner. [r.30(2)(a)]. b) disposal of land, by lease, to an employee of the local government for use as the employee's residence [r.30(2)(d)]. c) disposal of land, by lease, for a period of less than 2 years during all or any of which time the lease does not give the lessee the exclusive use of the land. [r.30(2)(e)]. d) disposal of land, by lease, of a residential property to a person for residential purposes[F&G.r.30(2)(f)]. e) disposal of property (other than land / buildings), where the property is disposed within 6months after it has been unsuccessfully put out to

	<p>auction, public tender or private treaty via Statewide public notice [r.(2A)].</p> <p>f) disposal of property, other than land / buildings, where the market value is determined as less than \$20,000. [r.30(3)(a)]</p> <p>g) disposal of property, other than land / buildings, where the entire consideration received for the disposal is used to purchase other property AND the total value of the other property is not more, or worth more, than \$75,000. [r.30(3)(b)]</p> <p>4) The power to dispose of property under section 3.58 of the <i>Local Government Act 1995</i>, including entering into leases, licences and management agreements for a term not exceeding 5 years duration in respect to a:</p> <ul style="list-style-type: none"> • Community Group or Organisation; or • Sporting Club. <p>Authorised to approve amendments to a lease, licence or management agreement that are minor in nature:</p> <ul style="list-style-type: none"> • permitting alterations, additions or improvements to the premises; • extensions of a lease, licence and management agreement (up to 12 months).
Delegates	Chief Executive Officer
Conditions	<ol style="list-style-type: none"> 1) Disposal of land or building is to be within a 5% variance of on the valuation; 2) The disposal must be in accordance with s.3.58 of the <i>Local Government Act 1995</i> and r.30 of the <i>Local Government (Functions and General) Regulations 1996</i> (where applicable); 3) For the purposes of the administration of leases, exercise any option(s) available under the lease for established leases; and 4) Where the market value of the property (other than land) is determined as being less than \$10,000 (F&G r.30(3) excluded disposal) may be undertaken: <ul style="list-style-type: none"> • Without reference to Council for resolution; and • in any case, be undertaken to ensure that the best value return is achieved however, where the property is determined as having a nil

<p>Express power to subdelegate</p> <p>Policy</p> <p>Record keeping</p>	<p>market value then, as a minimum, the disposal must ensure environmentally responsible disposal.</p> <p><i>Local Government Act 1995:</i> <i>s.5.44 CEO may delegate some powers and duties to other employees</i></p> <p>City of Kwinana Policies</p> <p>Recognition and Depreciation of Assets Related Party Disclosures</p> <ol style="list-style-type: none"> 1) Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain; 2) Update the Tender Register accordingly; and 3) Any disposal requiring a declaration under the Related Party Disclosure Policy must be done so via the Related Party Disclosure Form located in Attain.
<p>Date adopted</p>	<p>24 June 2026</p>
<p>Adoption references</p>	<p>OCM118</p>
<p>Last reviewed</p>	<p>June 2026</p>

Delegation	1.1.19 Write off, grant a concession or authorise a waiver for monies owing
Category	Local Government Act 1995 Delegations
Delegator	Council
Express power to delegate	Local Government Act 1995: 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.6.12(1) 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 City of Kwinana [s.6.12(1)(b)]. 2) Grant a concession in relation to money which is owed to the City of Kwinana [s.6.12(1)(b)]. 3) Write off an amount of money which is owed to the City of Kwinana [s.6.12(1)(c)]
Delegates	Chief Executive Officer
Conditions	<p>This delegation is subject to s.6.12(2) of the <i>Local Government Act 1995</i>, which specifies that a local government cannot grant a waiver or concession for a rate or service charge.</p> <p>The CEO's delegated authority is subject to the following limitations:</p> <ol style="list-style-type: none"> 1. Any write-off of a debt, regardless of whether it was incurred as a result of an administrative error or otherwise, not exceeding \$10,000 per individual debt; and 2. Any grant of a concession or waiver not exceeding \$1,500 per occurrence. <p>A debt may only be written off where all necessary measures have been taken to locate/contact the debtor and where costs associated with continued action to recover the debt will outweigh the net value of the debt if recovered by the City of Kwinana.</p>

Express power to subdelegate	<i>Local Government Act 1995:</i> <i>s.5.44 CEO may delegate some powers and duties to other employees</i>
Policy	City of Kwinana Policies Debtors Management
Record keeping	Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain; and The full details of the waiver, concession or write off to be recorded on the appropriate financial record;
Date adopted	24 June 2026
Adoption references	OCM118
Last Review	June 2026

Delegation	1.1.20 Authorised to negotiate and sign Consent Orders for recovery of rates on behalf of the local government
Category	<i>Local Government Act 1995</i> Delegations
Delegator	Council
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 <i>Delegation of some powers or duties to the CEO</i> s.5.43 <i>Limitations on delegations to the CEO</i>
Express power or duty delegated	<i>Local Government Act 1995:</i> s.6.56 <i>Rates or service charges recoverable in court</i> s.6.64 <i>Actions to be taken</i>
Function	Authorised to negotiate and sign Consent Orders on behalf of the local government in relation to court proceedings for recovery of rates in arrears.
Delegates	Chief Executive Officer
Conditions	A Consent Order on behalf of the local government may be signed to - 1) dismiss a claim if there was an administration error and claim was invalid, or 2) settle a claim by consent where all outstanding amounts are paid in full and the fee, as set out in the City's Fees and Charges. This delegation is subject to s.6.12(2) of the <i>Local Government Act 1995</i> , which specifies that a local government cannot grant a waiver or concession for a rate or service charge.
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 <i>CEO may delegate some powers and duties to other employees</i>
Policy	City of Kwinana Policies Rates Collection Debtors Collection

Record keeping	<ol style="list-style-type: none"> 1) Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain; and 2) The full details of the decision made under this delegation are to be recorded in the rate record.
Date adopted	24 June 2026
Adoption references	OCM118
Last reviewed	June 2026

Delegation	1.1.21 Make alternative arrangements for payment of rates and services charges
Category	<i>Local Government Act 1995 Delegations</i>
Delegator	Council
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 <i>Delegation of some powers or duties to the CEO</i> s.5.43 <i>Limitations on delegations to the CEO</i>
Express power or duty delegated	<i>Local Government Act 1995:</i> s.6.49 <i>Agreement as to payment of rates and service charges</i>
Function	Authority to make an alternative agreement with a person for the payment of rates and services charges [s.6.49].
Delegates	Chief Executive Officer
Conditions	This delegation is subject to s.6.47 of the <i>Local Government Act 1995</i> . 1) The CEO's delegated authority is subject to the following limitations: a) Make arrangements with ratepayers wishing to make application for alternative instalment arrangements and extensions which will be completed within the current financial year; or b) Allow extended instalment arrangements, which will be finalised outside the current financial year. 2) Subject to <i>Rates and Charges (Rebates and Deferments) Act 1992</i> . 3) Must comply with relevant Council policies.
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 <i>CEO may delegate some powers and duties to other employees</i>
Policy	City of Kwinana Policies Rates Collection Policy Debtors Collection Policy

<p>Record keeping</p>	<p>1) Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain; and</p> <p>2) The full details of the payment arrangement to be recorded on the appropriate financial record.</p>
<p>Date adopted</p>	<p>24 June 2026</p>
<p>Adoption references</p>	<p>OCM118</p>
<p>Last reviewed</p>	<p>June 2026</p>

Delegation	1.1.22 Amendment to Rates Record
Category	Local Government Act 1995 Delegations
Delegator	Council
Express power to delegate	Local Government Act 1995: 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.6.39 Rate record
Function	Amend a rate record for the current financial year to ensure that the information contained in the record is current and correct and that the record is in accordance with the <i>Local Government Act 1995</i> , as well as the power to determine whether to amend the rate record for the preceding five years.
Delegates	Chief Executive Officer
Conditions	Nil
Express power to subdelegate	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
Policy	City of Kwinana Policies Rates Collection Policy Debtor Collection Policy
Record keeping	1) Any exercise of this delegation is to be recorded in the Delegated Authority Register; and 2) The full details of the payment arrangement to be recorded on the appropriate financial record.
Date adopted	24 June 2026
Adoption references	OCM118
Last reviewed	June 2026

Delegation	1.1.25 Notices requiring certain things to be done by property owner/occupier
Category	<i>Local Government Act 1995 Delegations</i>
Delegator	Council
Express power to delegate	<i>Local Government Act 1995:</i> <i>s.5.42 Delegation of some powers or duties to the CEO</i> <i>s.5.43 Limitations on delegations to the CEO</i>
Express power or duty delegated	<i>Local Government Act 1995:</i> <i>s.3.25 Notices requiring things to be done by owner or occupier of land</i> <i>s.3.26 Additional powers when giving notices</i>
Function	Authorised to: 1) Serve notices requiring certain things to be done, including but not restricted to the removal of overgrown vegetation, rubbish or disused material from land considered untidy 2) Recover the cost of anything the City has done to achieve the purpose for which notice is given as a debt due from the person who failed to comply with the notice
Delegates	Chief Executive Officer
Conditions	Schedule 3.1 of the <i>Local Government Act 1995</i> .
Express power to subdelegate	<i>Local Government Act 1995:</i> <i>s.5.44 CEO may delegate some powers and duties to other employees</i>
Record keeping	Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain.
Date adopted	24 June 2026
Adoption references	OCM118

Last reviewed	June 2026
----------------------	-----------

Delegation	1.1.26 Particular things local government can do on land that is not local government property
Category	<i>Local Government Act 1995</i> Delegations
Delegator	Council
Express power to delegate	<i>Local Government Act 1995:</i> s.5.42 <i>Delegation of some powers or duties to the CEO</i> s.5.43 <i>Limitations on delegations to the CEO</i>
Express power or duty delegated	<i>Local Government Act 1995:</i> <i>Schedule 3.2 and s.3.27 Particular things local governments can do on land that is not local government property</i>
Function	To exercise the powers of the local government under section 3.27 and Schedule 3.2 of the <i>Local Government Act 1995</i> , including entering land and carrying out prescribed works or activities on land that is not local government property.
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> • The exercise of this delegation must comply with the requirements of section 3.27 and Schedule 3.2 of the <i>Local Government Act 1995</i>. • The powers under this delegation may only be exercised by a person authorised under section 3.24 of the <i>Local Government Act 1995</i>. • The exercise of this delegation must comply with any statutory requirements relating to notice, consultation, consent, and compensation, where applicable.
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 <i>CEO may delegate some powers and duties to other employees</i>
Record keeping	Any exercise of this delegation is to be recorded in the Delegated Authority Register. The exercise of powers under section 3.27 requires both delegation of the power from Council and authorisation of the person exercising the power under section 3.24.

Date adopted	24 June 2026
Adoption references	OCM118
Last reviewed	June 2026

Delegation	1.1.27 Crossing – Construction, Repair and Removal
Category	<i>Local Government Act 1995 Delegations</i>
Delegator	Council
Express power to delegate	<i>Local Government Act 1995:</i> <i>s.5.42 Delegation of some powers or duties to the CEO</i> <i>s.5.43 Limitations on delegations to the CEO</i>
Express power or duty delegated	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> <i>r.12(1) Crossing from public thoroughfare</i>
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 [r,12(1)]. 2) Authority to determine the specifications for construction of crossings to the satisfaction of the Local Government [r.12(1)(a)]. 3) Authority to give notice to an owner or occupier of land requiring the person to construct or repair a crossing [r.13(1)]. 4) Authority to initiate works to construct a crossing where the person fails to comply with a notice requiring them to construct or repair the crossing and recover 50% of the cost of doing so as a debt due from the person [r.13(2)].
Delegates	Chief Executive Officer
Conditions	Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> .
Express power to subdelegate	<i>Local Government Act 1995:</i> <i>s.5.44 CEO may delegate some powers and duties to other employees</i>
Record keeping	Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain.
Date adopted	24 June 2026

Adoption references	OCM118
Last reviewed	June 2026

Delegation	1.1.28 Requirement to construct and repair crossing
Category	Local Government Act 1995 Delegations
Delegator	Council
Express power to delegate	<p><i>Local Government Act 1995:</i></p> <p><i>s.5.42 Delegation of some powers or duties to the CEO</i></p> <p><i>s.5.43 Limitations on delegations to the CEO</i></p>
Express power or duty delegated	<p><i>Local Government (Uniform Local Provisions) Regulations 1996:</i></p> <p><i>r.13(1) and (2) Requirement to construct or repair crossover</i></p>
Function	<ol style="list-style-type: none"> 1) Give a person who is the owner or occupier of private land a notice in writing requiring the person to construct or repair a crossing from a public thoroughfare. 2) Construct or repair the crossing and recover 50% of the cost if the person fails to comply with the notice.
Delegates	Chief Executive Officer
Conditions	<p>In accordance with <i>Local Government (Uniform Local Provisions) Regulations 1996, r.14(2)(b) Role of Commissioner of Main Roads.</i></p> <p>That due process be followed for the issuing of a notice under s.3.25 of the <i>Local Government Act 1995</i> for a notice served under r.14(3).</p>
Express power to subdelegate	<p><i>Local Government Act 1995:</i></p> <p><i>s.5.44 CEO may delegate some powers and duties to other employees</i></p>
Policy	<p>City of Kwinana Policies</p> <p>Crossovers</p>
Record keeping	Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain.
Date adopted	24 June 2026
Adoption references	OCM118

Last reviewed	June 2026
----------------------	-----------

Delegation	1.1.29 Private works, on, over or under public places
Category	<i>Local Government Act 1995 Delegations</i>
Delegator	Council
Express power to delegate	<i>Local Government Act 1995:</i> <i>s.5.42 Delegation of some powers or duties to the CEO</i> <i>s.5.43 Limitations on delegations to the CEO</i>
Express power or duty delegated	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> <i>r.17 Private works on, over, or under public places – Sch.9.1 cl.8</i>
Function	<ol style="list-style-type: none"> 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 [r.17(3)]. 2) Authority to impose conditions on permission including those prescribed in r.17(5) and (6) [r.17(5)].
Delegates	Chief Executive Officer
Conditions	<p>Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>.</p> <p>Permission may only be granted where, the proponent has:</p> <ol style="list-style-type: none"> 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. 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. iii) Provided evidence of sufficient Public Liability Insurance. iii) Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.
Express power to subdelegate	<i>Local Government Act 1995:</i> <i>s.5.44 CEO may delegate some powers and duties to other employees</i>

Policy	City of Kwinana Policies Street Trees and Verge Treatments
Record keeping	Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain.
Date adopted	24 June 2026
Adoption references	OCM118
Last reviewed	June 2026

Delegation	1.1.30 Power of entry
Category	<i>Local Government Act 1995 Delegations</i>
Delegator	Council
Express power to delegate	<i>Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</i>
Express power or duty delegated	<i>Local Government Act 1995: s.3.28 When the 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</i>
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, using such force as is reasonable [s.3.34(1) and (3)]. 5) Authority to give notice and execute the opening a fence [s.3.36]. <p>(See conditions in regard to s.3.33 – Entry under warrant)</p>
Delegates	Chief Executive Officer
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>When exercising authority to authorise persons under s.3.31(2):</p> <ol style="list-style-type: none"> a) A register of Authorisations is to be maintained as a Local Government Record. b) Only persons who are appropriately qualified and trained may be appointed as Authorised persons. c) Authorisations are to be provided in writing by issuing a Certificate of Authorisation.

Express power to subdelegate	<i>Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees</i>
Record keeping	Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain.
Date adopted	24 June 2026
Adoption references	OCM118
Last reviewed	June 2026

Delegation	1.1.31 Road Traffic (Administration) Act 2008 – Damage to road infrastructure
Category	<i>Local Government Act 1995 Delegations</i>
Delegator	Council
Express power to delegate	<i>Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</i>
Express power or duty delegated	<i>Road Traffic (Administration) Act 2008:</i> <ul style="list-style-type: none"> • <i>s.124(2) — Application for compensation order</i> • <i>s.126(2) — Service of certificates</i> • <i>s.132(2) — Recovery of extraordinary expenses for damage caused by heavy traffic</i> <p><i>For the purposes of this delegation, the local government acts in its capacity as the road authority under the Act.</i></p>
Function	To exercise the powers of the local government as road authority under Part 7 of the Road Traffic (Administration) Act 2008, including to: <ol style="list-style-type: none"> 1) apply for compensation orders relating to damage caused to road infrastructure resulting from an MDLR offence; 2) serve certificates required under sections 125 and 126 of the Act; 3) commence and manage proceedings for the recovery of expenses incurred in repairing road infrastructure damaged by heavy traffic; and 4) undertake all administrative actions incidental or conducive to the exercise of those powers.
Delegates	Chief Executive Officer
Conditions	<ul style="list-style-type: none"> • Compensation orders under s.124 may only relate to an MDLR offence as defined in s.28 of the Act. • Any action taken under this delegation must comply with Part 7 of the Road Traffic (Administration) Act 2008. • The CEO must ensure appropriate records are maintained in relation to any proceedings commenced under this delegation.

Express power to subdelegate	<i>Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees</i>
Record keeping	Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain.
Date adopted	24 June 2026
Adoption references	OCM118
Last reviewed	June 2026

Delegation	1.1.32 Disposal of sick or injured animals
Category	<i>Local Government Act 1995 Delegations</i>
Delegator	Council
Express power to delegate	<i>Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</i>
Express power or duty delegated	<i>Local Government Act 1995: s.3.47A Dispose of sick or injured animals s.3.48 Impounding expenses, recovery of</i>
Function	<ol style="list-style-type: none"> 1) Authority to determine when an impounded animal is ill or injured, that treating it is not practicable, and to humanely destroy the animal and dispose of the carcass [s.3.47A(1)]. 2) Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].
Delegates	Chief Executive Officer
Conditions	Delegation only to be used where the Delegate's reasonable efforts to identify and contact an owner have failed.
Express power to subdelegate	<i>Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees</i>
Record keeping	Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain.
Date adopted	24 June 2026
Adoption references	OCM118
Last reviewed	June 2026

Delegation	1.1.33 Closure of beaches and reserves in the interest of public safety
Category	Local Government Act 1995 Delegations
Delegator	Council
Express power to delegate	Local Government Act 1995: 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.3.18 Performing executive functions
Function	Approve the temporary closure of beaches and reserves in the district, wholly or partially, in the interest of maintaining public safety.
Delegates	Chief Executive Officer
Conditions	Must be for the purposes of enforcing a Western Australian Declaration of State of Emergency, Public Health Emergency, or for the purpose of maintaining safety of the public.
Express power to subdelegate	This Authority is not to be sub-delegated.
Record keeping	Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain.
Date adopted	24 June 2026
Adoption references	OCM118
Last reviewed	June 2026

Delegation	1.1.36 Declare Vehicle is Abandoned Vehicle Wreck
Category	<i>Local Government Act 1995 Delegations</i>
Delegator	Council
Express power to delegate	<i>Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</i>
Express power or duty delegated	<i>Local Government Act 1995: s.3.40A(2) Give notice to that person advising that the vehicle may be collected from a place specified during such hours as are specified in the notice. s.3.40A(4) Abandoned vehicle wreck may be taken.</i>
Function	Declare that an impounded vehicle is an abandoned vehicle wreck [s.3.40A(4)].
Delegates	Chief Executive Officer
Conditions	Disposal of a declared abandoned vehicle wreck to be undertaken in accordance with Delegated Authority 1.1.37 Disposing of Confiscated or Uncollected Goods or alternatively, referred for Council decision. Declared abandoned vehicle wreck may only be removed and impounded by a person duly authorised under s.3.40A(1).
Express power to subdelegate	<i>Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees</i>
Record keeping	Any exercise of this delegation is to be recorded in the Register of Delegation of Authority via Attain.
Date adopted	24 June 2026
Adoption references	OCM118
Last reviewed	June 2026

Delegation	1.1.37 Confiscated or Uncollected Goods
Category	<i>Local Government Act 1995 Delegations</i>
Delegator	Council
Express power to delegate	<i>Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</i>
Express power or duty delegated	<i>Local Government Act 1995: s.3.44 Notice to collect goods if not confiscated 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</i>
Function	<ol style="list-style-type: none"> 1) Authority to give an alleged offender notice that the goods may be collected from a place specified during such hours as are specified [s.3.44]. 2) Authority to refuse to allow goods removed under s.3.40 or 3.40A to be collected until the costs of removing and keeping them have been paid to the local government [s.3.46]. 3) Authority to refuse to allow goods impounded under s.3.39 or 3.40A to be collected until the costs of removing, impounding and keeping them have been paid to the local government [s.3.46]. 4) 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]. 5) Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].
Delegates	Chief Executive Officer
Conditions	Nil
Express power to subdelegate	<i>Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees</i>

Record keeping	Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain.
Date adopted	24 June 2026
Adoption references	OCM118
Last reviewed	June 2026

Delegation	1.1.38 Obstruction of Footpaths and Thoroughfares
Category	<i>Local Government Act 1995 Delegations</i>
Delegator	Council
Express power to delegate	<i>Local Government Act 1995:</i> <i>s.5.42 Delegation of some powers or duties to the CEO</i> <i>s.5.43 Limitations on delegations to the CEO</i>
Express power or duty delegated	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> <i>r.5(2) Interfering with, or taking from, local government land</i> <i>r.6 Obstruction of public thoroughfare by things placed and left - Sch. 9.1 cl. 3(1)(a)</i> <i>r.6(4)(d) Obstruction of public thoroughfare by things placed and left - Sch. 9.1 cl. 3(1)(a)</i> <i>r.7A Obstruction of public thoroughfare by fallen things – Sch.9.1 cl.3(1)(b)</i> <i>r.7 Encroaching on public thoroughfare – Sch.9.1. cl.3(2)</i>
Function	<ol style="list-style-type: none"> 1) Authority to determine, 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: <ol style="list-style-type: none"> a) prevent damage to the footpath; or b) prevent inconvenience to the public or danger from falling materials [r.5(2)]. 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. [r.6(2) and (4)]. 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 [r.6(6)]. 4) Authority to require an owner or occupier of land to remove any thing that has fallen from the land or from anything on the land, which is obstructing a public thoroughfare [r.7A].

	<ol style="list-style-type: none"> 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 [r.7]. 6) Authority to determine the sum sufficient to cover the cost of repairing damage to the public thoroughfare resulting from the placement of a thing or a protective structure, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant [r.6(4)(d)]. 7) Authority to determine the requirements for protective structures, during such time as it is considered necessary for public safety and convenience [r.6(5)(b). 8) Authority to determine and require in writing, that the person granted permission to obstruct a public thoroughfare repair damage caused by things placed on the thoroughfare and authority to determine if such repairs are to the satisfaction of the local government [r.6(5)(d)].
Delegates	Chief Executive Officer
Conditions	<ol style="list-style-type: none"> 1) Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>. 2) Permission may only be granted where, the proponent has: <ol style="list-style-type: none"> a) Where appropriate, obtained written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction. b) 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. c) Provided evidence of sufficient Public Liability Insurance. d) Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.
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>
Record keeping	Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain.

Date adopted	24 June 2026
Adoption references	OCM118
Last review	June 2026

Delegation	1.1.39 Close Thoroughfares to Vehicles
Category	<i>Local Government Act 1995 Delegations</i>
Delegator	Council
Express power to delegate	<i>Local Government Act 1995:</i> <i>s.5.42 Delegation of some powers or duties to the CEO</i> <i>s.5.43 Limitations on delegations to the CEO</i>
Express power or duty delegated	<i>Local Government Act 1995:</i> <i>s.3.50 Closing certain thoroughfares to vehicles</i> <i>s.3.50A Partial closure of thoroughfares for repairs or maintenance</i> <i>s.3.51 Affected owners to be notified of certain proposals</i>
Function	<ol style="list-style-type: none"> 1) Authorised to close (wholly or partially), revoke or vary the closure of a thoroughfare 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 and before doing so, to: <ul style="list-style-type: none"> • notify Council of the intended closure; • give public notice, written notice to the Commissioner of Main Roads and written notice to prescribed persons and persons that own prescribed land; • consider submissions relevant to the road closure/s proposed [s.3.50(1a), (2) and (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]. 5) Before doing anything to which section 3.51 applies, take action to notify affected owners and give public notice that allows reasonable time for submissions to be made and consider any submissions made before determining to fix or alter the level or alignment of a thoroughfare or draining water from a thoroughfare to private land [s3.51].
Delegates	Chief Executive Officer

<p>Conditions</p>	<p>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>Maintain access to adjoining land [s.3.52(3)].</p> <p>Limited to temporary road closures only. Permanent closure of roads must be determined by Council and subject to compliance with <i>Land Administration Act 1987</i>, s.58.</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>Record keeping</p>	<p>Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain.</p>
<p>Date adopted</p>	<p>24 June 2026</p>
<p>Adoption references</p>	<p>OCM118</p>
<p>Last reviewed</p>	<p>June 2026</p>

Delegation	1.1.40 Determining that tenders do not have to be invited for the supply of goods and services (sole supplier)
Category	Local Government Act 1995 Delegations
Delegator	Council
Express power to delegate	Local Government Act 1995 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 Local Government (Functions and General) Regulations 1996: r.11(2)(f) When tenders have to be publicly invited
Function	Authority to, because of 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 [r.11(2)(f)].
Delegates	Chief Executive Officer
Conditions	1) The determination is to be supported by a detailed report; and 2) Subject to the requirements and conditions of Council's Procurement Policy.
Express power to subdelegate	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
Policy	City of Kwinana Policies Procurement
Record keeping	<ul style="list-style-type: none"> Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain; and Details recorded in the Tender Register.
Date adopted	24 June 2026
Adoption references	OCM118

Last reviewed	June 2026
----------------------	-----------

Delegation	1.1.41 Tenders for goods and services – Call for Tenders
Category	Local Government Act 1995 Delegations
Delegator	Council
Express power to delegate	<p><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</p>
Express power or duty delegated	<p><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(1), (2) When tenders have to be publicly invited r.13 Requirements when local governments invite tenders though not required to do so r.14 Publicly inviting tenders, requirements for.</p>
Function	<ol style="list-style-type: none"> 1) Authority to call tenders[r.11(1)]. 2) Authority to invite tenders although not required to do so [r.13]. 3) Authority to determine in writing, before tenders are called, the criteria for acceptance of tenders [r.14(2a)] 4) Authority to vary tender information after public notice of invitation to tender and before the close of tenders, taking reasonable steps to ensure each person who has sought copies of the tender information is provided notice of the variation [r.14(5)].
Delegates	Chief Executive Officer
Conditions	Where the budget has not been adopted, the Chief Executive Officer can perform all functions outlined in this delegation with the exception of determining a tender, so long as in the specifications of the invitation to tender, it includes a provision that states that this tender will only be awarded subject to the budget being adopted by Council.
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>

Policy	City of Kwinana Policies Procurement
Record keeping	<ul style="list-style-type: none"> Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain; and Details recorded in the Tender Register in the manner prescribed.
Date adopted	24 June 2026
Adoption references	OCM118
Last review	June 2026

Delegation	1.1.42 Extension of Contracts
Category	<i>Local Government Act 1995 Delegations</i>
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> <i>s.5.42 Delegation of some powers or duties to the CEO</i> <i>s.5.43 Limitations on delegations to the CEO</i>
Express power or duty delegated	<i>Local Government Act 1995:</i> <i>s.3.57 Tenders for providing goods or services</i> <i>Local Government (Functions & General) Regulations 1996</i> <i>r.11(2)(j) When tenders have to be publicly invited</i>
Function	Authority to exercise a contract extension option that was included in the original tender specification and contract in accordance with r.11(2)(j).
Delegates	Chief Executive Officer
Conditions	Subject to the: <ul style="list-style-type: none"> tender specifying the provisions of the option term/s; contract providing for the extension/s; extension/s being on the same terms and conditions as the last year of the initial term but does allow for price increases in line with the contract provisions (if any) for price or any other appropriately agreed changes; and contractor's performance has been reviewed and the review evidences the rationale for entering into the extended term.
Express power to subdelegate	<i>Local Government Act 1995:</i> <i>s.5.44 CEO may delegate some powers and duties to other employees</i>
Policy	City of Kwinana Policies Procurement

Record keeping	<p>Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain; and</p> <p>Records of decisions must be retained and recorded in the appropriate manner of any extensions to contracts.</p>
Date adopted	<p>24 June 2026</p>
Adoption references	<p>OCM118</p>
Last reviewed	<p>June 2026</p>

Delegation	<p>1.1.43 Tenders for goods and services – Accepting, clarifying and rejecting Tenders; Minor variation to goods and services prior to contract</p>
Category Delegator Express power to delegate	<p><i>Local Government Act 1995 Delegations</i></p> <p>Council</p> <p><i>Local Government Act 1995</i> <i>s.5.42 Delegation of some powers or duties to the CEO</i> <i>s.5.43 Limitations on delegations to the CEO</i></p>
Express power or duty delegated	<p><i>Local Government Act 1995:</i> <i>s.3.57 Tenders for providing goods or services</i> <i>Local Government (Functions and General) Regulations 1996</i> <i>r.18 (2), (4), (4a), (5), (6) & (7) Rejecting and accepting tenders</i> <i>r.20(1), (2) & (3) Variation of requirements before entry into contract</i></p>
Function	<ol style="list-style-type: none"> 1) Authority to determine whether or not to reject tenders that do not comply with requirements as specified in the invitation to tender [r.18(2)]. 2) Authority to seek clarification from tenderers in relation to information contained in their tender submission [r.18(4a)]. 3) Authority to assess, by written evaluation, tenders that have not been rejected, to determine: <ol style="list-style-type: none"> i) The extent to which each tender satisfies the criteria for deciding which tender to accept; and ii) To accept the tender that is most advantageous [r.18(4)]. 4) Authority to decline to accept any tender [r.18(5)]. 5) Authority to accept the next most advantageous tender if, within six months of accepting a tender, a contract has not been entered into OR the local government and the successful tenderer agree to terminate the contract [r.18(6) & (7)] 6) Authority to determine whether variations in goods and services required are minor variations, and to negotiate with the successful tenderer to make minor variations before entering into a contract [r.20(1) and (3)].

Date adopted	24 June 2026
Adoption references	OCM118
Last review	June 2026

Delegation	1.1.44 Variation to contract for the supply of goods and services
Category	<i>Local Government Act 1995 Delegations</i>
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> <i>s.5.42 Delegation of some powers or duties to the CEO</i> <i>s.5.43 Limitations on delegations to the CEO</i>
Express power or duty delegated	<i>Local Government Act 1995</i> <i>s.3.57 Tenders for providing goods or services</i> <i>Local Government (Functions and General) Regulations 1996</i> <i>r .21A Varying a contract for the supply of goods or services</i>
Function	Authority to vary a tendered contract, <u>after</u> it has been entered into, provided the variation/s are necessary for the goods and services to be supplied, and do not change the scope of the original contract
Delegates	Chief Executive Officer
Conditions	A decision to vary a tendered contract after entry into the contract [r.21A(a)] must comply with the appropriate adopted council policies and must include evidence that the variation is necessary and does not change the scope of the contract.
Express power to subdelegate	<i>Local Government Act 1995:</i> <i>s.5.44 CEO may delegate some powers and duties to other employees</i>
Policy	City of Kwinana Policies Procurement
Record keeping	Details of the variation must be recorded in the appropriate record and City's Contract Register. The record must evidence the decision and that the decision is based upon the variation not changing the scope of the original contract and is necessary for the goods and services to be supplied. Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain.

Date adopted	24 June 2026
Adoption references	OCM118
Last review	June 2026

Delegation	1.1.45 Panels of pre-qualified suppliers for goods and services
Category	Local Government Act 1995 Delegations
Delegator	Council
Express power to delegate	<p>Local Government Act 1995</p> <p>s.5.42 Delegation of some powers or duties to the CEO</p> <p>s.5.43 Limitations on delegations to the CEO</p>
Express power or duty delegated	<p>Local Government Act 1995</p> <p>s.3.57 Tenders for providing goods or services</p> <p>Local Government (Functions and General) Regulations 1996</p> <p>r.24AB Local government may establish panels of pre-qualified suppliers</p> <p>r.24AC(1)(b) Requirements before establishing panels of pre-qualified suppliers</p> <p>r.24AD(3) & (6) Requirements when inviting persons to apply to join panel of pre-qualified suppliers</p> <p>r.24AH(2), (3), (4) and (5) Rejecting and accepting applications to join panel of pre-qualified suppliers</p> <p>r.24AJ(1) Contracts with pre-qualified suppliers</p>
Function	<ol style="list-style-type: none"> 1) Authority to establish a panel of pre-qualified suppliers to supply particular goods or services [r.24AB]. 2) Authority to determine that there is a continuing need for the goods or services proposed to be provided by a panel of pre- qualified suppliers [r.24AC(1)(b)]. 3) Authority to determine, before inviting submissions, the written criteria for deciding which application should be accepted for inclusion in a panel of pre-qualified suppliers [r.24AD(3)]. 4) Authority to vary panel of pre-qualified supplier information after public notice inviting submissions has been given, taking reasonable steps to ensure that each person who has enquired or submitted an application is provided notice of the variation [r.24AD(6)]. 5) Authority to reject an application without considering its merits, where it was submitted at a place and within the time specified, but fails to comply with any other requirement specified in the invitation [r.24AH(2)].

	<p>6) Authority to assess applications, by written evaluation of the extent to which the submission satisfies the criteria for deciding which applicants to accept, and decide which applications to accept as most advantageous [r.24AH(3)].</p> <p>7) Authority to request clarification of information provided in a submission by an applicant [r.24AH(4)].</p> <p>8) Authority to decline to accept any application [r.24AH(5).</p> <p>9) Authority to enter into contract, or contracts, for the supply of goods or services with a pre-qualified supplier, as part of a panel of pre-qualified suppliers for those particular goods or services [r.24AJ(1)]</p>
Delegates	Chief Executive Officer
Conditions	<p>In accordance with s.5.43, panels of pre-qualified suppliers may only be established, where the total consideration under the resulting contract is included in the adopted Annual Budget.</p> <p>1) Panels of pre-qualified suppliers may only be awarded by the CEO where:</p> <ol style="list-style-type: none"> a) the total consideration under the resulting contract is \$1,000,000 or less; or b) it is a multiple year contract (including extension thereof) up to a total value of \$1,875,000. <p>2) In accordance with the requirements of the:</p> <ul style="list-style-type: none"> • <i>Local Government Act 1995</i>; • <i>Local Government (Financial Management) Regulations 1996</i>; and • Council's policies and work procedures.
Express power to subdelegate	<p><i>Local Government Act 1995:</i></p> <p><i>s5.44 CEO may delegate some powers and duties to other employees</i></p>
Policy	City of Kwinana Policies Procurement
Record keeping	<p>Details of the panel are to be recorded on the City's Contract Register.</p> <p>Any actions taken by the panel are to be recorded in the appropriate record.</p> <p>Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain.</p>

Date adopted	24 June 2026
Adoption references	OCM118
Last review	June 2026

Delegation	1.1.46 Expressions of interest for goods and services
Category	Local Government Act 1995 Delegations
Delegator	Council
Express power to delegate	Local Government Act 1995 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 Local Government (Functions and General) Regulations 1996 r.21 Limiting who can tender, procedure for r.23 Rejecting and accepting expressions of interest to be acceptable tenderer
Function	<ol style="list-style-type: none"> 1) Authority to determine when to seek Expressions of Interest and to invite Expressions of Interest for the supply of goods or services [r.21]. 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 [r.23].
Delegates	Chief Executive Officer
Conditions	Nil
Express power to subdelegate	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
Policy	City of Kwinana Policies Procurement
Record keeping	<ol style="list-style-type: none"> 1) Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain; and 2) Details of the expression of interest sought, received and accepted must be recorded in the appropriate record and in the Tender Register as required by Regulation 17 of the <i>Local Government (Functions and General) Regulations 1996</i>.

Date adopted	24 June 2026
Adoption references	OCM118
Last review	June 2026

Delegation	1.1.47 Tenders for Goods and Services – Exempt Procurement
Category	<i>Local Government Act 1995 Delegations</i>
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> <i>s.5.42 Delegation of some powers or duties to the CEO</i> <i>s.5.43 Limitations on delegations to the CEO</i>
Express power or duty delegated	<i>Local Government Act 1995:</i> <i>s.3.57 Tenders for providing goods or services</i> <i>Local Government (Functions & General) Regulations 1996</i> <i>r.11(2) When tenders do not have to be publicly invited (exemptions)</i>
Function	Authority to undertake tender exempt procurement, in accordance with the Procurement Policy requirements, where the total consideration under the resulting contract is expected to be included in the adopted Annual Budget [r.11(2)].
Delegates	Chief Executive Officer
Conditions	Tender exempt procurement under F&G.r.11(2) may only be awarded by the CEO where: a) the total consideration under the resulting contract is \$1,000,000 or less; or b) it is a multiple year contract (including extension thereof) up to a total value of \$1,875,000. In accordance with the requirements of the: <ul style="list-style-type: none"> • Local Government Act 1995; • Local Government (Financial Management) Regulations 1996; and • Council's policies and work procedures. Where the total consideration of a Tender Exempt procurement contract exceeds the values delegated above, the decision is to be referred to Council.
Express power to subdelegate	<i>Local Government Act 1995:</i> <i>s.5.44 CEO may delegate some powers and duties to other employees</i>

Policy	City of Kwinana Policies Procurement
Record keeping	Details of the tender exempt procurement are to be recorded in the appropriate manner and details of the contract formed are to be recorded on the City's Contract Register. Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain;
Date adopted	24 June 2026
Adoption references	OCM118
Last reviewed	June 2026

Delegation	<p><i>1.3.1 Activities on Thoroughfares and Public Places and Trading Local Law 2011</i></p>
Delegator	<p>Council</p>
Express power to delegate	<p><i>Local Government Act 1995:</i> <i>s.5.42 Delegation of some powers or duties to the CEO</i> <i>s.5.43 Limitations on delegations to the CEO</i></p>
Express power or duty delegated	<p><i>Local Government Act 1995:</i> s.3.18(1) Administer Local Laws</p> <p><i>Activities on Thoroughfares and Public Places and Trading Local Law 2011:</i> cl.2.1(1)(e) Permit a person to damage, remove or interfere with any signpost, direction plate, guidepost, notice, shelter, shed, fence or any structure erected on a thoroughfare by the local government. cl.2.2(2) Exempting persons from a compliance of activities that require a permit under sub-clause 2.2(1). cl.2.4(3) Approval of application for a permit for the purposes of a temporary crossing. cl.2.5(2) Give a written notice requiring removal of a crossing which does not give access to a lot and reinstating part of thoroughfare affected by removal. cl.2.10(1) Give a written notice to an owner or occupier to make good a verge abutting a lot. cl.2.14(1) Assign a number to a lot. cl.2.15(1) Give a notice to the owner of land that adjoins a public place or thoroughfare to enclose the land to prevent sand or other matter from the land entering the public place or thoroughfare. cl.2.15(2) Determine whether a fence needs to be built, repaired or maintained. cl.2.16(1) Erect a sign on a public place specifying any conditions of use which apply to that place. cl.3.2(3)(d) Determine whether a sign is likely to obstruct a line of sight. cl.3.3 Determine an application for a permit for an advertising sign. cl.3.4 Approval or refusal of an application for a permit of a portable sign.</p>

	<p>cl.3.5 Approval or refusal of an application for a permit of an election sign on a thoroughfare.</p> <p>cl.4.7(1) Advise verbally or in writing a retailer whose name appears on a shopping trolley, of the location of the trolley and to remove the trolley within 24 hours, unless the retailer requests the local government collect and deliver the trolley to the retailer and that the retailer pay for the collection and delivery.</p> <p>cl.5.4(1) Signpost roads with standard MRWA 'flora road' sign.</p> <p>cl.5.5(2)(c) Provide exemption for a person driving or riding a vehicle on a flora road other than the carriageway.</p> <p>cl.5.9(1) Approval of application for a permit to plant or sow seeds on a thoroughfare.</p> <p>cl.5.10(1) Approval of application to clear a thoroughfare and maintain in a cleared state within one metre of a person's land.</p> <p>cl.5.12(1) Approve an application to burn part of a thoroughfare.</p> <p>cl.5.17(2) Approval of application for permit to construct firebreak on thoroughfare.</p> <p>cl.5.19 Approval of application for permit to collect seed from native flora on a thoroughfare for a revegetation projects.</p> <p>cl.6.2 Refuse or approve an application for a stallholder's permit.</p> <p>cl.6.3 Refuse or approve an application for a trader's permit.</p> <p>cl.6.7(3) Exempt a person from the requirement to pay fee or obtain a stallholders or traders permit.</p> <p>cl.6.10 Refuse or approve an application for a street entertainer's permit.</p> <p>cl.6.11 Variation of permitted area and permitted time for street performers.</p> <p>c6.16(1) Refuse or approve an application to establish or conduct an outdoor eating facility on a public place.</p> <p>cl.6.18(2) Give notice to permit holder of an outdoor eating facility to carry out work.</p> <p>cl.6.21(2) May carry out things requested of a person and recover from that person, as a debt, the costs incurred in doing so.</p> <p>cl.7.1(2)(a) Determine the form of an application for a permit.</p>
<p>Function</p>	<p>To perform the functions of the local government for the <i>Activities on Thoroughfares and Public Places and Trading Local Law 2011</i>.</p>

Delegates	Chief Executive Officer
Conditions	Nil
Express power to subdelegate	<i>Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees</i>
Policy	City of Kwinana Local Laws Activities on Thoroughfares and Public Places and Trading Local Law 2011 City of Kwinana Policies Street Trees and Verge Treatments Legal Representation for Elected Members and Office–s - Cost Indemnification and Liability
Record keeping	Any exercise of this delegation is to be recorded in the Delegated Authority Register.
Date adopted	24 June 2026
Adoption references	OCM118
Last reviewed	June 2026

Delegation	1.3.3 Bush Fire Brigades Local Law 2025
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 Act 1995:</i> s.3.18(1) Administer Local Laws. <i>Bush Fire Brigades Local Law 2025:</i> cl.2.2(1)(c) Appointment of Brigade Officers. cl.2.2(4) Appointment of Brigade Officer to fill vacancy. cl.3.2 Appointment of Training Coordinator cl.3.3 Managerial role of Chief Bush Fire Control Officer cl.3.9 Determine the number of nominees of a bush fire brigade for the Bush Fire Advisory Committee. cl.2.4 Applications for membership. cl.7.5(2) Resolve disagreements between bush fire brigade members.
Function	To perform the functions of the local government for the <i>Bush Fire Brigades Local Law 2025</i> .
Delegates	Chief Executive Officer
Conditions	Nil
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees <i>Bush Fire Brigades Local Law 2025:</i> cl.2.2(2) When considering the appointment of persons to the positions listed in cl. 2.2(1)(c), regard must be given to the qualifications and experience which may be required to fill each role.
Policy	City of Kwinana Local Law Bush Fire Brigade Local Law 2025
Record keeping	Any exercise of this delegation to be recorded in the Delegated Authority Register via Attain.

Date adopted	24 June 2026
Adoption references	OCM118
Last reviewed	June 2026

Delegation	1.3.4 Extractive Industries Local Law
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 Act 1995:</i> s.3.18(1) Administer Local Laws. <i>Extractive Industries Local Law:</i> cl.2.2(2) Applicant to advertise proposal determined by the local government. cl.2.3(1) Determination of the form of application. cl.2.3(1)(d) Approve a of datum point. cl.2.3(1)(l) Requirement for additional information. cl.2.3(3) Exemption from providing certain data. cl.3.1(1) Refuse an application that does not comply with cl. 2.3. cl.3.1(2) Refusal of an application or approve an application over whole or part of the land and on such terms and conditions as it see fits. cl.3.1(3)(a) Determination the licence period. cl.3.1(5) Imposing of conditions in respect to matters. cl.4.1(2) Determination of application to transfer a licence. cl.4.2 Cancellation of a licence and advising the licensee in writing. cl.4.3(2) Waiving requirements for renewal of licence specified in cl. 4.3(1)(d) or(e). cl.4.3(3) Waiving requirements to submit details of any of the things referred to in cl. 2.3 and 3.1. cl.4.3(4) Determination of an application for renewal of a licence. cl.5.1 Determination of the security amount and type of security (bond, bank guarantee or other) for restoration and reinstatement of local government assets. cl.5.2(1)(c) Carry out or cause to be carried out, the required restoration and reinstatement work. cl.5.2(2) Apply the proceeds of security towards costs of restoration and reinstatement work. cl.6.1(1) Provide written approval for excavation under.cl.6.1. cl.6.1(2) Determine standard of fencing of an excavation.

Function	<p>cl.6.2(3) Determine drainage of an excavation to prevent accumulation of water.</p> <p>cl.6.3(1) Approve the removal of trees or shrubs within 40 metres of the boundary of a thoroughfare.</p> <p>cl.6.4(1) and (2) Approve blasting in the course of excavation.</p> <p>To perform the functions of the local government for the <i>Extractive Industries Local Law</i>.</p>
Delegates	Chief Executive Officer
Conditions	Nil
Express power to subdelegate	<i>Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees</i>
Policy	<p>City of Kwinana Local Law Extractive Industries Local Law</p> <p>City of Kwinana Policies Legal Representation for Elected Members and Officers - Cost Indemnification and Liability</p>
Record keeping	Any exercise of this delegation to be recorded in the Delegated Authority Register via Attain.
Date adopted	24 June 2026
Adoption references	OCM118
Last reviewed	June 2026

Delegation	1.3.5 Fencing Local Law 2016
Delegator	Council
Express power to delegate	<p><i>Local Government Act 1995:</i> <i>s.5.42 Delegation of some powers or duties to the CEO</i> <i>s.5.43 Limitations on delegations to the CEO</i></p>
Express power or duty delegated	<p><i>Local Government Act 1995:</i> <i>s.3.18(1) Administer Local Laws.</i> <i>Fencing Local Law:</i> cl.2.1(4) Grant a consent to any variation to the specifications in Schedules 2, 3 and 4. cl.2.1(7) Approve a dividing fence or boundary fence exceeding 1800 millimetres in height. cl.2.2(1) Approve a fence in a front setback of a residential lot greater than 1200 millimetres in height with conditions set out in subclauses 2.2(2) and (3). cl.2.4 Approve a person to deposit or permit the deposit of, any materials whatsoever used in the construction or maintenance of any fence, on any thoroughfare, public place or local government property. cl.2.5 Approve a person to erect a fence on a rural lot, or a special rural lot within 7.5 metres of a thoroughfare, of a height exceeding 1500 millimetres. cl.2.6 Approve a person to erect a fence other than that within the front setback area, on a residential lot, of a height exceeding 1800 millimetres. cl.2.9 Approve a person to erect or maintain a fence across a right-of-way, public access way or thoroughfare. cl.3.2(2) Give written approval for a person to erect or affix to any fence of a residential or commercial lot, any barbed wire or other material with spiked or jagged projections. cl.3.3(1) Approve the construction or use of an electric fence, or the construction of a fence constructed wholly or partly of razor wire, on a lot. cl.4.1(2) Determine the application form under this local Law. cl.4.1(3) Require an applicant to provide additional information. cl.4.1(4) Refuse to consider an application for approval which is not in accordance with sub-clause 4.1(2) and (3). cl.4.2 Approve or refuse an application or approve subject to conditions. cl.4.5 Cancellation of an approval.</p>

	<p>cl.6.1(1) Give notice in writing to an owner or occupier of a breach of this local law.</p> <p>cl.6.1(3) Enter a lot to which a notice relates and remedy the breach and may recover the expenses of so doing from the owner or the lot in a court of competent jurisdiction.</p> <p>cl.7.3 Approval of form of notice.</p>
Function	To perform the functions of the local government for the <i>Fencing Local Law 2016</i> .
Delegates	Chief Executive Officer
Conditions	Nil
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Policy	<p>City of Kwinana Local Law</p> <p>Fencing Local Law 2016</p> <p>City of Kwinana Policies</p> <p>Legal Representation for Elected Members and Officers - Cost Indemnification and Liability</p>
Record keeping	Any exercise of this delegation to be recorded in the Delegated Authority Register.
Date adopted	24 June 2026
Adoption references	OCM118
Last reviewed	June 2026

Delegation	1.3.6 Local Government Property Local Law
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 Act 1995:</i> s.3.18(1) Administer Local Laws. s. 9.10 Appointment of authorised persons <i>Local Government Property Local Law:</i> cl. 3.2 Application for permit cl. 3.3 Decision on application for permit cl. 3.5 Imposing conditions under a policy cl. 3.7 Agreement for building cl. 10.3 Local government may undertake requirements of notice
Function	All powers and duties under the Local Law
Delegates	Chief Executive Officer
Conditions	The CEO does not have the delegated authority to decide to proceed with, amend, or discontinue a proposed determination after the public submission period has closed.
Express power to subdelegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Policy	City of Kwinana Local Law Local Government Property Local Law
Record keeping	Any exercise of this delegation to be recorded in the Delegated Authority Register via Attain.
Date adopted	24 June 2026
Adoption references	OCM118

Last reviewed	June 2026
----------------------	-----------

Delegation	1.3.7 Pest Plants Local Law
Delegator	Council
Express power to delegate	<i>Local Government Act 1995:</i> <i>s.5.42 Delegation of some powers or duties to the CEO</i> <i>s.5.43 Limitations on delegations to the CEO</i>
Express power or duty delegated	<i>Local Government Act 1995:</i> <i>s.3.18(1) Administer Local Laws.</i> <i>Pest Plants Local Law:</i> <i>cl.5 Serve of a notice.</i> <i>cl.6(a) Destroy, eradicate or control pest plants.</i> <i>cl.6(b) Recover in court, the amount of the expenses of such destruction, eradication or control.</i>
Function	To perform the functions of the local government for the Pest Plants Local Law.
Delegates	Chief Executive Officer
Conditions	Nil
Express power to subdelegate	<i>Local Government Act 1995:</i> <i>s.5.44 CEO may delegate some powers and duties to other employees</i>
Policy	City of Kwinana Local Law Pest Plants Local Law City of Kwinana Policies Legal Representation for Elected Members and Officers - Cost Indemnification and Liability
Record keeping	Any exercise of this delegation to be recorded in the Delegated Authority Register via Attain.
Date adopted	24 June 2026
Adoption references	OCM118

Last reviewed	June 2026
----------------------	-----------

<p>Delegation</p>	<p><i>1.3.9 Parking and Parking Facilities Local Law 2018</i></p>
<p>Delegator</p>	<p>Council</p>
<p>Express power to delegate</p>	<p><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</p>
<p>Express power or duty delegated</p>	<p><i>Local Government Act 1995:</i> s.3.18(1) Administer Local Laws. <i>Parking and Parking Facilities Local Law 2018:</i> cl.2.1 Erect a sign for the purpose of this local law on any land, building or other structure within the parking region. cl.2.3 Approve a sign or the removal or defacing of a Sign. cl.3.3(1)(b) Permit a person to park a vehicle on any part of a parking station contrary to a sign referable to that Part. cl.4.1(4) Permit a person to park a vehicle in an area designated by a sign stating ‘Authorised Vehicles Only’. cl.4.10 Authorise a person to drive or park upon or over a portion of a reserve. cl.4.12(1) Permit a person to park a vehicle on a portion of a thoroughfare or parking facility for longer than the permitted Time. cl.4.12(2) Prohibit any other vehicle from parking on a portion of a thoroughfare or parking facility to which a permission granted under cl. 4.12(1) has been given. cl.4.13(5) By the way of signs, set aside parking stations for multiple occupants. cl.5.21 Issue, revoke or suspend a temporary parking permit. cl.6.1(2) Permit a person to affix a board or sign, placard, notice, cover or other thing to or paint, mark or write upon any ticket machine. cl.7.2 Issue a permit exempting a holder of a valid permit from the requirements of a prohibition. cl.7.3 Issue a residential parking permit. cl.7.4 Approve the issue of one additional residential parking permit or one additional visitor’s parking permit on such terms or conditions as the local government sees fit.</p>

	<p>cl.7.6 Give to an eligible person a notice requiring that person to notify the local government of any reason why that permit should not be revoked.</p> <p>cl.7.8 Issue a permit to replace a residential parking permit or visitor's parking permit which is lost, destroyed or stolen.</p> <p>cl.8.10 At the expiration of hours of operation, lock parking stations.</p>
Function	To perform the functions of the local government for the <i>Parking and Parking Facilities Local Law 2018</i> .
Delegates	Chief Executive Officer
Conditions	<ol style="list-style-type: none"> 1) The expenses incurred are in respect to an expense for which the person is entitled to be reimbursed, subject to Part 5, Division 8 of the <i>Local Government Act 1995</i>; and 2) The payment request is submitted and authorised in accordance with the City's policies and work procedures.
Express power to subdelegate	<p><i>Local Government Act 1995:</i></p> <p><i>s.5.44 CEO may delegate some powers and duties to other employees</i></p> <p>City of Kwinana Local Law</p>
Policy	<p>Parking and Parking Facilities Local Law 2018</p> <p>City of Kwinana Policies</p> <p>Legal Representation for Elected Members and Officers - Costs Indemnification and Liability</p>
Record keeping	Any exercise of this delegation to be recorded in the Delegated Authority Register.
Date adopted	24 June 2026
Adoption references	OCM118
Last reviewed	June 2026

Delegation	<i>1.3.10 Animal, Environment and Amenity Local Law</i>
Category	<i>Local Government Act 1995 Delegations</i>
Delegator	Council
Express power to delegate	<p><i>Local Government Act 1995:</i></p> <p><i>s.5.42 Delegation of some powers or duties to the CEO</i></p> <p><i>s.5.43 Limitations on delegations to the CEO</i></p> <p><i>s.3.18(1) Administer Local Laws.</i></p>
Express power or duty delegated	<p><i>Animal, Environment and Amenity Local Law:</i></p> <p>cl.2.9(3)(c) Provide an approval to vary the height of stables</p> <p>cl.2.18(1) Provide an approval to feed or permit feeding of any uncaged bird</p> <p>cl.2.18(3) Withdraw an approval to feed or permit feeding of uncaged birds.</p> <p>cl.2.20(3) Seek and consider views and concerns of any owner or occupier of an adjoining property prior to determining an application for approval of poultry or pigeons pursuant to cl.2.12(1)(b).</p> <p>cl.2.20(4) Grant an approval of an application to keep poultry or pigeons pursuant to cl. 2.12(1)(b) with or without conditions or refuse to grant approval.</p> <p>cl.2.20(8) Cancel an approval to keep poultry or pigeons.</p> <p>cl.2.24(3) Seek and consider views and concerns of any owner or occupier of an adjoining property prior to determining an application for keeping of more than two bee hives.</p> <p>cl.2.23(4) Grant an approval of an application for keeping of more than two bee hives or refuse to grant approval.</p> <p>cl.2.23(8) Cancel an approval to keep more than two bee hives.</p> <p>cl.4.1 Approval to provide or conduct an amusement</p> <p>cl.4.4 Serve a notice to the owner or occupier land to abate a nuisance arising from contravention of cl. 4.2 or 4.3.</p> <p>cl.5.3 Serve a notice to the owner or occupier of land to ensure that unsightly land is enclosed. cl.8.3(3) Serve a notice on the owner and/or occupier of the land to comply with cl. 8.3(1), clean up or properly dispose any released or escaped dust or liquid waste; clean up and make good any damage resulting from the released or escaped dust or liquid waste or take effective measures to stop any further release or escaped of dust or liquid waste.</p>

	<p>cl.8.3(5) Serve a notice on the owner and/or occupier of the land and/or the operator of the equipment, requiring the activity or use of the equipment on the land to be ceased immediately.</p> <p>cl.8.3(6) Serve a notice to the owner or occupier of the land providing that the activity where dust or liquid waste is likely to be released or escape may only be carried out subject to conditions specified in the notice.</p> <p>cl.10.1(1) Serve a notice of breach directing the person to take such actions as an authorised person considers necessary.</p> <p>cl.10.1(3) Local Government to undertake or arrange to complete the notice if the person fails to comply with a notice under this local law and recover from the person whom the notice was given.</p>
Function	To take actions to ensure compliance with the provisions of the <i>Animal, Environment and Amenity Local Law</i>
Delegates	Chief Executive Officer
Conditions	Nil
Express power to subdelegate	<i>Local Government Act 1995:</i> <i>s.5.44 CEO may delegate some powers and duties to other employees</i>
Date adopted	24 June 2026
Adoption references	OCM118
Last reviewed	June 2026

Building Act 2011

Delegation	2.1.1 Building Act 2011 – Powers and duties
Category	<i>Building Act 2011 Delegations</i>
Delegator	Council
Express power to delegate	<i>Building Act 2011:</i> <i>s. 127 A special permit authority or a local government may delegate any of its powers or duties as a permit authority under another provision of this Act.</i>
Express power or duty delegated	<i>All powers and duties exercised by the Local Government as a permit authority under the Building Act 2011.</i>
Function	Authorised to exercise and discharge all or any of the powers and duties of the Local Government as a permit authority under the <i>Building Act 2011</i> . Inclusive of the appointing of such persons to be an Authorised Persons for performing particular functions under this Act.
Delegates	Chief Executive Officer
Conditions	A person to be appointed as authorised officer in accordance with Regulation 70(2) of the <i>Building Regulations 2012</i> and section 6(b) of the <i>Criminal Procedure Act 2004</i> must first be appointed as an authorised person for the purposes of section 9.16 of the <i>Local Government Act 1995</i> .
Express power to subdelegate	<i>Building Act 2011:</i> <i>s. 127(6A) Delegation: special permit authorities and local governments</i>
Policy	City of Kwinana Policies Legal Representation for Elected Members and Officers - Costs Indemnification and Liability
Record keeping	Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain.
Date adopted	24 June 2026

Adoption references	OCM118
Last reviewed	June 2026

Bush Fires Act 1954

Delegation	3.1.1 <i>Bush Fires Act 1954</i> – Functions of a local government
Category	<i>Bush Fires Act 1954</i> Delegations
Delegator	Council
Express power to delegate	<i>Bush Fires Act 1954:</i> <i>s.48(1) Delegation by Local Government</i>
Express power or duty delegated	<i>Bush Fires Act 1954:</i> <i>s.48(1) Delegation by Local Government</i>
Function	Perform any of the functions of a local government for the purposes of the <i>Bush Fires Act 1954</i> .
Delegates	Chief Executive Officer
Conditions	<p><i>Bush Fires Act 1954:</i> s.48(4) Nothing in s.48 is to be read as limiting the ability of a local government to act through its council, members of staff or agents in the normal course of business.</p> <p>This delegation excludes powers and duties that:</p> <ul style="list-style-type: none"> a) are prescribed in the Act with the requirement for a resolution by the local government; b) are prescribed in the Act for performance by appointed Officers; c) are subject to separate delegated authority within this register; or d) s.33(5a) – making of local laws.
Express power to subdelegate	<i>Bush Fires Act 1954:</i> <i>s.48(3) No power provided to sub-delegate</i>
Record keeping	Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain.
Date adopted	24 June 2026

Adoption references	OCM118
Last reviewed	June 2026

Delegation	3.1.2 <i>Bush Fires Act 1954</i> – Restricted and prohibited burning times
Category	<i>Bush Fires Act 1954</i> Delegations
Delegator	Council
Express power to delegate	<i>Bush Fires Act 1954:</i> <i>s. 17(10) Delegation by Local Government</i>
Express power or duty delegated	<i>Bush Fires Act 1954:</i> <i>s. 17(10) Delegation by Local Government</i> <i>Bush Fires Act 1954:</i> <i>s. 17(7)(a) shortening, extending, suspending or re-imposing a period of prohibited burning times</i> <i>s. 17(7)(b) impose a further period of prohibited burning times</i> <i>s. 17(8) give notice of any variation</i> <i>s. 18(5)(a)(i) shortening, extending, suspending or re-imposing a period of restricted burning times;</i> <i>s. 18(5)(a)(ii) imposing a further period of restricted burning times</i> <i>s. 18(5)(b) vary the prescribed conditions by modifying or suspending all or any of those conditions</i>
Function	After consultation with an authorised CALM Act Officer if forest land is situated in the district, vary the prohibited and restricted burning times in respect of that year in the district or a part of the district.
Delegates	Emergency Services Coordinator Mayor
Conditions	Mayor and Emergency Services Coordinator to act jointly. Vary prohibited and restricted burning times in accordance with s.17(7)(b), s.17(8) and s.18(5B), 18(5C) of the <i>Bush Fires Act 1954</i> .
Express power to subdelegate	Nil. This authority is not to be sub-delegated
Record keeping	Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain.

Date adopted	24 June 2026
Adoption references	OCM118
Last reviewed	June 2026

Cat Act 2011

Delegation	4.1.1 Cat Act 2011 – Administration and enforcement
Delegator	Council
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> Whole, the exercise of any of the local governments powers or the discharge of any of its duties under another provision of this Act.
Function	Exercise any of the City's powers or the discharge of any of its duties under the <i>Cat Act 2011</i> . Appoint such persons to be Authorised Persons for performing particular functions under this Act.
Delegates	Chief Executive Officer
Conditions	<i>Cat Act 2011:</i> A person who is not an employee of a local government cannot be appointed to be an authorised person for the purposes of s.62 (Infringement notices)
Express power to subdelegate	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government Note: s.45(6) A power or duty under s.63, 64 or 65 cannot be delegated to an authorised person.
Record keeping	A person to whom a power or duty is delegated is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty [s.47(3)]. Information to be recorded in the local government's cat register is to be in accordance with r.16. Any exercise of this delegation is to be recorded in the Delegated Authority Register; and 4. Any actions taken or notices issued are to be recorded on the appropriate file or record of the City.
Date adopted	24 June 2026

Adoption references	OCM118
Last reviewed	June 2026

Dog Act 1976

Delegation	5.1.1 Dog Act 1976 – Appointment of registration officers
Category	<i>Dog Act 1976 Delegations</i>
Delegator	Council
Express power to delegate	<i>Dog Act 1976:</i> <i>s. 10AA(1) Delegation to CEO</i>
Express power or duty delegated	<i>Dog Act 1976:</i> <i>s.3 Terms Used (Registration officer means a person authorised by the local government to effect the registration of dogs pursuant to this Act)</i> <i>s. 11(1) Appointment of registration officers</i>
Function	Authority to authorise a person for the purposes of performing the prescribed office of Registration Officer under the <i>Dog Act 1976</i> .
Delegates	Chief Executive Officer
Conditions	<ol style="list-style-type: none"> 1) The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)]. 2) A register of Authorisations is to be maintained as a City Record. 3) Only persons who are appropriately qualified and trained may be appointed as Authorised persons. 4) Authorisations are to be provided in writing by issuing a Certificate of Authorisation.
Record keeping	Record keeping Any exercise of this delegation is to be recorded in the Delegated Authority Register Authorisation needs to be included in the officer Authorisation documents and in the prescribed form and documented in the City's Record Keeping System.
Date adopted	24 June 2026
Adoption references	OCM118

Last reviewed	June 2026
----------------------	-----------

Delegation	5.1.2 <i>Dog Act 1976</i> – Power or duty of the local government under any provision of the Act
Category	<i>Dog Act 1976</i> Delegations
Delegator	Council
Express power to delegate	<i>Dog Act 1976:</i> <i>s.10AA(1) Delegation to CEO</i>
Express power or duty delegated	<i>Dog Act 1976:</i> Whole, delegate any power or duty of the local government under another provision of this Act.
Function	Any power or duty of the local government under any provision of this Act.
Delegates	Chief Executive Officer
Conditions	<i>Dog Act 1976:</i> <i>s.10AA(4) A local government’s Chief Executive Officer who is exercising or performing a power or duty that has been delegated as authorised under this section, is to be taken to do so in accordance with the terms of the delegation unless the contrary is shown.</i> <i>s.10AA(5) Nothing in this limits the ability of a local government’s Chief Executive Officer to perform a function through an officer or agent.</i> The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)]. Decisions under this delegation must comply with the relevant provisions of the <i>Dog Act 1976</i> and the City of Kwinana’s Local Law.
Express power to subdelegate	<i>Dog Act 1976:</i> <i>s.10(AA)(3) The delegation may expressly authorise the delegate to further delegate the power or duty</i>
Record keeping	Any exercise of this delegation is to be recorded in the Register of Delegation of Authority via Attain.
Date adopted	24 June 2026

Adoption references	OCM118
Last reviewed	June 2026

<p>Delegation</p> <p>Category</p> <p>Delegator</p>	<p>5.1.3 Dogs Local Law 2010</p> <p><i>Dog Act 1976 Delegations</i></p> <p>Council</p>
<p>Express power to delegate</p>	<p><i>Local Government Act 1995:</i></p> <p><i>s.5.42 Delegation of some powers or duties to the CEO</i></p> <p><i>s.5.43 Limitations on delegations to the CEO</i></p>
<p>Express power or duty delegated</p>	<p><i>Local Government Act 1995:</i></p> <p><i>s.3.18(1) Administer Local Laws.</i></p> <p><i>Dogs Local Law 2010:</i></p> <p>c4.2(c) Determine that the applicant or another person who will have charge of the dogs, will reside on the premises or sufficiently close to the premises.</p> <p>c4.3(3)(b) Refuse to determine an application if, in the opinion of the delegate, that the notice of a proposed use of a premises is of a size or in a location that would fail to notify persons of the proposed use of the premises.</p> <p>c4.6 Have regard to matters in determining an application.</p> <p>c4.8(1) Approve an application for a licence subject to conditions contained in Schedule 2 and to other conditions considered appropriate.</p> <p>c4.8(2) Vary any of the conditions contained in Schedule 2.</p> <p>c4.11 Determine the form of a licence.</p> <p>c4.13(1) Vary the conditions of a licence.</p> <p>c4.13(2) Cancel a licence;</p> <ul style="list-style-type: none"> a) on the request of the licensee; b) following a breach of the <i>Dog Act 1976</i>, its Regulations or this local law; or c) if the licensee is not a fit and proper person. <p>c4.14(1)(a) Determine the form of an application for the transfer of a licence.</p> <p>c4.14(3) Approve, whether or not subject to such conditions as he/she considers appropriate, or refuse to approve an application to transfer a licence.</p> <p>c4.15 Give written notice.</p> <p>c5.2(2)(a) Permit dogs to be exercised in an area being used for sporting or other activities, during the time of use.</p>

	<p>c6.1(3)(a) Approve the manner in which excrement may be removed.</p> <p>c6.1(3)(b) Provide receptacles on a park, reserve or land, specifically provided for holding dog excrement.</p> <p>c7.7 Ascertain the address at which a notice is to be served.</p>
Function	To perform the functions of the local government for the Dogs Local Law 2010.
Delegates	Chief Executive Officer
Conditions	Nil
Express power to subdelegate	<p><i>Local Government Act 1995:</i></p> <p><i>s.5.44 CEO may delegate some powers and duties to other employees</i></p> <p>City of Kwinana Local Laws</p> <p><i>Dogs Local Law 2010</i></p>
Policy	<p>City of Kwinana Policies</p> <p>Application to keep Additional Dogs on Premises</p> <p>Legal Representation for Elected Members and Offices - Cost Indemnification and Liability</p>
Record keeping	Any exercise of this delegation to be recorded in the Delegated Authority Register via Attain.
Date adopted	24 June 2026
Adoption references	OCM118
Last reviewed	June 2026

Food Act 2008

Delegation	7.1.1 Food Act 2008 – Appointment of Officers
Category	<i>Food Act 2008 Delegations</i>
Delegator	Council
Express power to delegate	<p><i>Food Act 2008:</i></p> <p><i>s. 118(2)(b) Enforcement agency may delegate a function conferred on it</i></p> <p><i>s. 118(3) Delegation subject to conditions [s. 119] and guidelines adopted [s. 120]</i></p> <p><i>s. 118(4) Sub-delegation permissible only if expressly provided in regulations.</i></p>
Express power or duty delegated	<p><i>Food Act 2008:</i></p> <p><i>s. 122(1)(a) & (b) Appointment of Authorised Officers</i></p> <p><i>s. 126 (13) Infringements - Appointment of Designated Officers Function</i></p>
Function	<ol style="list-style-type: none"> 1) Authority to appoint a person to be an authorised officer for the purposes of the <i>Food Act 2008</i> [s.122(2)]. 2) Authority to appoint an Authorised Officer appointed under s.122(2) of this Act or the s.24(1) of the <i>Public Health Act 2016</i>, to be a Designated Officer for the purposes of issuing Infringement Notices under the <i>Food Act 2008</i> [s.126(13)]. 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)].
Delegates	Chief Executive Officer

<p>Conditions</p>	<p>A certificate of authority must be issued to Authorised Officers in accordance with s.123 of the <i>Food Act 2008</i>.</p> <p>In accordance with s.126 of the <i>Food Act 2008</i> Infringement Notices. The Local Government can designate authorised officers to be designated officers for the purposes of s.126 of the <i>Food Act 2008</i> subsection (2), (3), (6) or (7) or for the purposes of 2 or more of those subsections, but a person who is a designated officer for the purposes of giving infringement notices under subsection (2) is not eligible to be a designated officer for the purposes of any of the other subsections.</p> <p>In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.</p>
<p>Express power to subdelegate</p>	<p><i>Food Act 2008:</i> s.118(2)(b) <i>Functions of enforcement agencies and delegation</i></p>
<p>Record keeping</p>	<ol style="list-style-type: none"> 1) Each enforcement agency must prepare and maintain a list of authorised officers appointed by the agency in accordance with s.122(3) of the <i>Food Act 2008</i>; 2) Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain; and 3) Save a copy of the signed authorisation in the City's Record Keeping System
<p>Date adopted</p> <p>Adoption references</p> <p>Last reviewed</p>	<p>24 June 2026</p> <p>OCM118</p> <p>June 2026</p>

Delegation	7.1.2 Food Act 2008 – Functions of enforcement agency
Category	<i>Food Act 2008 Delegations</i>
Delegator	Council
Express power to delegate	<i>Food Act 2008:</i> <i>s.118(2)(b) Functions of enforcement agencies and delegation</i>
Express power or duty delegated	<i>Food Act 2008:</i> <i>s.65(1) Prohibition orders</i> <i>s.66 Certificate of clearance to be given in certain circumstances</i> <i>s.67(4) Request for re-inspection</i> <i>s.110 Registration of food businesses</i> <i>s.112 Variation of conditions or cancellation of registration of food businesses</i> <i>s.125 Institution of proceedings</i>
Function	<ol style="list-style-type: none"> 1) Serve a Prohibition Order on the proprietor of a food business in accordance with s.65 of the <i>Food Act 2008</i>. 2) Give a Certificate of Clearance, where inspection demonstrates compliance with a Prohibition Order and any Improvement Notices in accordance with s.66 of the <i>Food Act 2008</i>. 3) Give written notice to the 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 in accordance with s.67 of the <i>Food Act 2008</i>. 4) Grant, apply conditions, refuse, vary or cancel registration of a food business in accordance with s.110 and s.112 of the <i>Food Act 2008</i>. 5) Institute proceedings for an offence under the <i>Food Act 2008</i> in accordance with s.125 of the <i>Food Act 2008</i>.
Delegates	Chief Executive Officer Coordinator Environmental Health Environmental Health Officer Senior Environmental Health Officer

<p>Conditions</p>	<p>Delegation to:</p> <p>Chief Executive Officer</p> <ul style="list-style-type: none"> Institute proceedings for an offence under the <i>Food Act 2008</i> in accordance with s.125 of the <i>Food Act 2008</i>. <p>Coordinator Environmental Health</p> <p>Senior Environmental Health Officer</p> <ul style="list-style-type: none"> Serve a Prohibition Order on the proprietor of a food business in accordance with s.65 of the <i>Food Act 2008</i>. Give a Certificate of Clearance, where inspection demonstrates compliance with a Prohibition Order and any Improvement Notices in accordance with s.66 of the <i>Food Act 2008</i>. Give written notice to the 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 in accordance with s.67 of the <i>Food Act 2008</i>. Grant, apply conditions, refuse, vary or cancel registration of a food business in accordance with s.110 and s.112 of the <i>Food Act 2008</i>. <p>Environmental Health Officer</p> <ul style="list-style-type: none"> Grant and apply conditions for registration of medium risk food businesses, in accordance with s.110 and s.112 of the <i>Food Act 2008</i>. The risk category is determined using the modified WA Department of Health Risk Profiling tool. <p>Conditions and Exceptions:</p> <ul style="list-style-type: none"> In accordance with the requirements of the sections under which the function is to be performed. Any proceedings of an offence must be reported in accordance with s.121(2) of the <i>Food Act 2008</i>. <p>In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.</p>
<p>Express power to subdelegate</p>	<p><i>Food Act 2008:</i> s.118(4) Sub-delegation only permissible if expressly provided in Regulations.</p>

Record keeping	<p><i>Food Act 2008:</i></p> <ol style="list-style-type: none"> 1) s.121 Reports by and about enforcement agencies <ol style="list-style-type: none"> a) An enforcement agency (other than the CEO) must report to the CEO, at the intervals that the CEO requires, on the performance of functions under this Act by persons employed or engaged by the agency. b) In addition to any report required under subsection (1), an enforcement agency must forward to the CEO details of any proceedings for an offence under this Act taken by an officer of the agency within one month after the proceedings have been finally dealt with. 2) Any exercise of this delegation is to be recorded in the Delegated Authority Register.
Date adopted	24 June 2026
Adoption references	OCM118
Last reviewed	June 2026

Graffiti Vandalism Act 2016

Delegation	8.1.1 Graffiti Vandalism Act 2016 – Administration and Enforcement
Category	<i>Graffiti Vandalism Act 2016</i> Delegations
Delegator	Council
Express power to delegate	<i>Graffiti Vandalism Act 2016:</i> <i>s. 16 Delegation by local government</i>
Express power or duty delegated	<i>Graffiti Vandalism Act 2016:</i> <i>Part 3 Powers of local government</i>
Function	Authorised to exercise any of the City's powers or the discharge of any of its duties under the <i>Graffiti Vandalism Act 2016</i> .
Delegates	Chief Executive Officer
Conditions	Must be in accordance with the Graffiti and Vandalism Policy
Express power to subdelegate	<i>Graffiti Vandalism Act 2016:</i> <i>s. 17 Delegation by CEO of local government</i>
Record keeping	Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain.
Date adopted	24 June 2026
Adoption references	OCM118
Last reviewed	June 2026

Litter Act 1979

Delegation	9.1.1 Litter Act 1979 – Appointment of persons authorised to withdraw infringement notices
Category	<i>Litter Act 1979 Delegations</i>
Delegator	Council
Express power to delegate	<i>Litter Act 1979: s.30(4a) Appointed Person</i>
Express power or duty delegated	<i>Litter Act 1979: s.30(4) Withdrawal of infringement notice</i>
Function	To approve the withdrawal of infringement notices issued under the <i>Litter Act 1979</i> .
Delegates	Chief Executive Officer Director City Development and Sustainability Manager Essential Services
Conditions	<i>Litter Act 1979: s.30(4a) Withdrawal notice sent under s.30(4) shall be signed by a person appointed in writing to withdraw infringement notices.</i>
Express power to subdelegate	Nil. This authority is not to be sub-delegated.
Record keeping	Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain.
Date adopted	24 June 2026
Adoption references	OCM118
Last reviewed	June 2026

Public Health Act 2016

Delegation	10.1.1 Designate Authorised Officers – Public Health Act 2016
Category	Public Health Act 2016 Delegations
Delegator	Council
Express power to delegate	<p><i>Public Health Act 2016:</i></p> <p><i>s.21(1)(c) Enforcement agency may delegate Health (Miscellaneous Provisions) Act 1911</i></p> <p><i>s.26 Powers of Local Government</i></p> <p><i>s17(1) A local government may appoint one or more persons as Environmental Health Officers</i></p>
Express power or duty delegated	<p><i>Public Health Act 2016:</i></p> <p><i>s.21 Enforcement agency may delegate</i></p>
Function	<p>Authority to designate a person or class of persons as authorised officers for the purposes of:</p> <ul 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> <ul style="list-style-type: none"> a) an environmental health officer or environmental health officers as a class; OR b) a person who is not an environmental health officer or a class of persons who are not environmental health officers, OR c) a mixture of the two [s.24(1) and (3)]. <p>Authorise the Coordinator Environmental Health to exercise and discharge all or any of the powers and functions of the local government (enforcement agency).</p>

<p>Delegates</p>	<p>Chief Executive Officer Coordinator Environmental Health Environmental Health Officer Senior Environmental Health Officer</p> <p>Chief Executive Officer Authorised to appoint Environmental Health Officers subject to each person so appointed being:</p> <ol style="list-style-type: none"> 1) Appropriately qualified and experienced [s.25(1)(a)]; and 2) Issued with a certificate, badge or identity card identifying the authorised officer [s.30 and 31]. <p>Coordinator Environmental Health Not to expend funds for the carrying out of works in default of a notice served under this Act without separate budget approval by Council.</p> <p>Senior Environmental Health Officer Environmental Health Officer Regulation 10(2) of the <i>Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1976</i> – grant a permit to use the apparatus</p>
<p>Express power to subdelegate</p>	<p>Nil. This authority is not to be sub-delegated</p>
<p>Record keeping</p>	<p>Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain.</p>
<p>Date adopted</p>	<p>24 June 2026</p>
<p>Adoption references</p>	<p>OCM118</p>
<p>Last reviewed</p>	<p>June 2026</p>

Delegation	10.1.2 Authority to Appoint Approved and Authorised Officers for the Purposes of the <i>Criminal Procedure Act 2004</i>
Category	<i>Public Health Act 2016</i> Delegations
Delegator	Council
Express power to delegate	<i>Health (Miscellaneous Provisions) Act 1911:</i> s.26 A local government may appoint and authorise any person to exercise and discharge its powers and functions <i>Health (Asbestos) Regulations 1992.</i> r.15D(7) A local government may delegate a power or duty under this regulation to the chief executive officer of the local government.
Express power or duty delegated	<i>Health (Asbestos) Regulations 1992:</i> Regulation 15D(5) A local government may appoint persons or classes of persons to be authorised or approved officers for the purposes of the <i>Criminal Procedure Act 2004 Part 2.</i>
Function	Authority to appoint authorised and approved officers for the purposes of issuing and dealing with infringements under the <i>Criminal Procedure Act 2004 Part 2 s.6</i> in accordance with the requirements of the Regulations.
Delegates	Chief Executive Officer
Conditions	Subject to each person so appointed being issued with a certificate or identity card identifying the officer as a person authorised to issue infringement notices [r.15D(6)].
Express power to subdelegate	Nil. This authority is not to be sub-delegated
Record keeping	Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain.
Date adopted	24 June 2026
Adoption references	OCM118
Last reviewed	June 2026

Planning and Development Act 2005

Delegation	11.1.1 Subdivision and development control
Category	<i>Planning and Development Act 2005 Delegations</i>
Delegator	Council
Express power to delegate	<p><i>Planning and Development (Local Planning Schemes) Regulations 2015: Schedule 2 – Part 10 -r.82(1) Delegations by local government</i></p> <p><i>Planning and Development Act 2005, section 16(4) ‘Delegation by Commission’:</i></p> <ul style="list-style-type: none"> • <i>Del 2024/04 Powers of Local Governments (Mandogalup Improvement Scheme No. 1);</i> • <i>Del 2025/04 Powers of Local Governments Metropolitan Region Scheme; and</i> • <i>Del 2011/01 Powers of Local Governments (Hope Valley-Wattleup Redevelopment Act 2000 and the Hope Valley-Wattleup Master Plan).</i> <p><i>Local Government Act 1995, section 5.42 ‘Delegation of some powers and duties to CEO’:</i></p> <ul style="list-style-type: none"> • <i>Written directions under section 214(2) (3) and (5) of Planning and Development Act 2005.</i>
Express power or duty delegated	<ul style="list-style-type: none"> • <i>Planning and Development Act 2005</i> • <i>Town of Kwinana Town Planning Scheme No. 2</i> • <i>Town of Kwinana Town Planning Scheme No. 3</i> • <i>Metropolitan Region Scheme</i> • <i>Mandogalup Improvement Scheme No. 1</i> • <i>Hope Valley-Wattleup Redevelopment Act 2000 and the Hope Valley-Wattleup Master Plan</i>
Function	<p>Authority to:</p> <ol style="list-style-type: none"> 1) Exercise all powers and discharge all duties under <i>Local Planning Scheme No 2 and Town Planning Scheme No.3</i> and the <i>Planning and Development (Local Planning Scheme) Regulations 2015, Schedule 2, Deemed provisions for Local Planning Schemes;</i> 2) Exercise all powers and discharge all duties in accordance with the relevant Instrument of Delegation issued under the <i>Planning and Development Act 2005</i> for the: <ul style="list-style-type: none"> • <i>Metropolitan Region Scheme;</i>

	<ul style="list-style-type: none"> • Mandogalup Improvement Scheme No. 1; • Hope Valley-Wattleup Redevelopment Act 2000; and • Hope Valley-Wattleup Master Plan. <p>3) Make recommendations in respect of Subdivision Applications to the West Australian Planning Commission, including recommendations for the imposition of subdivision conditions, and clearing of conditions.</p> <p>4) Make recommendations to the WAPC or relevant agency on development applications where the WAPC or relevant agency is the determining authority.</p> <p>5) Give a written direction in accordance with s.214 of the <i>Planning and Development Act 2005</i> to the owner or any other person undertaking a development;</p> <p>Note: Despite the above delegated functions, the CEO may, upon the advice of the Director City Development and Sustainability, refer any development application, referral or planning matter to Council for determination where the CEO is of the opinion that there is broad public interest or strategic importance to the matter that a decision should be made by the Council.</p>
Delegates	Chief Executive Officer
Conditions	<p>The following conditions apply to the delegated functions:</p> <ol style="list-style-type: none"> 1. Determination of a development application to amend a development approval previously determined by Council where, in the opinion of the CEO or sub-delegate, the amendment is not of a minor nature and would substantially change the development approved. Any amendment to a development approval previously determined by Council must be preceded by a memo to Council outlining the proposed changes prior to determination 2. Determination of a development application within the Town Centre (Town Planning Scheme No. 3) that, in the opinion of the CEO or sub-delegate, is significant from a financial strategic or community perspective and should be determined by the Council 3. Determination of an application for a Local Development Plan (LDP) where an Elected Member has requested the matter be considered by Council. Elected Members are to be consulted in the form of a

<p>Policy</p> <p>Record keeping</p>	<p>memorandum prior to determination. An Elected Member request must be made in writing to the Director City Development and Sustainability within 3 business days of the memorandum being issued and must be approved by the Mayor.</p> <ol style="list-style-type: none"> 4. Determination of an invitation to reconsider a previous decision made by Council under s. 31 of the <i>State Administrative Tribunal Act 2005</i> in relation to an application under review. 5. Adopt, amend or revoke a Local Planning Policy. 6. Designation of a Heritage Area or adoption of Heritage List, including any amendments 7. Providing a report on a Structure Plan to the WAPC, including any amendments to an approved Structure Plan. 8. Approval of public art (including a public art report) where required by a condition of development approval will be determined only by the CEO, having regard to the recommendation of the City's Public Art Review Panel. 9. Determining an application for a 'Use Not Specified' under the Local Planning Scheme No 2. <p>Local planning policies adopted under the City's local planning schemes are applicable in the exercise of delegation</p> <p>Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain.</p>
<p>Date adopted</p>	<p>24 June 2026</p>
<p>Adoption references</p>	<p>OCM118</p>
<p>Last reviewed</p>	<p>June 2026</p>

Delegation	11.1.2 Determine applications pursuant to the requirements of Local Planning Policy (LPP) No 5 – Development Contribution towards Public Art
Category	<i>Planning and Development Act 2005 Delegations</i>
Delegator	Council
Express power to delegate	<i>Planning and Development (Local Planning Scheme) Regulations 2015: r.82 Delegations by local government</i>
Express power or duty delegated	<i>Planning and Development (Local Planning Scheme) Regulations 2015: r.3. Local planning policies In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.</i>
Function	Authorised to determine applications pursuant to the requirements of <i>Local Planning Policy (LPP) No 5 – Development Contribution towards Public Art.</i>
Delegates	Chief Executive Officer
Conditions	In accordance with <i>Local Planning Policy (LPP) No 5 - Development Contribution Towards Public Art</i> including consideration of the recommendation of the Review Panel.
Express power to subdelegate	Nil. This authority is not to be sub-delegated.
Policy	<u>City of Kwinana Policy</u> <i>Local Planning Policy No.5 - Development Contribution towards Public Art</i>
Record keeping	Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain.
Date adopted	24 June 2026
Adoption references	OCM118
Last reviewed	June 2026

Delegation	11.1.3 Illegal Development
Category	<i>Planning and Development Act 2005 Delegations</i>
Delegator	Council
Express power to delegate	<i>Local Government Act 1995:</i> <i>s.5.42(b) Delegation of some powers or duties to the CEO</i> <i>s.5.43 Limitations on delegations to the CEO</i>
Express power or duty delegated	<i>Planning and Development Act 2005:</i> <i>s.214(2), (3) and (5)</i>
Function	<ol style="list-style-type: none"> 1) 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; 2) Give a written direction to the owner or any other person who undertook an unauthorised development: <ol style="list-style-type: none"> 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. 3) 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.
Delegates	Chief Executive Officer
Conditions	In accordance with <i>Local Planning Policy (LPP) No 5 - Development Contribution Towards Public Art</i> including consideration of the recommendation of the Review Panel.
Express power to subdelegate	<i>Local Government Act 1995:</i> <i>s.5.44 CEO may delegate some powers and duties to other employees</i>

Record keeping	Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain.
Date adopted	24 June 2026
Adoption references	OCM118
Last reviewed	June 2026

Health (Miscellaneous Provisions) Act 1911

Delegation	12.1.1 <i>Health (Miscellaneous Provisions) Act 1911</i>
Category	<i>Health (Miscellaneous Provisions) Act 1911</i>
Delegator	Council
Express power to delegate	<i>Local Government Act 1995:</i> <i>s.5.42(b) Delegation of some powers or duties to the CEO</i> <i>s.5.43 Limitations on delegations to the CEO</i>
Express power or duty delegated	<i>Health (Miscellaneous Provisions) Act 1911;</i> s26 Powers of local government
Function	To be the Deputy of the City of Kwinana under the <i>Health (Miscellaneous Provisions) Act 1911</i> and in that capacity to exercise and discharge all or any of the powers and functions of the local government under that Act, regulations and local laws made under that Act.
Delegates	Chief Executive Officer
Conditions	The exercise of this authorisation must be consistent with the relevant legislation, and Council processes.
Express power to subdelegate	Nil
Record keeping	Any exercise of this delegation is to be recorded in the Delegated Authority Register via Attain.
Date adopted	24 June 2026
Adoption references	OCM118
Last reviewed	June 2026