Shire of Murray
Register of Delegated Authority

Adopted 18 June 2026 - D23/282

TABLE OF CONTENTS

INTRODUCTION 4
Introduction 4
DELEGATIONS 5
Part 1 - Delegations under Local Government Act 1995 5
Local Government Act 1995 5
1.1 - Administer and Enforce Shire of Murray Local Laws 5
1.2 - Determining Applications in Relation to the Access and Use of Shire Property 7
1.3 - Authorise a Person to Perform Specified Functions Under the Local Government Act 1995 8
1.4 - Powers of Entry 10
1.5 - Closing Certain Thoroughfares to Vehicles and Partial Closure of Thoroughfare for Repairs or Maintenance 11
1.6 - Obstruction of Footpaths and Thoroughfares 13
1.7 - Public Thoroughfare - Dangerous Excavations 15
1.8 - Crossovers - Construction, Repair and Removal 17
1.9 - Private Works On, Over or Under Public Places 18
1.10 - Reserves Under Control of Local Government 19
1.11 - Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift 20
1.12 - Extension of Time or Suspension of an Objection 21
1.13 - Disposal of Property 22
1.14 - Disposal of Confiscated or Uncollected Impounded Goods Including Abandoned Vehicles 26
1.15 - Defer, Waive, Grant a Concession or Write Off Debts 28
1.16 - Inviting Tenders and Expression of Interest and Procurement Exemptions 30
1.17 - Accept or Reject Tenders and Expressions of Interest, Varying Contracts, Exercising Contract Options 32
1.18 - Payments from Municipal Funds or Trust Funds 34
1.19 - Power to Invest and Manage Investments 35
1.20 - Agreement for Payment Arrangements for Unpaid Rates and Service Charges and Other Debtors 36
1.21 - Recovering of Rates, Service Charges and Other Debts 37
1.22 - Lessee to Pay Rent in Recovery of Rates and Service Charges 38
1.23 - Rate Record - Amendment 39
1.24 - Rate Record - Objection 40
Part 2 - Delegations under other Legislation 41
Building Act 2011 41
2.1 - Building Act 2011 - Appointment of Authorised Persons 41
2.2 - Building Act 2011 - Appointment of Approved Officers and Authorised Officers – Infringement Notices 42
2.3 - Building Act 2011 - Building and Demolition Permits 43
2.4 - Building Act 2011 - Occupancy Permits or Building Approval Certificates 45
2.5 - Building Act 2011 - Building Orders 46
2.6 - Building Act 2011 - Building Records 48
2.7 - Building Act 2011 - Private Swimming Pool Barriers 49
2.8 - Building Act 2011 - Smoke Alarms 50

Bush Fires Act 1954 51
3.1 - Bush Fires Act 1954 - Vary Prohibited and Restricted Burning Times 51
3.2 - Bush Fires Act 1954 - Appoint Bush Fire Control Officers and Fire Weather Officers 53
3.3 - Bush Fires Act 1954 - Control Activities 54
3.4 - Bush Fires Act 1954 - Enforcement 57
3.5 - Bush Fires Act 1954 - Direction by the Local Government to Control Bush Fire Risk 59
Cat Act 2011 61
4.1 - Cat Act 2011 - Powers, Duties and Functions of the Local Government 61
Dog Act 1976 63
5.1 - Dog Act 1976 - Powers, Duties and Function of the Local Government 63
Food Act 2008 66
6.1 - Food Act 2008 - Functions of an Enforcement Agency 66
6.2 - Food Act 2008 - Appointment of Authorised and Designated Officers 69
Graffiti Vandalism Act 2016 70
7.1 - Graffiti Vandalism Act 2016 - Powers, Duties and Functions of the Local Government 70
Health (Asbestos) Regulations 1992 72
8.1 - Health (Asbestos) Regulations 1992 - Appoint Authorised or Approved Officer 72
Planning and Development Act 2005 73
9.1 - Planning and Development Act 2005 - Illegal Development 73
9.2 - Planning and Development Act 2005 - Decisions Under the Local Planning Scheme 74
9.3 - Planning and Development Act 2005 - Subdivision of Land 75
Public Health Act 2016 76
10.1 - Public Health Act 2016 - Functions of an Enforcement Agency 76
10.2 - Public Health Act 2016 - Designate Authorised Officers 77
10.3 - Public Health Act 2016 - Enforcement Orders and Clearance Certificates 78

INTRODUCTION

Introduction

This Delegation Register (Register) is an essential component of Council's broad governance framework.

The aim of delegated authority is to assist with efficiency by providing the means for quicker decision making.

The *Local Government Act 1995* (Act) provides the power to directly delegate certain functions to the Chief Executive Officer (CEO). Other Acts administered by local governments also provide the powers of delegation and / or sub delegation to the CEO and other employees.

The Register outlines the powers, duties and functions delegated to the CEO and in some cases other employees, where specific to particular legislation.

Sub-delegations from the CEO to other employees or persons are operational and these are dealt with separately to the delegations detailed in this Register.

Review Requirements
In accordance with the requirements of section 5.46(2) of the Act, all delegations must be reviewed at least once every financial year. Absolute Majority is required for delegations.

Record Keeping
In accordance with the requirements of section 5.46(3) of the Act, a person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty. Other legislation that is subject of delegations in this Register also contains the same record keeping requirements.

DELEGATIONS

Part 1 - Delegations under Local Government Act 1995

Local Government Act 1995

Delegation	**1.1 Administer and Enforce Shire of Murray Local Laws**
Category	Part 1 - Delegations under Local Government Act 1995
Head of power	Local Government Act 1995
Delegator	Council
Express power to delegate	*Local Government Act 1995, s.5.42 Delegation of some powers and duties to CEO*
Express power or duty delegated	*Local Government Act 1995, s.3.18 Performing executive functions* *Local Government Act 1995, Sub-division 2 of division 2 of Part 3*
Function	Authority to administer and enforce the Shire of Murray Local Laws and to do all other things that are necessary or convenient to be done for, or in connection with, performing the functions of the local government under the Shire's Local Laws. ▪ Bush Fire Brigades Local Law 2024 ▪ Consolidated Local Law 1999 ▪ Extractive Industries Local Law 2021 ▪ Fencing Local Law 2012 ▪ Health Local Law 2018 ▪ Local Law Relating to Dogs 2007 ▪ Meeting Procedures Local Law 2015 ▪ Parking and Parking Facility Local Law 2008 ▪ Pinjarra Cemetery Local Law 2006 ▪ Waste Local Law 2016
Delegates	Chief Executive Officer
Conditions	The delegation may only be exercised in accordance with the Shire Local Laws and any associated policy or guidelines in force at the time and excludes decisions requiring a resolution by Council and any decision that may be made by a person authorised to do so.
Statutory framework	*Local Government Act 1995*
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting 18 June 2026 - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523
5 May 2026	Amended delegation	CEO Approved Memorandum - D26/20958	D26/20958
26 Jun 2026	Amended delegation	CEO Approved Memorandum - D26/29709	D26/29709

Delegation	**1.2 Determining Applications in Relation to the Access and Use of Shire Property**
Category	Part 1 - Delegations under Local Government Act 1995
Head of power	Local Government Act 1995
Delegator	Council
Express power to delegate	*Local Government Act 1995, s.5.42 Delegation of some powers and duties to CEO*
Express power or duty delegated	*Local Government Act 1995, Division 3 of Part 3*
Function	The authority to determine applications received by the Shire of Murray (Shire) to access, use or otherwise conduct activities on land or property that is owned by or vested with the Shire.
Delegates	Chief Executive Officer
Conditions	Nil
Statutory framework	*Local Government Act 1995* Shire of Murray Consolidated Local Law 1999
Policy	C4 - Consumption of Liquor on Council Property by Outside Users PS3 - Trading in Public Places
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/078

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523
5 May 2026	Amended delegation	CEO Approved Memorandum - D26/2958	D26/2958
26 Jun 2026	Amended delegation	CEO Approved Memorandum - D26/29709	D26/29709

Delegation	**1.3 Authorise a Person to Perform Specified Functions Under the Local Government Act 1995**
Category	Part 1 - Delegations under Local Government Act 1995
Head of power	Local Government Act 1995
Delegator	Council
Express power to delegate	*Local Government Act 1995, s.5.42 Delegation of some powers and duties to CEO*
Express power or duty delegated	*Local Government Act 1995, s.3.24 Authorising persons under this Subdivision* *Local Government Act 1995, s.3.25 Notices requiring certain things to be done by owner or occupier of land* *Local Government Act 1995, s.3.31 General procedure for entering property* *Local Government Act 1995, s.3.32 Notice of entry* *Local Government Act 1995, s.3.39 Power to remove and impound* *Local Government Act 1995, s.3.40A Abandoned vehicle wreck may be taken* *Local Government Act 1995, s.9.24 Prosecutions, commencing* *Local Government (Miscellaneous Provisions) Act 1960, s.449 Pounds, establishing; poundkeepers and rangers, appointing* *Local Government Act 1995, Division 3 of Part 3*
Function	Authority to authorise a person: 1. For the purposes of Part 3, Division 3, Subdivision 2 - Certain provisions about land - to exercise the Local Government's powers under s.3.25 to s.3.27 to issue and administer notices requiring certain things to be done by owner of occupier of land [s.3.24]. 2. To enter onto land, premises or thing without consent of the owner/occupier, unless the owner/occupier objects after a notice has been given under section 3.32 [s.3.31(2)]. 3. To remove and impound any goods including a vehicle, an animal or a temporary structure placed on land that is involved in a contravention that can lead to impounding [s.3.39(1)]. 4. To remove and impound a vehicle that has been determined as an abandoned vehicle wreck [s.3.40(1)]. 5. To commence prosecutions for offences under the *Local Government Act 1995* and any Local Laws under the *Local Government Act 1995* [s.9.24(1)(c) and (2)(b)]. 6. Who is a fit and proper persons as poundkeepers or rangers *Local Government (Miscellaneous Provisions) Act 1960* s.449].
Delegates	Chief Executive Officer
Conditions	When exercising the authority to authorise persons: • A register of Authorisations is to be maintained as a Local Government Record; • Only Persons who are appropriately qualified and trained may be appointed as Authorised Person for the purpose of these specified functions; and • Authorisations are to be provided in writing by issuing a Certificate of Authorisation.
Statutory framework	*Local Government Act 1995* *Local Government (Miscellaneous Provisions) Act 1960*
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523

Delegation	**1.4 Powers of Entry**
Category	Part 1 - Delegations under Local Government Act 1995
Head of power	Local Government Act 1995
Delegator	Council
Express power to delegate	*Local Government Act 1995, s.5.42 Delegation of some powers and duties to CEO*
Express power or duty delegated	*Local Government Act 1995, s.3.28. When this Subdivision applies* *Local Government Act 1995, s.3.32 Notice of entry* *Local Government Act 1995, s.3.33 Entry under warrant* *Local Government Act 1995, s.3.34 Entry in emergency* *Local Government Act 1995, s.3.36 Opening fences*
Function	Authority to: 1. Exercise powers of entry to enter onto land to perform any of the local government's functions under this Act [s 3.28]. 2. Give notice of entry [s.3.32]. 3. Seek and execute an entry under warrant [s.3.33]. 4. Execute entry in an emergency, using such force as is reasonable [s.3.34(1) and (3)]. 5. Give notice and effect entry by opening a fence [s.3.36].
Delegates	Chief Executive Officer
Conditions	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.
Statutory framework	*Local Government Act 1995*
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523
5 May 2026	Amended delegation	CEO Approved Memorandum - D26/20958	D26/20958
26 Jun 2026	Amended delegation	CEO Approved Memorandum - D26/29709	D26/29709

Delegation	**1.5 Closing Certain Thoroughfares to Vehicles and Partial Closure of Thoroughfare for Repairs or Maintenance**
Category	Part 1 - Delegations under Local Government Act 1995
Head of power	Local Government Act 1995
Delegator	Council
Express power to delegate	*Local Government Act 1995, s.5.42 Delegation of some powers and duties to CEO* *Local Government Act 1995, s.5.43 Limits on delegations to CEO*
Express power or duty delegated	Local Government Act 1995, s.3.50 Closing certain thoroughfares to vehicles *Local Government Act 1995 s.3.50A Partial closure of thoroughfare for repairs or maintenance* *Local Government Act 1995, s.3.51 Affected owners to be notified of certain proposals*
Function	Authority to: 1. Close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles for a period not exceeding 4-weeks [s.3.50(1)]. 2. Close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles for a period exceeding four (4) weeks [s.3.50(1a), (2) and (4)]. 3. Revoke an order to close a thoroughfare [s.3.50(6)]. 4. 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. Notify affected owners and occupiers and give public notice of a proposal to fix or alter the level or alignment of a thoroughfare or draining water from a thoroughfare, with reasonable time for submissions to be made and considered prior to determination. [s.3.51]
Delegates	Chief Executive Officer
Conditions	▪ Function 1 - Where practicable to do so, any proposal to close a thoroughfare should be advertised in advance of the closure. Where a thoroughfare is closed without advance public notice, local public notice of the closure is to occur as soon as practicable. ▪ Function 2 - Prior to a decision being made to close a thoroughfare, local public notice of the intentions and reasons for the closure should be undertaken. In addition, consideration of any submissions received should take place.
Statutory framework	*Local Government Act 1995, s. 3.50 – 3.51 set out the procedure and legislative requirements which must be followed when closing thoroughfares.*
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523

Delegation	**1.6 Obstruction of Footpaths and Thoroughfares**
Category	Part 1 - Delegations under Local Government Act 1995
Head of power	Local Government Act 1995
Delegator	Council
Express power to delegate	*Local Government Act 1995, s.5.42 Delegation of some powers and duties to CEO* *Local Government Act 1995, s.5.43 Limits on delegations to CEO*
Express power or duty delegated	*Local Government (Uniform Local Provisions) Regulations 1996, Reg.5 Interfering with, or taking from, local government land* *Local Government (Uniform Local Provisions) Regulations 1996, Reg.6 Obstruction of public thoroughfare by things placed and left — Sch. 9.1 cl. 3(1)(a)* *Local Government (Uniform Local Provisions) Regulations 1996, Reg.7A Obstruction of public thoroughfare by fallen things — Sch. 9.1 cl. 3(1)(b)* *Local Government (Uniform Local Provisions) Regulations 1996, Reg.7 Encroaching on public thoroughfare — Sch. 9.1 cl. 3(2)*
Function	Authority to: 1. 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: a. prevent damage to the footpath; or b. prevent inconvenience to the public or danger from falling materials [ULP r.5(2)]. 2. Provide permission including imposing appropriate conditions or to refuse to provide permission, for a person to place on a specified part of a public thoroughfare one or more specified things that may obstruct the public thoroughfare. [ULP r.6(2) and (4)]. 3. Renew permission to obstruct a thoroughfare and to vary any condition imposed on the permission effective at the time written notice is given to the person to whom permission is granted [ULP r.6(6)]. 4. 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 [ULP r.7A]. 5. Require an owner or occupier of land to remove any part of a structure, tree or plant that is encroaching, without lawful authority on a public thoroughfare [ULP r.7].
Delegates	Chief Executive Officer
Conditions	1. Actions under this Delegation must comply with procedural requirements detailed in the *Local Government (Uniform Local Provisions) Regulations 1996*. 2. Permission may be granted, where considered necessary, the following conditions are applied: a. Obtaining written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction. b. Provide 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. Provide evidence of sufficient Public Liability Insurance. d. Provide a pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.

Statutory framework	*Local Government Act 1995* *Local Government (Uniform Local Provisions) Regulations 1996* *Local Government (Administration) Regulations 1996*
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523

Delegation	**1.7 Public Thoroughfare - Dangerous Excavations**
Category	Part 1 - Delegations under Local Government Act 1995
Head of power	Local Government Act 1995
Delegator	Council
Express power to delegate	*Local Government Act 1995, s.5.42 Delegation of some powers and duties to CEO* *Local Government Act 1995, s.5.43 Limits on delegations to CEO*
Express power or duty delegated	*Local Government (Uniform Local Provisions) Regulations 1996, Reg.11 Dangerous excavation in or near public thoroughfare — Sch. 9.1 cl. 6*
Function	Authority to: 1. Determine if an excavation in or on land adjoining a public thoroughfare is dangerous and take action to fill it in or fence it, or request the owner or occupier in writing to fill it in or securely fence the excavation [ULP r11(1)] 2. Determine to give permission or refuse to give permission to make or make and leave an excavation in a public thoroughfare or land adjoining a public thoroughfare [ULP r11 (4)] 3. Impose conditions on granting permission [ULP r 11(6)] 4. Renew a permission granted or vary at any time, a condition imposed on a permission granted [ULP r 11(8)]
Delegates	Chief Executive Officer
Conditions	1. Actions under this Delegation must comply with procedural requirements detailed in the *Local Government (Uniform Local Provisions) Regulations 1996.* 2. Permission may be granted, where considered necessary, the following conditions are applied where: a. Obtain written permission from or entered into a legal agreement with each owner of adjoining or adjacent property which may be impacted by the proposed works. b. Provide a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public assets at the completion of works. c. Provide evidence of sufficient Public Liability Insurance. d. Provide pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.
Statutory framework	*Local Government Act 1995* *Local Government (Administration) Regulations 1996* *Local Government (Uniform Local Provisions) Regulations 1996*
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523

Delegation	**1.8 Crossovers - Construction, Repair and Removal**
Category	Part 1 - Delegations under Local Government Act 1995
Head of power	Local Government Act 1995
Delegator	Council
Express power to delegate	*Local Government Act 1995, s.5.42 Delegation of some powers and duties to CEO* *Local Government Act 1995, s.5.43 Limits on delegations to CEO*
Express power or duty delegated	*Local Government (Uniform Local Provisions) Regulations 1996, Reg.12(1) Crossing from public thoroughfare to private land or private thoroughfare — Sch. 9.1 cl. 7(2)* *Local Government (Uniform Local Provisions) Regulations 1996, Reg.13(1) Requirement to construct or repair crossing — Sch. 9.1 cl. 7(3)*
Function	Authority to 1. Approve or refuse to approve, applications for the construction of a crossing giving access from a public thoroughfare to land or private thoroughfare serving land [ULP r,12(1)]. 2. Determine the specifications for construction of crossings to the satisfaction of the Local Government [ULP r.12(1)(a)]. 3. Give notice to an owner or occupier of land requiring the person to construct or repair a crossing [ULP r.13(1)]. 4. 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 [ULP r.13(2)].
Delegates	Chief Executive Officer
Conditions	Actions under this Delegation must comply with procedural requirements detailed in the *Local Government (Uniform Local Provisions) Regulations 1996.*
Statutory framework	*Local Government Act 1995* *Local Government (Administration) Regulations 1996* *Local Government (Uniform Local Provisions) Regulations 1996*
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523

Delegation	**1.9 Private Works On, Over or Under Public Places**
Category	Part 1 - Delegations under Local Government Act 1995
Head of power	Local Government Act 1995
Delegator	Council
Express power to delegate	*Local Government Act 1995, s.5.42 Delegation of some powers and duties to CEO* *Local Government Act 1995, s.5.43 Limits on delegations to CEO*
Express power or duty delegated	*Local Government (Uniform Local Provisions) Regulations 1996, Reg.17 Private works on, over, or under public places — Sch. 9.1 cl. 8*
Function	Authority to: 1. Grant permission or refuse permission to construct a specified thing on, over, or under a specified public thoroughfare or public place that is local government property [ULP r.17(3)]. 2. Impose conditions on permission including those prescribed in r.17(5) and (6) [ULP r.17 (5)].
Delegates	Chief Executive Officer
Conditions	1. Actions under this Delegation must comply with procedural requirements detailed in the *Local Government (Uniform Local Provisions) Regulations 1996*. 2. Permission may be granted where considered necessary, the following conditions are applied: 1. 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. 2. Provide 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. 3. Provide evidence of sufficient Public Liability Insurance. 4. Provide pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.
Statutory framework	*Local Government Act 1995* *Local Government (Administration) Regulations 1996* *Local Government (Uniform Local Provisions) Regulations 1996*
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523

Delegation	**1.10 Reserves Under Control of Local Government**
Category	Part 1 - Delegations under Local Government Act 1995
Head of power	Local Government Act 1995
Delegator	Council
Express power to delegate	*Local Government Act 1995, s.5.42 Delegation of some powers and duties to CEO*
Express power or duty delegated	*Local Government Act 1995, s.3.54 Reserves under control of local government*
Function	Authority to do anything for the purpose of controlling and managing land under the control and management of the Shire that the Shire could do under s.5 of the *Parks and Reserves Act 1895.* *Parks and Reserves Act 1895, s.5 Boards' specific functions*
Delegates	Chief Executive Officer
Conditions	Limited to matters where the financial implications do not exceed a relevant and current budget allocation, and which do not create a financial liability in future budgets.
Statutory framework	*Local Government Act 1995* *Local Government (Administration) 1996* *Parks and Reserves Act 1895*
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523

Delegation	**1.11 Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift**
Category	Part 1 - Delegations under Local Government Act 1995
Head of power	Local Government Act 1995
Delegator	Council
Express power to delegate	*Local Government Act 1995, s.5.42 Delegation of some powers and duties to CEO* *Local Government Act 1995, s.5.43 Limits on delegations to CEO*
Express power or duty delegated	*Local Government (Uniform Local Provisions) Regulations 1996, Reg.21 Wind erosion and sand drifts — Sch. 9.1 cl. 12*
Function	Authority to give notice to a land owner or occupier if it is considered that clearing the owner or occupier's land may cause local government land with a common boundary, to be adversely affected by wind erosion or sand drift [ULP r.21(1)].
Delegates	Chief Executive Officer
Conditions	Nil
Statutory framework	*Local Government Act 1995* *Local Government (Administration) Regulations 1996* *Local Government (Uniform Local Provisions) Regulations 1996*
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523

Delegation	**1.12 Extension of Time or Suspension of an Objection**
Category	Part 1 - Delegations under Local Government Act 1995
Head of power	Local Government Act 1995
Delegator	Council
Express power to delegate	*Local Government Act 1995, s.5.42 Delegation of some powers and duties to CEO*
Express power or duty delegated	*Local Government Act 1995, s.9.5 Objection may be lodged* *Local Government Act 1995, s.9.9 Suspension of effect of decision*
Function	Authority to: 1. Allow further time to lodge an objection to a decision under 9.1 of the Act. [9.5(2) 2. Decide that the effect of a decision should not be suspended. [9.9(1)(b]
Delegates	Chief Executive Officer
Conditions	The delegate may only exercise this power if they consider that: a. there are urgent reasons why the effect of the decision should not be suspended; or b. suspension of the effect of the decision is reasonably likely to endanger the safety of any person, cause damage to property, or to create a serious public nuisance.
Statutory framework	*Local Government Act 1995*
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523

Delegation	**1.13 Disposal of Property**
Category	Part 1 - Delegations under Local Government Act 1995
Head of power	Local Government Act 1995
Delegator	Council
Express power to delegate	*Local Government Act 1995, s.5.42 Delegation of some powers and duties to CEO* *Local Government Act 1995, s.5.43 Limits on delegations to CEO*
Express power or duty delegated	*Local Government Act 1995, s.3.18 Performing executive functions* *Local Government Act 1995, s.3.43 Impounded non-perishable goods, court may confiscate* *Local Government Act 1995, s.3.58 Disposing of property* *Local Government Act 1995, s.9.49B Contract formalities* *Local Government (Functions and General) Regulations 1996, Reg.30 Dispositions of property excluded from Act s. 3.58*
Function	Authority to: 1. Dispose of property by public auction [s.3.58(2)(a)&(b)] 2. Dispose of property by private treaty after consideration of any submissions made [s.3.58(3)] 3. Dispose of property that is an exempt from s.3.58 in accordance with the regulations 30 (2)(a),(b),(d),(e),(f),(g) [s.3.58(5)(d)] 4. Negotiate the terms and conditions of a sale with the purchaser and enter into a contract of sale on behalf of the Shire [s.9.49B] 5. Dispose of property by lease, licence or other agreement related to disposal of property [s.3.58(3] 6. Negotiate the renewal, variation and termination of any lease, licence and any other agreement related to the disposal of property on behalf of the Shire [s.9.49B] 7. Dispose of property, that is land, for the specific circumstances of disposing of office space in the Food Innovation Precinct Innovation Centre to facilitate the activation of the Food Innovation Precinct, including any negotiations on behalf of the Shire [s.3.58(2)(a)&(b)] 8. Dispose of property other than land/buildings such as plant and equipment [F&G r.30 (3)]
Delegates	Chief Executive Officer
Conditions	**Function1 - 4: Disposal of the land by public auction, tender or private treaty** The following conditions relate to the disposition of land by public auction, tender or private treaty 1. Approve and determine the appropriate method to dispose of property in accordance with s3.58 of the *Local Government Act 1995*. 2. Disposal is limited to: ▪ Matters specified in the Annual Budget or in any other case, requires a specific resolution of Council; and ▪ Satisfies the conditions below: <u>Disposal by public auction [s.3.58(2(a)]</u> ▪ Reserve price has been set by independent valuer; ▪ Where the reserve price is not achieved at auction, negotiation may be undertaken to achieve the sale of no less than 90% of the set reserve price.

Disposal by public tender [s.3.58(2(b)]

- Where a tender does not achieve a reasonable price for the disposal of the property, then the Chief Executive Officer is to determine if better value could be achieved through another disposal method and if so, must determine not to accept any tender and use an alternative disposal method.

Disposal by private treaty [s.358(3)

- Negotiate the sale of the property up to no less than 90% of the valuation;
- Consider any public submissions received and determine if to proceed with the disposal ensuring that the reasons for such a decision are recorded.

Function 5 - 6: Disposal of the land or building assets by lease and license
The following conditions relate to the disposition of land by lease or license:

1. Approve and determine the appropriate method to dispose of property in accordance with s3.58 of the *Local Government Act 1995*.
2. Disposal of land is limited to (excluding the Food Innovation Precinct);
    1. Matters specified in the Annual Budget or in any other case, requires a specific resolution of Council; or
    2. Disposal of land is limited to a maximum value of $150,000 (including options);
    3. Disposal of residential tenancies is limited to a 12 month terms, in accordance with Council Policy - A13- Letting of Council Properties with the exception of Coopers Mill where a maximum period of five years applies; and
    4. Disposals must satisfy the conditions below:

Disposal by lease or licence to Exempt Entities [F&G r.30(2)(b)]

- The term and options to extend the term does not exceed a total of 10 years;
- Cannot exceed the lease period that the Shire holds the head lease, if applicable;
- No breach of the current agreement has occurred; and
- The conditions of the lease or licence is consistent with standard leasing practices of the Shire of Murray

Disposal by lease or licence to Commercial Entities [3.58(3)]

- The term and options to extend the term does not exceed a total 10 years;
- Cannot exceed the period that the Shire holds the head licence, if applicable;
- Rent aligns with current independent market valuation carried out no more than 2 years from the proposed licence commencement date; and
- The licence conditions are consistent with standard leasing and licencing practices of the Shire of Murray.

Assignment of Leases/Licences

- The assignee continues to meet all terms and conditions of the current lease/licence;
- No extension nor variation of the lease/licence is available;
- Relevant checks are conducted confirming the new business has no bankruptcy listed against the directors, or any court action pending; and
- The lease/licence is currently not in breach.

Sublease/ Sublicence (where the Shire is the sublessor or sublicensor)

- The head lessee/licensee remains fully responsible for terms and conditions of head lease/licence,
- The purpose of the sublease/ sublicence is consistent with purpose or similar purpose of the head lease/licence; and
- Term of sublease/sublicence does not exceed head lease/licence.

	Variations to leases/licences ▪ Only minor variations to the agreement may be considered where the value or scope of the lease/licence does not significantly change. Where considered necessary by the Chief Executive Officer, the variation will be referred to Council for decision. **Function 7: Food Innovation Precinct** ▪ The disposal of office space in the Food Innovation Precinct Innovation Centre to facilitate the activation of the Food Innovation Precinct is limited to the Chief Executive Officer. **Function 8: Disposal of property other than land** The following conditions relate to the disposition of property which is not land or building assets such as plant and equipment: ▪ Where the market value of the property is determined as being less than $20,000 (F&G r.30(3) excluding disposal); or ▪ The entire consideration received for the disposition is used to purchase other property, and where the total consideration for the other property is not more, or worth more, than $75 000; or ▪ Property that is not land or building assets (such as plant and equipment) with a total consideration of over $75,000 will be disposed of by public auction or public tender. ▪ Council has resolved to dispose of property other than land via Council resolution or in the Adopted Budget; ▪ Any disposal must be undertaken to ensure that the best value return is achieved; ▪ Any disposal of confiscated or uncollected goods or vehicles that have been ordered to be confiscated under s.3.43 [s.3.47] must be in accordance with delegation 1.15 Disposal of Confiscated or Uncollected Impounded Goods including Abandoned Vehicles; ▪ Where the property is determined as having a nil market value then, as a minimum, the disposal must ensure environmentally responsible disposal. All disposal of property must be carried out in accordance with the relevant Council Policy.
Statutory framework	*Local Government Act 1995* *Local Government (Functions and General) Regulations 1996*
Policy	G12 - Disposal of Property A13 – Letting of Council Properties
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523
21 Jul 2025	Amended delegation	CEO Approved Memorandum - D25/39387	D25/39387
5 May 2026	Amended delegation	CEO Approved Memorandum - D26/20958	D26/20958
26 Jun 2026	Amended delegation	CEO Approved Memorandum - D26/29709	D26/29709
10 Sep 2026	Amended delegation	CEO Approval - D26/42749	D26/42749
21 Sep 2026	Amended delegation	CEO Approval - D26/45010	D26/45010

Delegation	**1.14 Disposal of Confiscated or Uncollected Impounded Goods Including Abandoned Vehicles**
Category	Part 1 - Delegations under Local Government Act 1995
Head of power	Local Government Act 1995
Delegator	Council
Express power to delegate	*Local Government Act 1995, s.5.42 Delegation of some powers and duties to CEO*
Express power or duty delegated	*Local Government Act 1995, s.3.39 Power to remove and impound* *Local Government Act 1995, s.3.40A Abandoned vehicle wreck may be taken* *Local Government Act 1995, s.3.46 Goods may be withheld until costs paid* *Local Government Act 1995, s.3.47 Confiscated or uncollected goods, disposal of* *Local Government Act 1995, s.3.48 Impounding expenses, recovery of* *Local Government Act 1995, s.3.47A Sick or injured animals, disposal of* *Local Government (Functions and General) Regulations 1996, Reg.29A Abandoned vehicle wrecks, value etc. prescribed for (Act s. 3.40A(5)(c))*
Function	Authority to: 1. Declare that an impounded vehicle is an abandoned vehicle wreck in accordance with the provisions of section 3.40A [s.3.40A(4)]. 2. Refuse to allow goods impounded under s.3.39 or 3.40A to be collected until costs of removing, impounding and keeping them have been paid to the local government. [s.3.46]. 3. 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]. 4. Determine when an impounded animal is to be humanely destroyed due to illness or injury that is not practicable to treat [s.3.47A(1)]. 5. Recover expenses incurred from the removal, impounding and disposal of confiscated or uncollected goods [3.48].
Delegates	Chief Executive Officer
Conditions	• The disposal of confiscated or uncollected goods may be disposed on the timeframes prescribed in section 3.47 are met and in accordance with the 1.13 - Disposal of Property delegation. • Money received under s.3.47(5) must be credited to the Municipal Fund.
Statutory framework	*Local Government Act 1995* *Local Government (Functions and General) Regulations 1996*
Policy	G12 - Disposal of Property
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523
5 May 2026	Amended delegation	CEO Approved Memorandum - D26/20958	D26/20958
26 Jun 2026	Amended delegation	CEO Approved Memorandum - D26/29709	D26/29709

Delegation	**1.15 Defer, Waive, Grant a Concession or Write Off Debts**
Category	Part 1 - Delegations under Local Government Act 1995
Head of power	Local Government Act 1995
Delegator	Council
Express power to delegate	*Local Government Act 1995, s.5.42 Delegation of some powers and duties to CEO*
Express power or duty delegated	*Local Government Act 1995, s.6.12 Power to defer, grant discounts, waive or write off debts*
Function	Authority to: 1. Waive or defer a debt or grant a concession in relation to money owed to the Shire [s.6.12(1)(b)]. 2. Write off an amount of money which is owed to the Shire excluding rates and service charges [s.6.12(1)(c) and (2)].
Delegates	Chief Executive Officer
Conditions	• This delegation is subject to section 6.12(2) of the *Local Government Act 1995*, which specifies that a local government cannot grant a waiver or concession for a rate or service charge. The suspension of interest on rates may only be waived in accordance with Council Policy F10 – Rates Financial Hardship. • A waiver, write off, deferment or concession given under this delegation may only be granted to a maximum value of $10,000 per occurrence, except where the decision is due to an administrative error having been made by the Shire of Murray.
Statutory framework	*Local Government Act 1995*
Policy	C10 - Waiver of Fees and Charges – Venue Bookings F10 - Rates Financial Hardship
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523
31 Jul 2025	Amended delegation	CEO Approved Memorandum - D25/29026	D25/29026
5 May 2026	Amended delegation	CEO Approved Memorandum - D26/20958	D26/20958
26 Jun 2026	Amended delegation	CEO Approved Memorandum - D26/29709	D26/29709
10 Sep 2026	Amended delegation	CEO Approval - D26/42749	D26/42749

Delegation	**1.16 Inviting Tenders and Expression of Interest and Procurement Exemptions**
Category	Part 1 - Delegations under Local Government Act 1995
Head of power	Local Government Act 1995
Delegator	Council
Express power to delegate	*Local Government Act 1995, s.5.42 Delegation of some powers and duties to CEO*
Express power or duty delegated	*Local Government Act 1995, 3.57 Tenders for providing goods or services* *Local Government (Functions and General) Regulations 1996, Reg.11 When tenders have to be publicly invited* *Local Government (Functions and General) Regulations 1996, Reg.13 Requirements when local government invites tenders though not required to do so* *Local Government (Functions and General) Regulations 1996, Reg.14 Publicly inviting tenders, requirements for* *Local Government (Functions and General) Regulations 1996, Reg.21 Limiting who can tender, procedure for*
Function	Authority to: 1. Call tenders [F&G r.11(1)]. 2. Undertake tender exempt procurement [F&G.r.11(2)]. 3. Determine to contract directly with a suitable supplier, 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 [F&G.r.11(2)(f)]. 4. Invite tenders although not required to do so [F&G r.13]. 5. Determine in writing, before tenders are called, the criteria for acceptance of tenders [F&G r.14(2a)]. 6. Determine the information that is to be disclosed to those interested in submitting a tender [F&G r.14(4)(a)]. 7. 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 [F&G r.14(5)]. 8. Determine when to seek Expressions of Interest and to invite Expressions of Interest for the supply of goods or services [F&G r.21]. 9. Consider Expressions of Interest which have not been rejected and determine those which are capable of satisfactorily providing the goods or services, for listing as acceptable tenderers [F&G r.23]
Delegates	Chief Executive Officer
Conditions	▪ Tenders, Procurement Exempt Tenders or Expressions of Interest may only be called where there is an adopted budget for the proposed goods or services, unless: ◦ the value of the proposed contract has been included in the draft Annual Budget for adoption; and ◦ The tender specification includes a provision that the tender will only be awarded subject to the budget adoption by Council. ▪ Function 3 - may only be undertaken where evidence is provided to demonstrate market testing has not met the specification and rationale for why the supply is unique and cannot be sourced through other suppliers. Where a contract is required under this function and the expected value of the contract exceeds $500,000 the determination is to be referred to Council.

Statutory framework	*Local Government Act 1995* *Local Government (Functions and General) Regulations 1996*
Policy	G11 - Purchasing
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	

Delegation	**1.17 Accept or Reject Tenders and Expressions of Interest, Varying Contracts, Exercising Contract Options**
Category	Part 1 - Delegations under Local Government Act 1995
Head of power	Local Government Act 1995
Delegator	Council
Express power to delegate	*Local Government Act 1995, s.5.43 Limits on delegations to CEO* *Local Government Act 1995, s.5.42 Delegation of some powers and duties to CEO*
Express power or duty delegated	*Local Government (Functions and General) Regulations 1996, Reg.11 When tenders have to be publicly invited* *Local Government (Functions and General) Regulations 1996, Reg.18 Rejecting and accepting tenders* *Local Government (Functions and General) Regulations 1996, Reg.23 Rejecting and accepting expressions of interest to be acceptable tenderer* *Local Government (Functions and General) Regulations 1996, Reg.20 Variation of requirements before entry into contract* *Local Government (Functions and General) Regulations 1996, Reg.21A Varying a contract for the supply of goods or services*
Function	Authority to 1. Determine whether or not to reject tenders that do not comply with requirements as specified in the invitation to tender and seek clarification, if necessary, from tenderer in relation to information in the tender submission r.18(2), (4a). 2. Consider the written evaluation of the tender and determine the most advantageous r.18(4). 3. Decline to accept any tender r.18(5). 4. Accept the next most advantageous tender, where after 6-months of either accepting a tender and a contract has not been entered into, or the successful tenderer agrees to terminate the contract r.18(6) & (7). 5. 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 [F&G r.20(1) and (3)]. 6. Vary a tendered contract, after 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 or increase the contract value beyond 10% of the contract and in accordance with Council Policy – Purchasing [F&G r.21A(a)]. 7. 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	▪ Function 2, 3 and 4 are limited to the Chief Executive Officer and in accordance with s.5.43(b), the total consideration under the resulting contract including options is limited to $500,000 (excluding GST). Where the contract value is expected to be higher then outcome is to be determined by Council. ▪ Where a decision to vary a tendered contract before or after entering the contract, evidence of the variation is necessary and must not change the scope of the contract.
Statutory framework	*Local Government Act 1995* *Local Government (Functions and General) Regulations 1996*
Policy	G11 - Purchasing

Date adopted	18 March 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523

Delegation	**1.18 Payments from Municipal Funds or Trust Funds**
Category	Part 1 - Delegations under Local Government Act 1995
Head of power	Local Government Act 1995
Delegator	Council
Express power to delegate	*Local Government Act 1995, s.5.42 Delegation of some powers and duties to CEO*
Express power or duty delegated	*Local Government Act 1995, s.6.10(d) Financial management regulations* *Local Government (Financial Management) Regulations 1996, Reg.12 Payments from municipal fund or trust fund, restrictions on making*
Function	Authority to make payments from the Municipal Fund or the Trust Funds in accordance with Regulation 12 of the *Local Government (Financial Management) Regulations 1996.*
Delegates	Chief Executive Officer
Conditions	Nil
Statutory framework	*Local Government Act 1995* *Local Government (Financial Management) Regulations 1996*
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523
21 Jul 2025	Amended delegation	CEO Approved Memorandum - D25/39387	D25/39387
26 Jun 2026	Amended delegation	CEO Approved Memorandum - D26/29709	D26/29709

Delegation	**1.19 Power to Invest and Manage Investments**
Category	Part 1 - Delegations under Local Government Act 1995
Head of power	Local Government Act 1995
Delegator	Council
Express power to delegate	*Local Government Act 1995, s.5.42 Delegation of some powers and duties to CEO*
Express power or duty delegated	*Local Government Act 1995, s.6.14 Power to invest* *Local Government (Financial Management) Regulations 1996, Reg.19C Investment of money, restrictions on (Act s. 6.14(2)(a))*
Function	Authority to invest money held in the Municipal Fund or Trust Fund that is not, for the time being, required for any other purpose in accordance with Regulation 19C of the Regulations and Council Policy F2 - Investment of Funds.
Delegates	Chief Executive Officer
Statutory framework	*Local Government Act 1995* *Local Government (Financial Management) Regulations 1997* *Trustees Act 1962*
Policy	Council Policy F2 - Investment of Funds.
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523
21 Jul 2025	Amended delegation	CEO Approved Memorandum - D25/39387	D25/39387
26 Jun 2026	Amended delegation	CEO Approved Memorandum - D26/29709	D26/29709

Delegation	**1.20 Agreement for Payment Arrangements for Unpaid Rates and Service Charges and Other Debtors**
Category	Part 1 - Delegations under Local Government Act 1995
Head of power	Local Government Act 1995
Delegator	Council
Express power to delegate	*Local Government Act 1995, s.5.42 Delegation of some powers and duties to CEO*
Express power or duty delegated	*Local Government Act 1995, s.6.49 Agreement as to payment of rates and service charges*
Function	Authority to accept an alternative payment of a rates, service charges or other debts due and payable to the Shire of Murray. [s.6.49]
Delegates	Chief Executive Officer
Conditions	Decisions under this delegation must comply with Council Policy - F10 Rates Financial Hardship and F6 Debt Collection.
Statutory framework	*Local Government Act 1995*
Policy	F10 Rates Financial Hardship F6 Debt Collection.
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523
21 Jul 2025	Amended delegation	CEO Approved Memorandum - D25/39387	D25/39387
26 Jun 2026	Amended delegation	CEO Approved Memorandum - D26/29709	D26/29709

Delegation	**1.21 Recovering of Rates, Service Charges and Other Debts**
Category	Part 1 - Delegations under Local Government Act 1995
Head of power	Local Government Act 1995
Delegator	Council
Express power to delegate	*Local Government Act 1995, s.5.42 Delegation of some powers and duties to CEO*
Express power or duty delegated	*Local Government Act 1995, s.6.56 Rates or service charges recoverable in court* *Local Government Act 1995, s.6.64 Actions to be taken* *Local Government (Financial Management) Regulations 1996, Reg.72 Notification prescribed (Act s. 6.64(2))*
Function	Authority to: 1. Recover rates or service charges, as well as costs of proceedings for the recovery, in a court of competent jurisdiction [s.6.56(1)]. 2. 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)].
Delegates	Chief Executive Officer
Conditions	Nil
Statutory framework	*Local Government Act 1995* *Local Government (Financial Management) Regulations 1996*
Policy	Policy F6 Debt Collection
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523
21 Jul 2025	Amended delegation	CEO Approved Memorandum - D25/39387	D25/39387
26 Jun 2026	Amended delegation	CEO Approved Memorandum - D26/29709	D26/29709

Delegation	**1.22 Lessee to Pay Rent in Recovery of Rates and Service Charges**
Category	Part 1 - Delegations under Local Government Act 1995
Head of power	Local Government Act 1995
Delegator	Council
Express power to delegate	*Local Government Act 1995, s.5.42 Delegation of some powers and duties to CEO*
Express power or duty delegated	*Local Government Act 1995, s.6.60 Local government may require lessee to pay rent*
Function	Authority to: 1. 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 Shire of Murray [s 6.60(2)] 2. Recover the amount of the rate or service charge as a debt from the lessee if rent is not paid in accordance with the notice [s6.60(4)]
Delegates	Chief Executive Officer
Conditions	Nil
Statutory framework	*Local Government Act 1995*
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523
21 Jul 2025	Amended delegation	CEO Approved Memorandum - D25/39387	D25/39387
26 Jun 2026	Amended delegation	CEO Approved Memorandum - D26/29709	D26/29709

Delegation	**1.23 Rate Record - Amendment**
Category	Part 1 - Delegations under Local Government Act 1995
Head of power	Local Government Act 1995
Delegator	Council
Express power to delegate	*Local Government Act 1995, s.5.42 Delegation of some powers and duties to CEO*
Express power or duty delegated	*Local Government Act 1995, s.6.39 Rate record* *Local Government Act 1995, s6.40 Effect of amendment of rate record*
Function	Authority to: 1. Determine any requirement to amend the rate record for the 5-years preceding the current financial year [s.6.39(2)(b)]. 2. Give effect to an amendment to a rate record for rates and or services charges including but not limited to [6.40]: a. reassessment of rates payable b. give notice of change to charges, c. make a refund for overpayment if requested by the current owner, or d. allow a credit against future liabilities and e. increase the rates to which section 6.44 applies.
Delegates	Chief Executive Officer
Conditions	Delegates must comply with the requirements of s.6.40 of the Act.
Statutory framework	*Local Government Act 1995*
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523
21 Jul 2025	Amended delegation	CEO Approved Memorandum - D25/39387	D25/39387
26 Jun 2026	Amended delegation	CEO Approved Memorandum - D26/29709	D26/29709

Delegation	**1.24 Rate Record - Objection**
Category	Part 1 - Delegations under Local Government Act 1995
Head of power	Local Government Act 1995
Delegator	Council
Express power to delegate	*Local Government Act 1995, s.5.42 Delegation of some powers and duties to CEO*
Express power or duty delegated	*Local Government Act 1995, s.6.76 Grounds of objection*
Function	Authority to: 1. Extend the time for a person to make an objection to a rate record [s.6.76(4)] 2. 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	A delegate who has participated in any matter contributing to a decision related to the rate record, which is the subject of a Rates Record Objection, must not be party to any determination under this Delegation.
Statutory framework	*Local Government Act 1995*
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523
21 Jul 2025	Amended delegation	CEO Approved Memorandum - D25/39387	D25/39387
26 Jun 2026	Amended delegation	CEO Approved Memorandum - D26/29709	D26/29709

Part 2 - Delegations under other Legislation

Building Act 2011

Delegation	**2.1 Building Act 2011 - Appointment of Authorised Persons**
Category	Part 2 - Delegations under other Legislation
Head of power	Building Act 2011
Delegator	Council
Express power to delegate	*Building Act 2011, s.127 Delegation: special permit authorities and local governments*
Express power or duty delegated	*Building Act 2011, s.96* Authorised persons *Building Act 2011, s.99 Limitation on powers of authorised person* *Building Act 2011, s.133(1) Prosecutions*
Function	Authority to: 1. Appoint authorised persons and/or revoke appointment of authorised persons for the purposes of the *Building Act 2011* and *Building Regulations 2012* [s.96, s99]. 2. Authorise a person to commence a prosecution for an offence against the *Building Act 2011* [s.133(1)(b)].
Delegates	Chief Executive Officer
Conditions	Prior to a person authorised commencing a prosecution for an offence against the *Building Act 2011* the person authorised must consult with the Chief Executive Officer.
Statutory framework	*Building Act 2011* *Building Regulations 2012* *Local Government Act 1995*
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523

Delegation	**2.2 Building Act 2011 - Appointment of Approved Officers and Authorised Officers – Infringement Notices**
Category	Part 2 - Delegations under other Legislation
Head of power	Building Act 2011
Delegator	Council
Express power to delegate	*Building Act 2011, s.127 Delegation: special permit authorities and local governments*
Express power or duty delegated	*Building Regulations 2012, Reg.70 Approved officers and authorised officers*
Function	Authority to 1. Appoint an Authorised Officer for the purposes of s.6(b) of the *Criminal Procedure Act 2004*, in accordance with Building Regulation 70(2) to issue a notice [r.70(2)] 2. Appoint a specified employee as an Approved Officer for the purposes of s.6(a) of the *Criminal Procedure Act 2004*, in accordance with Building Regulation 70(1) and (1A) to extend time or withdraw an infringement notice [r.70(1)(1A)].
Delegates	Chief Executive Officer
Conditions	An Approved Officer cannot be appointed as an Authorised Officer.
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523

Delegation	**2.3 Building Act 2011 - Building and Demolition Permits**
Category	Part 2 - Delegations under other Legislation
Head of power	Building Act 2011
Delegator	Council
Express power to delegate	*Building Act 2011, s.127 Delegation: special permit authorities and local governments*
Express power or duty delegated	*Building Act 2011, s.17 Uncertified application to be considered by building surveyor* *Building Act 2011, s.18 Further information* *Building Act 2011, s.20 Grant of building permit* *Building Act 2011, s.21 Grant of demolition permit* *Building Act 2011, s.22 Further grounds for not granting an application* *Building Act 2011, s.23 Time for deciding application for building or demolition permit* *Building Act 2011, s.27 Conditions imposed by permit authority* *Building Regulations 2012, Reg.23 Application to extend time during which permit has effect (s. 32)* *Building Regulations 2012, Reg.24 Extension of time during which permit has effect (s. 32(3))* *Building Regulations 2012, Reg.26 Approval of new responsible person (s. 35(c))* *Building Act 2011, s.145A Local government functions*
Function	Authority to: 1. Require an applicant to provide any documentation or information required to determine a building permit application and refuse if applicant does not comply [s.18(1)(2)]. 2. Grant or refuse to grant a building permit or demolition permit [s.20(1) & (2), s.21 and s.22]. 3. Impose, vary or revoke conditions on a building or demolition permit [s.27(1) and (3), 88(3)]. 4. Extend time during which a building or demolition permit has effect [r.23]. Subject to being satisfied that work for which the building permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)]. 5. Impose any condition on the building permit extension that could have been imposed under s.27 [r.24(2)]. 6. Refund an application fee if no decision is made within the time for deciding [s23(4)(5)] 7. Approve, or refuse to approve, an application for a new responsible person for a building or demolition permit [r.26]. 8. Refer uncertified applications under s.17(1) to building surveyor who is not employed by the Shire of Murray [s.145A(1)].
Delegates	Chief Executive Officer
Statutory framework	*Building Act 2011* *Building Regulations 2012* *Local Government Act 1995* *Local Government (Administration) Regulations 1996*
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523
10 Sep 2025	Amended delegation	CEO Approved Memorandum - D25/35101	D25/35101

Delegation	**2.4 Building Act 2011 - Occupancy Permits or Building Approval Certificates**
Category	Part 2 - Delegations under other Legislation
Head of power	Building Act 2011
Delegator	Council
Express power to delegate	*Building Act 2011, s.127 Delegation: special permit authorities and local governments*
Express power or duty delegated	*Building Act 2011, s.55 Further information* *Building Act 2011, s.58 Grant of occupancy permit, building approval certificate* *Building Act 2011, s.62 Conditions imposed by permit authority* *Building Act 2011, s.65 Extension of period of duration* *Building Regulations 2012, Reg.40 Extension of period of duration of time limited occupancy permit or building approval certificate (s. 65)*
Function	Authority to 1. Require an applicant to provide any documentation or information required in order to determine an application [s.55]. 2. Grant, refuse to grant or to modify an occupancy permit or building approval certificate [s.58] 3. Impose, add, vary or revoke conditions on an occupancy permit or building approval certificate [s.62(1) and(3)]. 4. Extend, or refuse to extend, the period in which an occupancy permit or modification or building approval certificate has effect [s.65(4) and r.40].
Delegates	Chief Executive Officer
Conditions	Nil
Statutory framework	*Building Act 2011* *Building Regulations 2012* *Building Code Australia*
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523
10 Sep 2025	Amended delegation	CEO Approved Memorandum - D25/35101	D25/35101

Delegation	**2.5 Building Act 2011 - Building Orders**
Category	Part 2 - Delegations under other Legislation
Head of power	Building Act 2011
Delegator	Council
Express power to delegate	*Building Act 2011, s.127 Delegation: special permit authorities and local governments*
Express power or duty delegated	*Building Act 2011, s.110 Building orders* *Building Act 2011, s.111 Notice of proposed building order other than building order (emergency)* *Building Act 2011, s.117 Revocation of building order* *Building Act 2011, s.118 Permit authority may give effect to building order if non-compliance*
Function	Authority to: 1. Make Building Orders in relation to: a. Building work b. Demolition work c. An existing building or incidental structure [s.110(1)]. 2. Give notice of a proposed building order and consider submissions received in response and determine actions [s.111(1)(c)] 3. Revoke a building order [s.117]. 4. If there is non-compliance with a building order, authority to cause an authorised person to: a. take any action specified in the order; or b. commence or complete any work specified in the order; or c. if any specified action was required by the order to cease, to take such steps as are reasonable to cause the action to cease [s.118(2)]. 5. Take court action to recover as a debt, reasonable costs and expense incurred in doing anything in regard to non-compliance with a building order [s.118(3)].
Delegates	Chief Executive Officer
Conditions	Nil
Statutory framework	*Building Act 2011* *Building Regulations 2012*
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523
10 Sep 2025	Amended delegation	CEO Approved Memorandum - D25/35101	D25/35101

Delegation	**2.6 Building Act 2011 - Building Records**
Category	Part 2 - Delegations under other Legislation
Head of power	Building Act 2011
Delegator	Council
Express power to delegate	*Building Act 2011, s.127 Delegation: special permit authorities and local governments*
Express power or duty delegated	*Building Act 2011, s.131 Inspection, copies of building records*
Function	Authority to 1. Determine an application from an interested person to inspect and copy a building record [s.131(2)]. 2. Provide the prescribe information for inclusion in the annual report submitted under the Financial Management Act 2006 Part 5 by the accountable authority, as defined in section 3 of that Act, of the Department as defined in the *Building Services (Complaint Resolution and Administration) Act 2011* section 3 and provide a record or information requested by the Building Commissioner [s.132, r.14].
Delegates	Chief Executive Officer
Conditions	Nil
Statutory framework	*Building Act 2011* *Building Regulations 2012* *Building Code of Australia*
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523
10 Sep 2025	Amended delegation	CEO Approved Memorandum - D25/35101	D25/35101

Delegation	**2.7 Building Act 2011 - Private Swimming Pool Barriers**
Category	Part 2 - Delegations under other Legislation
Head of power	Building Act 2011
Delegator	Council
Express power to delegate	*Building Act 2011, s.127 Delegation: special permit authorities and local governments*
Express power or duty delegated	*Building Regulations 2012, Reg.51 Approvals by permit authority*
Function	Authority to: 1. Approve requirements for an alternative to a fence, wall, gate or other component included in the barrier, if satisfied that the alternative requirements will restrict access by young children as effectively as if there were compliant with AS 1926.1 [r.51(2)] 2. Approve a door for the purposes of compliance with AS 1926.1, where a fence or barrier would cause significant structural or other problem which is beyond the control of the owner / occupier or the pool is totally enclosed by a building or a fence or barrier between the building and pool would create a significant access problem for a person with a disability [r.51(3)]. 3. Approve a performance solution to a Building Code pool barrier requirement if satisfied that the performance solution complies with the relevant performance requirement [r.51 (5)].
Delegates	Chief Executive Officer
Conditions	Nil
Statutory framework	*Building Act 2011* *Building Regulations 2012* Building Code of Australia
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523
10 Sep 2025	Amended delegation	CEO Approved Memorandum - D25/35101	D25/35101

Delegation	**2.8 Building Act 2011 - Smoke Alarms**
Category	Part 2 - Delegations under other Legislation
Head of power	Building Act 2011
Delegator	Council
Express power to delegate	*Building Act 2011, s.127 Delegation: special permit authorities and local governments*
Express power or duty delegated	*Building Regulations 2012, s.55 Terms used (alternative building solutions approval)* *Building Regulations 2012, r.61 Local Government approval of battery powered smoke alarms*
Function	Authority to 1. Approve or refuse to approve a battery powered smoke alarm and to determine the form of an application for such approval [r.61]. 2. Approve alternative building solutions which meet the performance requirement of the Building Code relating to fire detection and early warning [r.55].
Delegates	Chief Executive Officer
Conditions	Nil
Statutory framework	*Building Act 2011* *Building Regulations 2012*
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523
10 Sep 2025	Amended delegation	CEO Approved Memorandum - D25/35101	D25/35101

Bush Fires Act 1954

Delegation	**3.1 Bush Fires Act 1954 - Vary Prohibited and Restricted Burning Times**
Category	Part 2 - Delegations under other Legislation
Head of power	Bush Fires Act 1954
Delegator	Council
Express power to delegate	*Bush Fires Act 1954, s.48 Delegation by local governments* *Bush Fires Act 1954, s.17 Prohibited Burning Times may be Declared by the Minister*
Express power or duty delegated	*Bush Fires Act 1954, s.17 Prohibited Burning Times may be Declared by the Minister* *Bush Fires Act 1954 s. 18(5) and (5C) Variation to restricted burning times* *Bush Fires Regulations 1954, Reg.15 Permit to burn (Act s. 18), form of and applying for after refusal etc.* *Bush Fires Regulations 1954, r.15C Local Government may prohibit burning on certain days* *Bush Fires Regulations 1954, Reg.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times* *Bush Fires Regulations 1954, Reg.39B Crop dusters etc., use of in restricted or prohibited burning times*
Function	Authority to: 1. Where seasonal conditions warrant it, to determine a variation of the prohibited burning times, after consultation with an authorised *Conservation and Land Management Act 1984* officer (DBCA Officer) [s.17(7)] 2. Where seasonal conditions warrant it, to determine to vary the restricted burning times in respect of that year, and after consultation with an authorised CALM Act officer (DBCA Officer) [s.18(5)].
Delegates	Chief Bush Fire Control Officer Chief Executive Officer Shire President
Conditions	• Function 1, to vary prohibited burning times under s,17(7) must only be undertaken jointly by both the President and the Chief Bush Fire Control Officer and must comply with the procedural requirements of s.17(7B) and (8). • Consultation with the Chief Executive Officer and DBCA is required before any variation occurs.
Statutory framework	*Bush Fires Act 1954* *Bush Fires Regulations 1954*
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523

Delegation	**3.2 Bush Fires Act 1954 - Appoint Bush Fire Control Officers and Fire Weather Officers**
Category	Part 2 - Delegations under other Legislation
Head of power	Bush Fires Act 1954
Delegator	Council
Express power to delegate	*Bush Fires Act 1954, s.48 Delegation by local governments*
Express power or duty delegated	*Bush Fires Act 1954, s.38 Local government may appoint bush fire control officer*
Function	Authority to: 1. Appoint persons to be Bush Fire Control Officers for the purposes of the *Bush Fires Act 1954*; and a. Of those Officers, appoint one as the Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer/s; and b. Determine the respective seniority of the other Bush Fire Officers so appointed [s.38(1)]. 2. Appoint a Fire Weather Officer, selected from senior Bush Fire Control Officers previously appointed and where more than one Fire Weather Officer is appointed, define the art of the district each Officer will have power over and seniority s.38(17). [s.38(8) and (9)] [s.38(10)].
Delegates	Chief Executive Officer
Conditions	Nil.
Statutory framework	*Bush Fires Act 1954*
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523
18 Jun 2026	Amended delegation	Council Decision - OCM26/069	OCM26/069

Delegation	**3.3 Bush Fires Act 1954 - Control Activities**
Category	Part 2 - Delegations under other Legislation
Head of power	Bush Fires Act 1954
Delegator	Council
Express power to delegate	*Bush Fires Act 1954, s.48 Delegation by local governments*
Express power or duty delegated	*Bush Fires Act 1954, s.18(5), (11) Restricted burning times may be declared by FES Commissioner* *Bush Fires Act 1954, s.22(6) and (7) Burning on exempt land and land adjoining exempt land* *Bush Fires Act 1954, s.27 Prohibition on use of tractors or engines except under certain conditions* *Bush Fires Act 1954, s.28 Occupier of land to extinguish bush fire occurring on own land* *Bush Fire Regulations 1954, Reg.15Permit to burn (Act s. 18), form of and applying for after refusal etc.* *Bush Fires Act 1954, r.15C Local Government may prohibit burning on certain days* *Bush Fire Regulations 1954, Reg.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times* *Bush Fire Regulations 1954, Reg.39BCrop dusters etc., use of in restricted or prohibited burning times*

Function	**Control Activities during Prohibited Burning Times** Where direction from the local government is required, the delegate has authority to: 1. Determine permits to burn during prohibited burning times that have previously been refused by a Bush Fire Control Officer [r.15]. 2. Declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C]. 3. Determine, during a Prohibited Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B(2)]. 4. Issue directions, during a Prohibited Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)]. 5. Prohibit the use of tractors, engines or self-propelled harvester, during a Prohibited Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)]. 6. Recover the cost of measures taken by the Shire of Murray or Bush Fire Control Officer, to extinguish a fire burning during Prohibited Burning Times, where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire the land they occupy [s.28(4)], including authority to recover expenses in any court of competent jurisdiction [s.28(5)]. **Control Activities during Restricted Burning Times** Where direction from the local government is required, the delegate has authority to: 1. Where a permitted burn fire escapes or is out of control in the opinion of the Bush Fire Control Officer or an officer of the Bush Fire Brigade, to determine to recoup bush fire brigade expenses arising from preventing extension of or extinguishing an out of control permitted burn [s.18(11)]. 2. Determine permits to burn during restricted times that have previously been refused by a Bush Fire Control Officer [r.15]. 3. Arrange with the occupier of exempt land, the occupier of land adjoining it and the Bush Fire Brigade to cooperate in burning fire-breaks and require the occupier of adjoining land to provide by the date of the burning, ploughed or cleared fire-breaks parallel to the common boundary [s.22(6) and (7)]. 4. Declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C]. 5. Determine, during a Restricted Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B]. 6. Issue directions, during a Restricted Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)]. 7. Prohibit the use of tractors, engines or self-propelled harvester, during a Restricted Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)]. 8. Recover the cost of measures taken by the Shire of Murray or Bush Fire Control Officer, to extinguish a fire burning during Restricted Burning Times, where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire the land they occupy [s.28(4)], including authority to recover expenses in any court of competent jurisdiction [s.28(5)].
Delegates	Chief Executive Officer Emergency Management and Mitigation Coordinator Emergency Management Resilience Coordinator Manager Rangers and Emergency Management

Conditions	Nil
Statutory framework	*Bush Fires Act 1954* *Bush Fire Regulations 1954*
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM25/078

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523

Delegation	**3.4 Bush Fires Act 1954 - Enforcement**
Category	Part 2 - Delegations under other Legislation
Head of power	Bush Fires Act 1954
Delegator	Council
Express power to delegate	*Bush Fires Act 1954, s.59(3) Prosecution ofoffences*
Express power or duty delegated	*Bush Fires Act 1954, s.58 General penalty and recovery of expenses incurred* *Bush Fires Act 1954, s.59 Prosecution of offences* *Bush Fires Act 1954, s.59A Alternative procedure — infringement notices*
Function	Authority to: 1. Recover expenses incurred as a result of an offence against the Act. [s.58] 2. Institute and carry on proceedings against a person for an offence alleged to be committed against this Act [s.59]. 3. Serve an infringement notice for an offence against this Act [s.59A(2)]. 4. Withdraw infringement notice for an offence against this Act [s.59A(5)].
Delegates	Bushfire Risk Mitigation Officer Chief Executive Officer Director Corporate Services Emergency Management and Mitigation Coordinator Emergency Management Resilience Coordinator Manager Rangers and Emergency Management Ranger Senior Ranger
Conditions	Function 1, 2 and 4 are limited to the Chief Executive Officer, Director Corporate Services and Manager Ranger and Community Safety: • To consider and determine written requests received for the withdrawal of an infringement notice issued, subject to internal review, and • Recover expenses as a result of an offence. Where proceedings against a person for an alleged offence are considered (Function 2), consultation with the Chief Executive Officer is required.
Statutory framework	*Bush Fires Act 1954*
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523

Delegation	**3.5 Bush Fires Act 1954 - Direction by the Local Government to Control Bush Fire Risk**
Category	Part 2 - Delegations under other Legislation
Head of power	Bush Fires Act 1954
Delegator	Council
Express power to delegate	Bush FiresAct 1954, s.48 Delegation by local governments
Express power or duty delegated	*Bush Fires Act 1954, s.24F Burning garden refuse during limited burning times* *Bush Fires Act 1954, s.24G Minister or local government may further restrict burning of garden refuse* *Bush Fires Act 1954, s.25 No fire to be lit in open air unless certain precautions taken* *Bush Fires Act 1954, s.25A Power of Minister to exempt from provisions of section 25* *Bush Fires Act 1954, s.27 Prohibition on use of tractors or engines except under certain conditions* *Bush Fires Act 1954, s.33 Local government may require occupier of land to plough or clear fire-breaks* *Bush Fire Regulations 1954, Reg.34 Permit not to be granted if local government objects* *Bush Fire Act 1954, s38(5A) Local government may issue directions to a bush fire control officer* *Bush Fires Act 1954, s.46 Bushfire control officer or forest officer may postpone lighting fire* *Bush Fires Regulations 1954, Reg.27(3) Permit, issue of* *Bush Fire Regulations 1954, Reg.39C Welding and cutting apparatus, use of in open air* *Bush Fire Regulations 1954, Reg.39CA Bee smoker devices, use of in restricted or prohibited burning times etc.* *Bush Fire Regulations 1954, Reg.39D Explosives, use of* *Bush Fire Regulations 1954, Reg.39E Explosives, use of*
Function	Where direction from the local government is required, the delegate has authority to: 1. Issue a Bushfire Compliance Notice to an owner or occupier of land or all owners or occupiers of land within the Shire requiring: a. clearing of firebreaks as determined necessary and specified in the notice; and b. act in respect to anything which is on the land and is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire; and c. as a separate or coordinated action with any other person carry out similar actions [s.33(1)] d. determine that these matters have been acted upon to the satisfaction of the Shire. 2. Direct a Bush Fire Control Officer or any other employee to enter onto the land of an owner or occupier to carry out the requirements of the firebreak notice which have not been complied with [s.33(4)]. 3. Recover any costs and expenses incurred by a bushfire control officer or other officer in carrying out the notice where owner or occupier of the land failed or neglected to comply [s.33(5)]. 4. Give written permission, during prohibited times and restricted times, for an incinerator located within 2m of a building or fence, only where satisfied it is not likely to create a fire hazard [s.24F(2)(b)(ii) and (4)]. 5. Prohibit or impose restrictions on the burning of garden refuse that is otherwise permitted under s.24F [s.24G(2)]. 6. Issue directions to an authorised officer as to the manner in which or the conditions under which permits to burn plants or plant refuse shall be issued in the District [r.27(3) and r.33(5)]. 7. Prohibit (object to) the issuing of a permit for the burning of a proclaimed plan growing upon any land within the District [r.34]. 8. Provide written approval, during prohibited times and restricted times, for fires to be lit for the purposes of: a. camping or cooking [s.25(1)(a)].

	a. camping or cooking [s.25(1)(a)]. b. conversion of bush into charcoal or for the production of lime, in consultation with an authorised CALM Act officer [s.25(1)(b)]. 9. Prohibit the lighting of fires in the open air for the purposes of camping or cooking for such period during the prohibited burning times as specified in a note published in the Gazette and newspaper circulating in the District and authority to vary such notice [s.25 (1a) and (1b)] 10. Serve written notice on a person to whom an exemption has been given under s.25 for lighting a fire in open air, prohibiting that person from lighting a fire and to determine conditions on the notice [s.25A(5)] 11. Give directions to a Bush Fire Control Officer regarding matters necessary for the prevention of fire arising from: a. a person operating a bee smoker device during a prescribed period [r.39CA(5)]. b. a person operating welding apparatus, a power operated abrasive cutting disc [r.39C(3)] c. a person using explosives [r.39D(2)]. d. a person using fireworks [r.39E(3)] 12. Give written notice to an owner or occupier of land or all owners or occupiers of land within the Shire, requiring: a. clearing of firebreaks as determined necessary and specified in the notice; and b. act in respect to anything which is on the land and is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire; and c. as a separate or coordinated action with any other person carry out similar actions [s.33(1)]; d. determine that these matters have been acted upon to the satisfaction of the Shire. 13. Prohibit or postpone the lighting of a fire, despite a permit having been issued, where the lighting of a fire would be or become a source of danger by escaping from the land on which it is proposed to be lit [s.46(1A). (1B)]. 14. Issue directions to a Bush Fire Control Officer to burn on or at the margins of a road reserve under the care, control and management of the Shire of Murray [s.38(5A)]
Delegates	Bushfire Risk Mitigation Officer Chief Executive Officer Emergency Management and Mitigation Coordinator Emergency Management Resilience Coordinator Manager Rangers and Emergency Management
Conditions	Nil
Statutory framework	*Bush Fires Act 1954* *Bush Fire Regulations 1954*
Policy	Policy ES1 - Bushfire Preparedness, Prevention, Planning and Enforcement
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments

Date	Type	Amendment	References
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523

Cat Act 2011

Delegation	**4.1 Cat Act 2011 - Powers, Duties and Functions of the Local Government**
Category	Part 2 - Delegations under other Legislation
Head of power	Cat Act 2011
Delegator	Council
Express power to delegate	*Cat Act 2011, s.44 Delegation by local government*
Express power or duty delegated	*Cat Act 2011, s.9 Registration* *Cat Act 2011, s.10 Cancellation of registration* *Cat Act 2011, s.11 Registration numbers, certificates and tags* *Cat Act 2011, s.13 Notice to be given of certain decisions made under this Subdivision* *Cat Act 2011, Part 2 Division 1 Subdivision 2 How to register a cat* *Cat Act 2011, s.26 Cat control notice may be given to cat owner* *Cat Act 2011, s.37 Approval to breed cats* *Cat Act 2011, s.38 Cancellation of approval to breed cats* *Cat Act 2011, s.39 Certificate to be given to approved cat breeder* *Cat Act 2011, s.40 Notice to be given of certain decisions made under this Subdivision* *Cat Act 2011, s.49 Authorised person may cause a cat to be destroyed* *Cat Act 2011, Part 3 Division 4 Subdivision 2 Becoming an approved cat breeder* *Cat Act 2011, s.73 Prosecutions* *Cat Act 2011, s.79 Local laws* *Cat Regulations 2012, Schedule 3 Fees Payable* *Cat (Uniform Local Provisions) Regulations 2013, Reg.8 Application to keep additional number of cats* *Cat (Uniform Local Provisions) Regulations 2013, Reg.9 Grant of approval to keep additional number of cats* *Cat Act 2011, Part 4, Division 5*
Function	To carry out the powers or discharge the duties of the local government pursuant to the *Cat Act 2011, Cat Regulations 2012* and the *Cat (Uniform Local Provisions) Regulations 2013* including authority to: 1. Grant, refuse, renew or cancel a cat registration [s.9, 10]. 2. Grant, refuse, renew or cancel an approval to breed cats [s.37, 38]. 3. Give the cat owner or approved breeder a new certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.11(2), s.39(2)]. 4. Reduce or waive a registration or approval to breed fee, in respect of any individual cat or any class of cats within the Shire [r.Sch. 3]. 5. Issue a cat control notice to a person who is the owner of a cat. [s.26]. 6. Grant or refusing an application to keep additional cats. [r.8,9] 7. Recover the amount of the costs associated with the destruction and the disposal of a cat [s.49(3)]. 8. Authorise a person to commence a prosecution for an offence against the *Cat Act 2011* [s.73(1)(b) & 2(b).
Delegates	Chief Executive Officer
Conditions	Notices of decisions for Function 1, 2 and 6 must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the Cat Act 2011.

Statutory framework	*Cat Act 2011* *Cat Regulations 2012* *Cat (Uniform Local Provisions) Regulations 2013*
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523
5 May 2026	Amended delegation	CEO Approved Memorandum - D26/20958	D26/20958
17 Oct 2026	Amended delegation	CEO Approved Memorandum - D26/49092	D26/49092

Dog Act 1976

Delegation	**5.1 Dog Act 1976 - Powers, Duties and Function of the Local Government**
Category	Part 2 - Delegations under other Legislation
Head of power	Dog Act 1976
Delegator	Council
Express power to delegate	*Dog Act 1976, s.10AA Delegation of local government powers and duties*
Express power or duty delegated	*Dog Act 1976 all powers and duties of a local government* *Dog Act 1976, s.3 Terms used* *Dog Act 1976: s.10A Payments to veterinary surgeons towards costs of sterilisation* *Dog Act 1976, s.11 Staff and services* *Dog Act a1976 s.15 Registration periods and fees* *Dog Act 1976, s.16 Registration procedure* Dog Act *1976, s.17 Refusal or cancellation of registration* *Dog Act 1976, s.17A If no application for registration made* *Dog Act 1976 s.26(3) Limitation as to numbers* *Dog Act 1976 s.27 Licensing of approved kennel establishments* Dog Act 1976 s.29 Power to seize dogs *Dog Act 1976, s.31 Control of dogs in certain public places* *Dog Act 1976, s.33E Individual dog may be declared to be dangerous dog (declared)* *Dog Act 1976, s.33F Owner to be notified of making of declaration* *Dog Act 1976, s.33G Seizure and destruction* *Dog Act 1976 s.33H Local government may revoke declaration or proposal to destroy* *Dog Act 1976 s.33M(1)(a) Local Government expenses to be recoverable*

Function	Authority to carry out the powers or discharge of any of the duties of the *Dog Act 1976* including:
	
	1. Authorise a person for the purposes of performing the prescribed office of Registration Officer under the *Dog Act 1976* [s.3]
	2. Making payments to registered veterinary surgeons towards the cost of sterilisation of a dog owned by an eligible person where the eligible person is the registered owner of the dog and is suffering financial hardship [s.10A(1)(a) and (3)]
	3. Directing registration officers to refuse or cancel the registration of a dog for one or any of the following reasons;
	    1. The owner has been convicted, or has paid a modified penalty, within the previous 3 years in respect of 2 or more offences against the *Dog Act 1976,* the *Cat Act 2011* or the *Animal Welfare Act 2002*; or
	    2. The dog in question has been shown to the satisfaction of the local government to be destructive, unduly mischievous, or to be suffering from a contagious or infectious disease; or
	    3. The local government is not satisfied that the dog is, or will be, effectively confined in or at premises where the dog is, or will be, ordinarily kept; or
	    4. The dog is required to be micro-chipped but is not micro-chipped; or
	    5. The dog is a dangerous dog [s.16(3) and s.17A(2)].
	4. Giving notice that a dog cannot be registered
	5. Discounting or waiving the registration fees for any individual dog. This option does not apply to dangerous dogs. [s15(4A)]
	6. Refunding proportionate registration fees of a dog that has had its registration cancelled [s15(4A)] [s.16(2)].
	7. Making application to a Justice of the Peace for an order to seize a dog that has had its registration refused or cancelled. [s.17(4)]
	8. Determining an application to keep more than the prescribed 2 dogs over 3 months of age. [s.26(3)]
	9. Grant, refuse to grant or cancel a licence to operate an approved kennel establishment. [s.27(4) and (6)]
	10. Dispose of or sell dogs which are liable to be destroyed. [s.29(11)][s.17(6)]
	11. Consider objections. [s.33H(5)] [s.33F(6)].
	12. Recover expenses. [s.29(5)]
	13. Declaring a dog dangerous as a result of its aggressive behaviour [s.33E(1)].
	14. Receiving a request from an owner to review a seizure and destruction notice of a dangerous dog. [s.33G(4)].
	15. Revoking a declaration of a dangerous dog or proposal to destroy a dangerous dog. [s.33H(2)].

Delegates	Chief Executive Officer
Conditions	1. Function 1 is limited to the Chief Executive Officer. 2. Proceeds from the sale of dogs sold under s. 29(11) are to be paid into the Shire of Murray Municipal Fund.
Statutory framework	*Dog Act 1976* *Local Government Act 1995* *Local Government (Administration) Regulations 1996*
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523
5 May 2026	Amended delegation	CEO Approved Memorandum - D26/20958	D26/20958
17 Oct 2026	Amended delegation	CEO Approved Memorandum - D26/49092	D26/49092

Food Act 2008

Delegation	**6.1 Food Act 2008 - Functions of an Enforcement Agency**
Category	Part 2 - Delegations under other Legislation
Head of power	Food Act 2008
Delegator	Council
Express power to delegate	*Food Act 2008, s.118 Functions of enforcement agencies and delegation*
Express power or duty delegated	*Food Act 2008, s.25 Institution of proceedings* *Food Act 2008, s.56(2) Compensation to be paidin certain circumstances* *Food Act 2008, s.70(2) and (3) Compensation* *Food Act 2008, r.51 Enforcement agency may make list of food businesses* *Food Act 2008, s.54 Cost of destruction or disposal of forfeited item* *Food Act 2008, s.65(1) Prohibition orders* *Food Act 2008, s.66Certificate of clearance to be given in certain circumstances* *Food Act 2008, s.67(4) Request for re-inspection* *Food Act 2008, s.110(1) and (5) Registration of food business* *Food Act 2008, s.112Variation of conditions or cancellation of registration of food businesses* *Food Act 2008, s.115 Register of food businesses to be maintained* *Food Act 2008, s.125 Institution of proceedings* *Food Regulations 2009, Reg.41 Statements and inspection fees* *Food Regulations 2009, Reg.43 Local governments may require security* *Food Regulations 2009, Reg.45 Withdrawal of inspection services*

Function	**Prohibition Orders and Certificates of Clearance** Authority to: 1. Serve a prohibition order on the proprietor of a food business in accordance with s.65 of the *Food Act 2008* [s.65(1)]. 2. Give a certificate of clearance, where inspection demonstrates compliance with a prohibition order and any relevant improvement notices [s.66]. 3. Give written notice to proprietor of a food business on whom a prohibition order has been served of the decision not to give a certificate of clearance after an inspection [s.67(4)]. **Food business registrations** Authority to: 1. Consider applications and determine registration of a food business and grant the application with or without conditions or refuse the registration [s.110(1) and (5)]. 2. Vary the conditions or cancel the registration of a food business [s.112]. **Compensation** Authority to: 1. Determine applications for compensation in relation to any item seized, if no contravention has been committed and the item cannot be returned [s.56(2)]. 2. Determine an application for compensation from a person on whom a prohibition notice has been served and who has suffered loss as the result of the making of the order and who considers that there were insufficient grounds for making the order [s.70 (2) and (3)]. **Abattoir Inspections and Fees** Authority to: 1. Where relevant to the payment of abattoir meat inspection fees under Food Regulation 41, to: a. require a person to provide security, b. determine the form that security is to be provided, and c. discharge a security held by the Shire of Murray [r.43]. 2. Give written notice and withdraw abattoir meat inspection services, pending payment of any fees due and payable [r.45]. **Publicly available list of food businesses** Authority to 1. Decide to make a list of food businesses maintained under s.115(a) or (b) publicly available [r.51] **Debt & Recovery** Authority to: 1. Recover costs incurred in connection with the lawful destruction or disposal of an item (seized) including any storage costs [s.54(1)] and the costs of any subsequent proceedings in a court of competent jurisdiction [s.54(3). 2. Institute proceedings for an offence under the *Food Act 2008* [s.125].
Delegates	Chief Executive Officer Director Planning and Sustainability Manager Environmental Health Senior Environmental Health Officer

Conditions	Delegations to be carried out in accordance with s.118(3)(b) *Food Act 2008*, subject to relevant Department of Health CEO Guidelines, as amended from time to time.
Statutory framework	*Food Act 2008* *Food Regulations 2009* *Public Health Act 2016*
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523

Delegation	**6.2 Food Act 2008 - Appointment of Authorised and Designated Officers**
Category	Part 2 - Delegations under other Legislation
Head of power	Food Act 2008
Delegator	Council
Express power to delegate	*Food Act 2008, s.118 Functions of enforcement agencies and delegation*
Express power or duty delegated	*Food Act 2008, s.122 Appointment of authorised officers* *Food Act 2008, s.126 Infringement notices*
Function	Authority to: 1. Appoint authorised officers for the purposes of the Food Act 2008 [s.122] 2. Appoint designated officers to issue infringement notices [122, 126(13)] 3. Appoint designated officers to extend payment period for infringement notices or withdraw infringement notices [s.126(6)(7)]
Delegates	Chief Executive Officer
Conditions	Nil
Statutory framework	*Food Act 2008*
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523

Graffiti Vandalism Act 2016

Delegation	**7.1 Graffiti Vandalism Act 2016 - Powers, Duties and Functions of the Local Government**
Category	Part 2 - Delegations under other Legislation
Head of power	Graffiti Vandalism Act 2016
Delegator	Council
Express power to delegate	*Graffiti Vandalism Act 2016, s.16 Delegation by local government*
Express power or duty delegated	*Graffiti Vandalism Act 2016. s.18(2) Notice requiring removal of graffiti* *Graffiti Vandalism Act 2016, s.19 Additional powers when notice is given* *Graffiti Vandalism Act 2016, s.22(3) Objection may be lodged* *Graffiti Vandalism Act 2016, s.24 (1)(b) Decision that notice should not be suspended* *Graffiti Vandalism Act 2016, s.25 local government graffiti powers on land not local government property* *Graffiti Vandalism Act 2016, s.28 Notice of entry* *Graffiti Vandalism Act 2016, s. 29 Entry under warrant*
Function	Authority to carry out the powers or discharge of any of the duties of the *Graffiti Vandalism Act 2016* including but not limited to: 1. Issue a notice to remove graffiti [s.18(2)]. 2. Where a person fails to comply with a notice, to do anything considered necessary to obliterate the graffiti in an acceptable manner [s.19(3)] and to take action to recover costs incurred as a debt due from the person who failed to comply with the notice [s.19 (4)]. 3. Deal with an objection to a notice and where there are urgent reasons, public safety concerns or likely damage if action is not taken [s.22, 24] 4. Remove graffiti on land that is not local government property [s.25] 5. Give notice of intended entry [s.28] or obtain a warrant to enable entry on to land for the purpose of this Act. [s.29]
Delegates	Chief Executive Officer
Conditions	Nil
Statutory framework	*Graffiti Vandalism Act 2016* *Local Government Act 1995* *Local Government (Administration) Regulations 1996*
Policy	Policy A16 - Graffiti Management
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523
5 May 2026	Amended delegation	CEO Approved Memorandum - D26/20958	D26/20958

Health (Asbestos) Regulations 1992

Delegation	**8.1 Health (Asbestos) Regulations 1992 - Appoint Authorised or Approved Officer**
Category	Part 2 - Delegations under other Legislation
Head of power	Health (Asbestos) Regulations 1992
Delegator	Council
Express power to delegate	*Health (Asbestos) Regulations 1992, Reg.15D Infringement notices*
Express power or duty delegated	*Health (Asbestos) Regulations 1992, Reg.15D Infringement notices*
Function	Authority to appoint a person or classes of persons as an authorised or approved officer for the purposes part 2 of the *Criminal Procedures Act 2004 Part 2 [r.15D(5).*
Delegates	Chief Executive Officer
Conditions	Each person appointed must be issued with a certificate and identity card identifying the officer as a person authorised to issue infringement notices [r.15D(6)]
Statutory framework	*Health (Asbestos) Regulations 1992* *Criminal Procedure Act 2004* *Health (Miscellaneous Provisions) Act 1911*
Record keeping	
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523

Planning and Development Act 2005

Delegation	**9.1 Planning and Development Act 2005 - Illegal Development**
Category	Part 2 - Delegations under other Legislation
Head of power	Planning and Development Act 2005
Delegator	Council
Express power to delegate	*Local Government Act 1995, s.5.42 Delegation of some powers and duties to CEO* *Local Government Act 1995, s.5.43 Limits on delegations to CEO*
Express power or duty delegated	*Planning and Development Act 2005, s.214 Illegal development, responsible authority's powers as to* *Planning and Development Act 2005, s.215 Illegal development, responsible authority's powers to remove etc.* *Planning and Development Act 2005, s.255 Direction given under s. 214*
Function	Authority to issue written direction, to the owner or any other person who undertakes unauthorised development, to stop and not recommence and to take action to restore the land pursuant to s.214, s.215 and s.255 of the *Planning and Development Act 2005*.
Delegates	Chief Executive Officer
Conditions	Nil
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523

Delegation	**9.2 Planning and Development Act 2005 - Decisions Under the Local Planning Scheme**
Category	Part 2 - Delegations under other Legislation
Head of power	Planning and Development Act 2005
Delegator	Council
Express power to delegate	*Planning and Development (Local Planning Schemes) Regulations 2015*, Schedule 2 - Deemed provisions for local planning schemes Shire of Murray Local Planning Scheme as amended
Express power or duty delegated	Shire of Murray Local Planning Scheme, as amended, Delegation of Functions - powers or the discharge of any of its duties
Function	All planning related decisions under the Local Planning Scheme, as amended including authority to: 1. Determine applications for development approval, including applications for land use, home occupations, building envelope variations, the exercise of discretion under the Local Planning Scheme; 2. Amend or cancel development approval; 3. Determine the period in any 12-month period which temporary uses and development do not require development approval; 4. Determine all decisions arising from the imposition of conditions; and 5. Determine all decisions in relation to Local Planning Policies, Structure Plans, and **Local Development Plans**; and 6. Enter and inspect buildings or land.
Delegates	Chief Executive Officer
Conditions	▪ Decisions relating to the adoption of Local Planning Policies are to be determined by the Council; ▪ Where a Council Member has requested in writing that a particular matter be referred to Council for determination then that matter is to be determined by the Council.
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523
18 Jun 2026	Amended delegation	Council Decision - OCM26/069	OCM26/069
26 Jun 2026	Amended delegation	CEO Approved Memorandum - D26/29709	D26/29709

Delegation	**9.3 Planning and Development Act 2005 - Subdivision of Land**
Category	Part 2 - Delegations under other Legislation
Head of power	Planning and Development Act 2005
Delegator	Council
Express power to delegate	*Planning and Development (Local Planning Schemes) Regulations 2015, Schedule 2 - Deemed provisions for local planning schemes* Shire of Murray Local Planning Scheme as amended
Express power or duty delegated	Shire of Murray Local Planning Scheme 13.2.3 Delegation of Functions - powers or the discharge of any of its duties under the Scheme.
Function	Authority to make recommendations on behalf of the Shire of Murray on matters relating to subdivisions, including strata, and survey strata applications and requests for clearance of conditions of subdivision approval.
Delegates	Chief Executive Officer
Conditions	Any applications where the recommendations would be inconsistent with the objectives of Local Planning Scheme, or a relevant structure plan, policy or strategy, the application is to be referred to Council.
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523
26 Jun 2026	Amended delegation	CEO Approved Memorandum - D26/29709	D26/29709

Public Health Act 2016

Delegation	**10.1 Public Health Act 2016 - Functions of an Enforcement Agency**
Category	Part 2 - Delegations under other Legislation
Head of power	Public Health Act 2016
Delegator	Council
Express power to delegate	*Public Health Act 2016, s.21 Enforcement agency may delegate*
Express power or duty delegated	*Public Health Act 2016, s.22 Reports by and about enforcement agencies* *Public Health Act 2016,* s.260 Return of seized item *Public Health Act 2016,* s.262 Cost of destruction or disposal of forfeited items *Public Health Act 2016,* s.263 Return of forfeited items *Public Health Act 2016,* s.264 Compensation *Public Health Act2016,* s.299 Information Sharing
Function	Authority to: 1. Prepare and provide to the Chief Health Officer, the Shire's report on the performance of its functions and details of proceedings for any offence under this Act [s.22(1), (2)] 2. Manage and determine, if no contravention has occurred, if a forfeited or seized item is returned or destroyed including recovery of costs for disposal or destruction of items and determine applications for compensation. [s.260-264] 3. To appoint Designated Officers for the purposes of information sharing with other agencies [s.299.]
Delegates	Chief Executive Officer Director Planning and Sustainability Manager Environmental Health
Conditions	Function 3 is limited to the Chief Executive Officer
Statutory framework	*Public Health Act 2016*
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523

Delegation	**10.2 Public Health Act 2016 - Designate Authorised Officers**
Category	Part 2 - Delegations under other Legislation
Head of power	Public Health Act 2016
Delegator	Council
Express power to delegate	*Public Health Act 2016, s.21 Enforcement agency may delegate*
Express power or duty delegated	*Public Health Act 2016, s.24 Designation of authorised officers* *Public Health Act 2016, s.280 Commencing proceedings*
Function	Authority to designate a person or class of persons as authorised officers to exercise the powers or duties conferred or imposed on a local government, as an enforcement agency, for the purposes of the *Public Health Act 2016* including commencing legal proceedings.
Delegates	Chief Executive Officer
Conditions	Nil
Statutory framework	*Public Health Act 2016*
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523

Delegation	**10.3 Public Health Act 2016 - Enforcement Orders and Clearance Certificates**
Category	Part 2 - Delegations under other Legislation
Head of power	Public Health Act 2016
Delegator	Council
Express power to delegate	*Public Health Act 2016, s.21 Enforcement agency may delegate*
Express power or duty delegated	*Public Health Act 2016, s.216 Issue of enforcement orders* *Public Health Act 2016, s.218 Extension of period of compliance with enforcement order* *Public Health Act 2016, s.219 Enforcement agency may implement enforcement order* *Public Health Act 2016, s.221 Recovery of costs incurred by or on behalf of enforcement agency* *Public Health Act 2016, s.223 Certificate of clearance to be given in certain circumstances* *Public Health Act 2016, s.224 Request for assessment* *Public Health Act 2016, s.252 Use of force*
Function	Authority to: 1. Give an enforcement order in accordance with section 216 of the Act [s.216]. 2. Extend the period for compliance specified in the order [s.218]. 3. Give a certificate of clearance where it has been found that an enforcement order has been complied with [s.223] 4. Cause an assessment to be carried out by another authorised officer on request [s.224] 5. Take any action reasonably necessary to implement sufficient compliance with an enforcement order that has not been complied with [s.219(2)]. 6. Sign a certificate stating the amount of any costs and the manner in which they were incurred as evidence of the matters certified [s.221(2)].
Delegates	Chief Executive Officer Director Planning and Sustainability Manager Environmental Health
Conditions	1. Content of enforcement order must comply with s.217 provisions. 2. Costs incurred in taking action under s.219 are to be recovered, including recovery in a court of competent jurisdiction [s.221(1)]. 3. Delegates may not review the decisions they originally made.
Statutory framework	*Public Health Act 2016* *Criminal Investigation Act 2006 - Parts 6 and 13 – refer s.245of the Public Health Act 2016* *The Criminal Code Act 1995 - Chapter XXVI – refer s.252 of the PublicHealth Act 2016*
Date adopted	18 June 2026
Adoption references	Ordinary Council Meeting - OCM26/069

Amendments			
Date	**Type**	**Amendment**	**References**
20 Jun 2025	Amended delegation	CEO Approved Memorandum - D25/23523	D25/23523