

DA-055 Authorised Persons (Local Government Act)

Delegator: Council Process Owner: Chief Executive Officer		Delegation No. DA – 055 Last Review Date: 16 June 2020	
Description	Authority to appoint persons or classes of persons to be authorised to perform certain functions and exercise certain powers under the Local Government Act and regulations and local laws made thereunder.		
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> Section 9.10(1) – Appointment of authorised persons for the purposes of performing particular functions.		
Statutory Power to Delegate	<i>Local Government Act 1995</i> Section 5.42 - Delegation of some powers or duties to the CEO		
Delegated to	Chief Executive Officer		
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> Section 5.44 - CEO may delegate powers and duties to other employees		
Sub Delegated to:	All Directors for functions for which they are responsible Manager Neighbourhood Amenity for authorisation for the purposes of sections 3.39 and 3.40A(1) only Coordinator Rangers and Emergency Management for authorisation for the purposes of sections 3.39 and 3.40A(1) only		
Conditions on Delegation/Sub Delegation	Persons authorised must be issued with a certificate or card stating they are authorised in accordance with the requirements of Section 9.10(2)		
Compliance links	<i>Local Government Act 1995</i> Section 3.24 Authorising persons under this subdivision. Section 3.31(2) General procedure for entering property Section 3.39 Power to remove and impound Section 3.40(A)(1) Abandoned vehicle wreck may be taken Section 9.11 Persons to give name on demand Section 9.13 Onus of proof in vehicle offences may be shifted Section 9.16 Notice, giving to alleged offender Section 9.24 Prosecutions, commencing Section 9.49A(3)(b) Execution of documents		
Policy Reference	None		
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMIN – Delegated Authority – Exercises 5.119 P		
Period of Validity	Ongoing		
Substantive Amendments	Ordinary Meeting of Council	15 May 2007	C07/5007
Substantive Amendments	Ordinary Meeting of Council 13 May 2016 P16/3733 Amended to add delegation to designate authorised officers under s.24 of the Public Health Act 2016		
	Ordinary Meeting of Council	16 June 2020	M20/5749
	Amended to remove delegation under s.24 of the Public Health Act and transfer it to new instrument of delegation (DA-124) CEO 19 June 2020 Approved sub-delegations.		