Register of Delegated Authority

Local government to Chief Executive Officer, officers and committees

2026–27

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Explanation notes

General

Section 5.42 of the *Local Government Act 1995* (the Act) allows for a local government to delegate to the Chief Executive Officer (CEO) the exercise of any of its powers or the discharge of any of its duties under the Act.

Section 5.44 of the Act provides for the Chief Executive Officer to delegate any of their powers to another employee, this must be done in writing. The Act allows for the Chief Executive Officer to place limitations on any delegations if they desire. The powers cannot be further sub delegated.

The purpose of this document is to detail which authorities have been delegated by Council to the Chief Executive Officer, and which the Chief Executive Officer has further delegated to officers.

Limits on delegations to the CEO

Section 5.43

The following are decisions that cannot be delegated to the Chief Executive Officer:

(a) any power or duty that requires a decision of an absolute majority;

(b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;

(d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;

(e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A 5.100 or 5.129 of the Act;

(f) borrowing money on behalf of the local government;

(g) hearing or determining an objection of a kind referred to in section 9.5;

(ha) the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;

(h) any power or duty that requires the approval of the Minister or Governor;(i) such other duties or powers that may be prescribed by the Act.

Purpose of delegating authority

The aim of delegated authority is to assist with improving the time taken to make decisions within the constraints allowed by the relevant legislation. The register details the related document(s) where the power to delegate is derived from.

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

Councils understanding

It is that by delegating its authority it is granting sufficient power to enable the City's responsibilities to be fulfilled in a timely, open and accountable manner.

It is the expectation of council that the Chief Executive Officer and other officers will use the delegated authority conferred on them in a manner that aligns with council's values and objectives and they will demonstrate appropriate judgment and accountability in regard to the circumstances and extent of the use of that power.

Legislation

The Act allows for a local government to delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the Act except those listed in section 5.43. All delegations made by the council must be by absolute majority decision {S5.42 (1)}.

Associated legislation

Legislation other than the *Local Government Act 1995*, its regulations and the local government's local laws created under the Act

where delegations or authorisations may occur are as follows:

- *Building Act 2011* and associated regulations;
- *Bush Fires Act 1954* and associated regulations;
- *Cat Act 2011* and associated regulations;
- *Caravan Parks and Camping Grounds Act 1955* and associated regulations;
- City of Fremantle Local Laws;
- *Control of Vehicles (Off-Road Areas) Act 1978* and associated regulations;
- *Dog Act 1976* and associated regulations;
- Local Planning Scheme No. 4;
- *Environmental Protection Act 1986* and associated regulations;
- *Food Act 2008* and associated regulations;
- *Freedom of Information Act 1992* and regulations;
- *Health Act (Miscellaneous Provisions) 1911* and associated regulations;
- *Land Administration Act 1997* and associated regulations;
- *Litter Act 1979* and associated regulations;
- *Local Government (Miscellaneous Provisions) Act 1960* and associated regulations;
- *Planning and Development Act 2005* and associated regulations;
- *Spear-guns Control Act 1955;*
- *Strata Titles Act 1985* and associated regulations;

Acting through another person

Section 5.45

Nothing in this Division (Division 4 – Local Government Employees) is to be read as preventing –

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

The key difference between a delegation and "acting through" is that a delegate exercises the delegated decision making function in his or her own right, as though he or she were the original decision maker. Alternatively, where a person is 'acting through' they are making a decision as previously instructed.

The difference between a delegated authority to exercise discretion on behalf of the City and acting through another person to undertake a function on behalf of the City where no discretion exists is reinforced by Section 56 of the *Interpretation Act 1984* which states:

"May" imports a discretion, "shall" is imperative

*(1) Where in a written law the word **"may"** is used in conferring a power, such word shall be interpreted to imply that the power so conferred may be exercised or not, at discretion.*

*(2) Where in a written law the word **"shall"** is used in conferring a function, such word shall be interpreted to mean that the function so conferred must be performed.*

The City's Delegated Authority Register and Authorisations Management Procedures should be read in conjunction with this.

Delegation by the Chief Executive Officer

The Act allows for the CEO to delegate any of the powers to another employee {S5.44 (1)}. This must be done in writing {S5.44

(2)} The Act allows for the CEO to place limitations on any delegations if desired {S 5.44 (4)}

Transfer of authority due to absence

Where an officer has been appointed to act in a delegated position in the absence of the usual officer, the authority shall transfer to the officer acting as appointed, for the duration of the authorisation.

Register of, and records relevant to delegations Section 5.46

A register of delegations is to be kept and reviewed at least once every financial year.

If an officer is exercising a power or duty that they have been delegated, the Act requires them to keep necessary records to the exercise of the power or discharge of the duty. The written record is to contain:

- how the person exercised the power or discharged the duty;
- when the person exercised the power or discharged the duty; and
- the persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.

The onus is on the officer exercising delegated authority to ensure that a record is made.

A person to whom a power is delegated under the Act is considered to be a 'designated employee' under S 5.74(b) of the Act and is required to complete a primary and annual return each year.

There is no power for a person other than the CEO to delegate a power {S 5.44 (1)}.

Reporting use of delegation

Any use of delegation must be recorded in the City's record keeping system, in accordance with legislative requirements.

Authority to amend the Delegated Authority Register

The Manager Governance is authorised to effect non-substantive changes to the Delegated Authority Register to reflect:

(a) Changes to titles or positions,

(b) changes to legislative references,

(c) Expired positions; and

(d) Corrections to spelling and grammatical errors or inconsistencies

How to read a delegation table	
Delegator:	Council
Date adopted:	The date on which Council adopts the delegated authority.
Delegation:	A reference to: • The legislation allowing delegation. • The legislation under which the delegation is made.
Delegated to:	The position/s to which the power or duty is delegated.
Limitations on delegation:	Council imposed limitations on the extent of use of this delegation.
Power to sub delegate:	A reference to the legislation allowing sub delegation, if any. Some legislation does not include the power to sub delegate.
Description of sub delegation	
Delegator	Chief Executive Officer
Date approved:	The date in which the Chief Executive Officer approves the sub delegation.
Sub delegated to:	The position/s to which the power or duty is sub delegated.
Limitations on sub delegation:	Chief Executive Officer imposed limitations on the extent of use of this delegation.
Reporting requirements	
The information required to be recorded when this delegation has been used. (who, what, when, why and how much)	

PART 1
Delegations to Committees of Council

1.1 Delegated Committees of Council	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates all of its powers and functions as a local government, except any power or duty that requires a decision of an absolute majority or a 75% majority of Council, in accordance with: **Legislation** / **Section** *Local Government Act 1995* / 5.16 and 5.17 *Planning and Development Act 2005* / *214(2), (3) or (5).* *City of Fremantle Local Planning Scheme No. 4* / *Planning and Development (Local Planning Schemes) Regulations 2015* section 82 For the purpose of the effective decision making by the City of Fremantle.
Delegated to:	• Planning Services Committee • Strategic and General Services Committee
Limitations:	Delegated committees are provided the above powers and functions of the local government in accordance with the following limitations: 1. A decision of committee can only be made by the votes (in favour or against) of **at least four (4) members** of the committee. 2. When approving leases of council property: a. the term must not exceed ten (10) years, b. the disposal must be in accordance with Sections 3.58 and 3.59 of the *Local Government Act 1995*. 3. When approving closure of council carparks, the closure must not exceed fourteen (14) days. 4. When accepting or declining to accept tenders, they must be within budget. Cont..

	5. May not determine final approval for or revocation of: • Council Policies • Council strategies • Council plans • Appointment or termination of a Chief Executive Officer • City related international travel • Local Planning Policies • Local Planning Schemes • Local development plans • Scheme amendments • Structure Plans
Power to sub delegate:	Nil
Reporting requirements	
All Minutes of delegated committees must record and identify each decision made under this delegation in accordance with legislative requirements.	

PART 2
Delegations to the Chief Executive Officer

2.1 Administration of local laws	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to undertake all actions and processes and otherwise administer the City's local laws in accordance with: **Legislation**: *Local Government Act 1995* **Section**: 5.42 and 5.43 For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer
Limitations on delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Power to sub delegate:	**Legislation**: *Local Government Act 1995* **Section**: 5.44
Sub delegation Administration of local laws	
Delegator:	Chief Executive Officer
Date approved:	29 June 2026
Sub delegated to:	All Directors
Limitation on sub delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

2.2 Investing and managing investments	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to: 1. Invest money held in the municipal or trust fund that is not, for the time being, required for any other purpose. 2. Establish and document internal control procedures to be followed by employees to ensure control over investments, enabling the identification of the nature and location of all investments and the transactions related to each investment. in accordance with: **Legislation** / **Section** *Local Government Act 1995* / 5.42, 5.43 and 6.14(1) *Local Government (Financial Management) Regulations 1996* / Regulation 19 For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer
Limitations on delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions, including but not limited to the Investment Council Policy.
Power to sub delegate:	**Legislation** / **Section** *Local Government Act 1995* / 5.44

Sub delegation Investing and managing investments	
Delegator	Chief Executive Officer
Date approved:	29 June 2026
Sub delegated to:	Director City Business Manager Financial Services Financial Accounting Team Leader Rates and Management Accounting Team Leader
Limitations on sub delegation:	1. Investments must be approved by two delegated officers, one of whom must be the Director City Business or the Manager Financial Services.

	2. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions, including but not limited to the Investment Council Policy.
Reporting requirements	
Use of this delegation: 1. Is to be presented in a report to each monthly Council meeting. 2. Is to be recorded in the City's record keeping system.	

2.3 Defer payment, grant a concession, waive fees and write off debts	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to waive fees or grant concessions in relation to any amount of money or write off any amount of money that is owed to the local government, in accordance with: **Legislation** — **Section** *Local Government Act 1995* — 5.42, 5.43, and 6.12 For the purpose of effective management of the City of Fremantle. Note: Section 6.12(2) of the *Local Government Act 1995* does not allow money owed to the City in respect of rates and services charges to be waived or for a concession in relation to such money to be granted.
Delegated to:	Chief Executive Officer
Limitations on delegation:	Where all reasonable avenues of recovery have been exhausted the Chief Executive Officer may waive fees, grant concessions or defer payment in relation to any amount of money or write off any amount of money that is owed to the local government, up to the maximum amount indicated below, per financial year: Defer Payment of a debt: $500,000.00 Waive fees or grant a concession (discount): $100,000.00 Write – Off a debt other than an infringement debt: $50,000.00 Write – Off an infringement debt: $10,000.00 All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Power to sub delegate:	**Legislation** — **Section** *Local Government Act 1995* — 5.44
Sub delegation **Defer payment, grant a concession, waive fees and write off debts**	
Delegator	Chief Executive Officer
Date approved:	29 June 2026
Sub delegated to:	All Directors All Managers Financial Accounting Team Leader Rates and Management Accounting Team Leader Rates Coordinator

Limitations on sub delegation:	*Planning fee waivers are to be in accordance with the Local **Defer Payment of a debt:** Where in the opinion of the relevant delegated officer, all other reasonable avenues of recovery have been exhausted, the following officers may make arrangements to pay, up to the maximum amount indicated below, for any single debtor per financial year: Director City Business | $500,000.00 Manager Financial Services | $149,999.00 Financial Accounting Team Leader $30,000.00 Rates and Management Accounting Team Leader $30,000.00 **Waive fees or grant a concession (discount):** The following officers may grant a discount up to the maximum amount indicated per occasion. All discounts are to be undertaken in compliance with relevant legislative, procedural and policy provisions, including but not limited to the Grants and Sponsorship Council Policy*: Director City Business | $20,000.00 All Directors | $10,000.00 Manager Financial Services | $10,000.00 Manager Commercial Services (car parking fees only) | $10,000.00 All Managers | $5,000.00 Planning Policy 1.2 – Refunding And Waiving / Reducing Of Planning And Building Fees. Building fees are not to be waived under any circumstances.

Write – Off a debt:

Where in the opinion of the relevant delegated officer, all other reasonable avenues of recovery have been exhausted the following officers may write – off debts up to the maximum amount indicated per occasion:

Director City Business	$20,000.00
All other Directors	$10,000.00
Manager Financial Services	$10,000.00
All Managers	$5,000.00
Financial Accounting Team Leader	$1,000.00
Rates and Management Accounting Team Leader	$1,000.00
Rates Coordinator	$1,000.00

All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.

Reporting requirements

Use of this delegation,

1. When waiving or writing off debts valued at $1000 or above per debtor this must be reported to the Audit, Risk and Improvement Committee.
2. Is to be recorded in the City's record keeping system.

2.4 Disposing of property	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to: 1. Dispose of property to: a. the highest bidder at public auction or b. the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender 2. Dispose of property by direct negotiation only in accordance with section 3.58(3) of the Act. (give public notice and consider submissions). 3. Dispose of property excluded from section 3.58 of the Act. in accordance with: **Legislation** | **Section** *Local Government Act 1995* | 5.42, 5.43, 3.58(2) and (3) For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer
Limitations on delegation:	The Chief Executive Officer may approve leases of council property where: 1. The key lease terms and performance criteria have been agreed by council; or a. the lease is not for a period greater than ten (10) years; or b. the lease agreement does not require a business plan; or c. the disposal of property is in accordance with s.3.58 of the *Local Government Act 1995*; and d. the lease is in accordance with relevant council policies. The Chief Executive Officer may, up to the maximum amount indicated**:** Approve disposals of land (sale of land): | $50,000.00 Approve disposals of property other than land | $20,000.00 All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions, including but not limited to the Acquisition and Disposal of Property Council Policy and Leasing of City Property in a Competitive Manner Council Policy.

Register of Delegated Authority 2026-27

Power to sub delegate:	**Legislation** *Local Government Act 1995*	**Section** 5.44
Sub delegation Disposing of property		
Delegator	Chief Executive Officer	
Date approved:	29 June 2026	
Sub delegated to:	All Directors All Managers	
Limitations on sub delegation:	**Disposal of property other than land:** The following officers may dispose of property other than land to the maximum amount indicated below: All Directors | $20,000.00 All Managers | $10,000.00 **Approve a lease:** The Director City Business may approve the lease of a council property where: 1. The key lease terms and performance criteria have been agreed by council; or a. the lease is not for a period greater than five (5) years; or b. the lease agreement does not require a business plan; or c. the disposal of property is in accordance with s.3.58 of the *Local Government Act 1995*; and d. the lease is in accordance with relevant council policies. Note: If the tenant and prospective tenant meet the requirements of the *Commercial Tenancy Act WA 1985*, the council cannot withhold assignment of the lease or withhold tenant options to extend the term of the lease. Note: All public notices are given and approved by the Chief Executive Officer. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions, including but not limited to the Acquisition and Disposal of Property Council Policy and Leasing of City Property in a Competitive Manner Council Policy.	
Reporting requirements		
Use of this delegation: 1. Is to be recorded in the Leases and Licenses register. 2. Is to be recorded in the City's record keeping system.		

2.5 Payments from municipal or trust fund	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to make payments from the municipal or trust fund in accordance with: **Legislation** / **Section** *Local Government Act 1995* / 5.42, 5.43 and 6.9(4) *Local Government (Financial Management) Regulations 1996* / Regulation 12(1)(a) and 13 For the purpose of this delegation, "payments" refer exclusively to the execution and release of funds from the City's municipal or trust fund bank accounts.
Delegated to:	Chief Executive Officer
Limitations on delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Power to sub delegate:	**Legislation**: *Local Government Act 1995*; **Section**: 5.44

Sub delegation Payments from municipal or trust fund	
Delegator	Chief Executive Officer
Date approved:	29 June 2026
Part 1 Sub delegated to:	Director City Business Manager Financial Services Financial Accounting Team Leader Rates and Management Accounting Team Leader

Part 1. Limitations on sub delegation:	**Scope of authority:** This sub-delegation applies only to the approval and release of payments through the City's banking platform and does not include ERP or records management system authorisations, or direct debit arrangements. 1. Payments are to be made in accordance with: a. City of Fremantle policies and procedures. b. verification of a payment and authorisation/release of the same payment must not be performed by the same person. 2. Authority includes but is not limited to: a. transferring money held in trust for 10 years to its municipal fund, and to approve to repay it to a person who establishes a right to the repayment, together with any interest earned on the investment. 3. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions. 4. Approving issue of purchase or credit cards is limited to the Director City Business. Note: The CEO is the only person already authorised (directly by the *Local Government Act 1995* and *Regulation* 5(1)(e) of the *Local Government (Financial Management) Regulations 1996)* to authorise expenditure as included in the annual budget.
Part 2. Sub delegated to:	Financial Transactions Coordinator Financial Accountant

Part 2. Limitations on sub delegation:	**Scope of authority:** This sub-delegation is limited to operational processing and execution of payments within the City's banking platform and does not include ERP or records management system authorisations, or direct debit arrangements. 1. Payments are to be made in accordance with: a. City of Fremantle policies and procedures. b. any additional limitations or limitations set by the Director City Business or Manager Financial Services. c. verification of a payment and authorisation of the same payment cannot be undertaken by the same person. d. Payments processed under this sub-delegation must be approved by two sub-delegated officers listed in Part 1 above prior to release. 2. Authority does not include: a. approving issue of purchase or credit cards. b. transferring money held in trust for 10 years to its municipal fund, and to approve to repay it to a person who establishes a right to the repayment, together with any interest earned on the investment. 3. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions. Note: The CEO is the only person already authorised (directly by the *Local Government Act 1995* and *Regulation* 5(1)(e) of the *Local Government (Financial Management) Regulations 1996*) to authorise expenditure as included in the annual budget.
Reporting requirements	
Use of this delegation: 1. Is to be presented in a report to each monthly Council meeting. 2. Is to be recorded in the City's record keeping system.	

2.6 Determine grants and sponsorship allocations	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to determine allocation of the City's grants, and sponsorships in accordance with: **Legislation** / **Section** *Local Government Act 1995* / 5.42 and 5.43 *Local Government (Financial Management) Regulations 1996* / Regulation 12(1)(a) For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer
Limitations on delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions, including but not limited to the Grants and Sponsorship Council Policy**.**
Power to sub delegate:	**Legislation** / **Section** *Local Government Act 1995* / 5.44

Sub delegation Determine grants and sponsorship allocations	
Delegator:	Chief Executive Officer
Date approved:	29 June 2026
Sub delegated to:	All Directors Manager Arts Manager Community Development Manager Economic Development and Events Manager Governance Manager Parks and Landscape

Limitations on sub delegation:	1. All Directors can approve grants, and sponsorships up to a maximum of $50 000 per applicant per year. 2. Manager Arts, Manager Economic Development and Events, Manager Community Development and Manager Parks and Landscape can approve grants, and sponsorships up to a maximum of $25 000 per applicant per year. 3. All officers listed in this delegation may approve donations in accordance with city policy to a maximum of $5 000, or as specified in policy, whichever amount is lower. 4. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions, including but not limited to the Grants and Sponsorship Council Policy**.**
Reporting requirements	
Use of this delegation: 1. Is to be recorded in the Grants and Sponsorships register. 2. Is to be reported to the Audit, Risk and Improvement Committee. 3. Is to be recorded in the City's record keeping system.	

2.7 Agreements for payment of rates and service	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to make an agreement with a person for the payment of rates or services charges. in accordance with: **Legislation**: *Local Government Act 1995* **Section**: 5.42, 5.43 and 6.49 For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer
Limitations on delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions, including but not limited to the Financial Hardships Council Policy**.**
Power to sub delegate:	**Legislation**: *Local Government Act 1995* **Section**: 5.44

Sub delegation Agreements for payment of rates and service	
Delegator	Chief Executive Officer
Date approved:	29 June 2026
Sub delegated to:	Director City Business Manager Financial Services Financial Accounting Team Leader Rates and Management Accounting Team Leader Rates Coordinator
Limitations on sub delegation:	The following officers may agree payment arrangements for rates or service charges up to a maximum indicated for any single debtor:

Director City Business	$150,000.00
Manager Financial Services	$50,000.00
Financial Accounting Team Leader	$10,000.00
Rates and Management Accounting Team Leader	$10,000.00
Rates Coordinator	$10,000.00

	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions, including but not limited to the Financial Hardships Council Policy**.**
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

2.8 Require lessee to pay rent in satisfaction of rates or services charge		
Delegator:	Council	
Date adopted:	25 June 2026	
Delegation:	Council delegates the 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 local government. 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. in accordance with: **Legislation**: *Local Government Act 1995* — **Section**: 5.42, 5.43, 6.60(2) and (4) For the purpose of effective management of the City of Fremantle.	
Delegated to:	Chief Executive Officer	
Limitations on delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.	
Power to sub delegate:	**Legislation**: *Local Government Act 1995*	**Section**: 5.44

Sub delegation Require lessee to pay rent in satisfaction of rates or services charge	
Delegator:	Chief Executive Officer
Date approved:	29 June 2026
Sub delegated to:	Director City Business Manager Financial Services Rates and Management Accounting Team Leader Rates Coordinator
Limitations on sub delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.

Reporting requirements
Use of this delegation is to be recorded in the City's record keeping system.

2.9 Objection to rate record - objection and review	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to make decisions regarding objections to the rates record including extending the time for a person to make an objection and following consideration, make a decision whether to allow or disallow the objection, either wholly or in part, In accordance with: **Legislation** / **Section** *Local Government Act 1995* / 5.42, 5.43, 6.76(4) and (5) For the purpose of effective management of the City of Fremantle
Delegated to:	Chief Executive Officer
Limitations on delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Power to sub delegate:	**Legislation** / **Section** *Local Government Act 1995* / 5.44
Sub delegation Objection to rate record - objection and review	
Delegator:	Chief Executive Officer
Date approved:	29 June 2026
Sub delegated to:	Director City Business Manager Financial Services
Limitations on sub delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

2.10 Rate exemptions	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to determine applications for rate exemptions in accordance with: **Legislation** — **Section** *Local Government Act 1995* — 5.42, 5.43 and 6.26 For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer
Limitations on delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Power to sub delegate:	**Legislation** — **Section** *Local Government Act 1995* — 5.44
Sub delegation Rate exemptions	
Delegator:	Chief Executive Officer
Date approved:	29 June 2026
Sub delegated to:	Director City Business Manager Financial Services
Limitations on sub delegation:	1. May only be used where there are no risk implications or political sensitivities evident. 2. The Director City Business and Manager Financial Services may only determine rate exemption applications and renewals with variations where the annual value of the exemption is less than $25,000. 3. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

2.11 Expressions of interest and tenders	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to determine: 1. To call tenders. 2. To call tenders for the disposal of impounded goods. 3. To invite tenders though not required to do so. 4. The criteria for accepted tenders. 5. To vary tender information after public notice of invitation to tender and before the close of tenders. 6. Seek clarification from tenderers in relation to information contained in their tender submission. 7. To evaluate tenders and decide which is the most advantageous. 8. To accept or reject tenders. 9. To decline any tender. 10. Minor variations to a contract. 11. To accept another tender where within 6-months of either accepting a tender a contract has not been entered into OR the successful tenderer agrees to terminate the contract. 12. When to seek expressions of interest and to invite expressions of interest to supply goods or services. 13. 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. in accordance with: **Legislation** — **Sections** *Local Government Act 1995* — 3.57, 5.42 and 5.43 *Local Government (Functions and General) Regulations 1996* — **Regulations** 11, 13, 14(2a), (5), 18(2), (4), (4a), (5), (6), (7), 20, 21, and 23. For the purpose of effective management of the City of Fremantle.

Register of Delegated Authority 2026-27

Delegated to:	Chief Executive Officer	
Limitations on delegation:	1. May only call tenders where there is an adopted budget for the proposed procurement, with the exception being in the period immediately prior to the adoption of a new annual budget where the proposed procurement is required to fulfil a routine contract related to the day to day operations of the City, with an imminent expiry date and the value of the proposed contract has been included in the draft annual budget papers. 2. May accept a tender where the consideration under the resulting contract is $1,000,000 or less and the item is identified in the adopted annual budget. 3. May determine variations to a contract in accordance with the City of Fremantle Procurement Policy and Guidelines. 4. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions, including but not limited to the Procurement Policy and Guidelines.	
Power to sub delegate:	**Legislation** *Local Government Act 1995*	**Section** 5.44
Sub delegation Expressions of interest and tenders		
Delegator:	Chief Executive Officer	
Date approved:	29 June 2026	
Sub delegated	All Directors	
Limitations on sub delegation:	1. May only call tenders where there is an adopted budget for the proposed procurement, with the exception being in the period immediately prior to the adoption of a new annual budget where the proposed procurement is required to fulfil a routine contract related to the day to day operations of the City, with an imminent expiry date and the value of the proposed contract has been included in the draft annual budget papers. 2. May accept a tender where the consideration under the resulting contract is $500 000 or less and the item is identified in the adopted annual budget, and the decision is consistent with the advice of the tender evaluation committee. 3. May determine variations to a contract in accordance with the City of Fremantle Procurement Policy and Guidelines. 4. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions, including but not limited to the Procurement Policy and Guidelines. Note: All public notices are given and approved by the Chief Executive Officer.	
Reporting requirements		
Use of this delegation: 1. Is to be recorded in the goods and services register. 2. Is to be recorded in the City's record keeping system.		

2.12 Procurement Exemptions	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to determine that, because of the unique nature of the goods or services required or for any other reason, in accordance with the City of Fremantle Procurement Policy and Guidelines: **Legislation** / **Section** *Local Government Act 1995* / 5.42 and 5.43 *Local Government (Functions and General) Regulations 1996* / Regulation 11(2)(f) For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer
Limitations on delegation:	The Chief Executive Officer being satisfied that: 1. The total amount spent does not exceed $100 000. 2. Adequate market research has been undertaken to verify that no alternative supplier of the goods or services is available; and 3. Sufficient investigation into the use of potential substitute goods or services has been undertaken. 4. Determinations to be reported to the Audit, Risk and Improvement Committee at least annually. 5. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions, including but not limited to the City of Fremantle Procurement Policy and Guidlines.
Power to sub delegate:	**Legislation** / **Section** *Local Government Act 1995* / 5.44
Sub delegation Sole supplier of goods and services	
Delegator:	Chief Executive Officer
Date approved:	29 June 2026

Sub delegated to:	All Directors
Limitations on sub delegation:	The Director being satisfied that: 1. The total amount spent does not exceed $50 000. 2. Adequate market research has been undertaken to verify that no alternative supplier of the goods or services is available; and 3. Sufficient investigation into the use of potential substitute goods or services has been undertaken. 4. Determinations to be reported to the Audit, Risk and Improvement Committee at least annually. 5. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions, including but not limited to the Procurement Policy and Guidelines.
Reporting requirements	
Use of this delegation: 1. Is to be recorded in the goods and services register. 2. Is to be reported to the Audit, Risk and Improvement Committee 3. Is to be recorded in the City's record keeping system.	

2.13 Appoint persons to receive complaints and withdrawals of complaints	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to appoint 1 or more persons for the purpose of receiving and withdrawals of complaints in accordance with*:* **Legislation** — **Section** *Local Government Act 1995* — 5.42 and 5.43 *Local Government Act (Model Code of Conduct) Regulations 2021* — 11(3)
Delegated to:	Chief Executive Officer
Limitations on delegation:	A complaint must be dealt with under clauses 12 to 13 of the *Local Government (Model Code of Conduct) Regulations 2021 unless it is referred to the Local Government Inspector.* The appointed person may conduct an investigation and present findings to Council for a decision. *Note: Appointment of persons for this delegation, and for complaints made under the Council complaints policy and Public Interest Disclosure Act 2003, are dealt with under CEO Delegation 5.2 (Dealing with complaints).*
Power to sub delegate:	**Legislation** — **Section** *Local Government Act 1995* — 5.44
Sub delegation **Appoint persons to receive and withdrawals of complaints**	
Sub delegated to:	Nil
Reporting Requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

2.14 Additional powers when notice is given to the owner or occupier of land under Section 3.25	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to do anything necessary to achieve the purpose for which a notice has been given and to recover costs associated with achieving the purpose for which a notice has been given, in accordance with: **Legislation** — **Section** *Local Government Act 1995* — 3.25, 3.26, 5.42 and 5.43 For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer
Limitations on delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Power to sub delegate:	**Legislation** — **Section** *Local Government Act 1995* — 5.44
Sub delegation Additional powers when notice is given to the owner or occupier of land under Section 3.25	
Delegator:	Chief Executive Officer
Date adopted:	29 June 2026
Sub delegated to:	Director City Business Director Infrastructure Director Planning, Place and Urban Development Manager Regulatory Services Manager Parks and Landscape Manager Infrastructure Project Management & Facilities Manager Infrastructure Engineering
Limitations on sub delegation:	1. An individual infringement notice cannot be withdrawn or extended by the same officer that has issued it. 2. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

2.15 Particular things local governments can do on land that is not local government property	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to do any of the things prescribed in Schedule 3.27 of the *Local Government Act 1995* in accordance with: **Legislation**: *Local Government Act 1995* **Section**: 3.27, 5.42 and 5.43, and Schedule 3.2 For the purpose of effective management of the City of
Delegated to:	Chief Executive Officer
Limitations delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Power to sub delegate:	**Legislation**: *Local Government Act 1995* **Section**: 5.44
Sub delegation Particular things local governments can do on land that is not local government property	
Delegator:	Chief Executive Officer
Date adopted:	29 June 2026
Sub delegated to:	Director City Business Director Infrastructure Director Planning, Place and Urban Development Manager Regulatory Services Manager Parks and Landscape Manager Infrastructure Project Management & Facilities Manager Infrastructure Engineering
Limitations on sub delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

2.16 Crossing from public thoroughfare to private land or private thoroughfare	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to: 1. Approve the construction of a crossing giving access from a thoroughfare to private land or a private thoroughfare serving the land. 2. Give a person who is the owner or occupier of private land a notice in writing requiring the person to construct or repair a crossing from a public thoroughfare to the land or a private thoroughfare serving the land. in accordance with: **Legislation** / **Section** *Local Government Act 1995* / 5.42 and 5.43 *Local Government (Uniform Local Provisions) Regulations 1996* / Regulation 12(1) - Sch. 9.1 cl. 7(2) and Regulation 13(1)(2) - Sch. 9.1 cl. 7(3) For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer
Limitations on delegation:	1. Approval must be in writing for the crossing under regulation 14(2) of the *Local Government (Uniform Local Provisions) Regulations 1996.* 2. Due process for the issuing of a notice under section 3.25 of the *Local Government Act 1995* must be followed. 3. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions, including but not limited to the Cross Over Council Policy.
Power to sub delegate:	**Legislation** / **Section** *Local Government Act 1995* / 5.44

Sub delegation Crossing from public thoroughfare to private land or private thoroughfare	
Delegator:	Chief Executive Officer
Date adopted:	29 June 2026
Sub delegated to:	Director Infrastructure Manager Infrastructure Engineering Engineering Team Leader - Development and Compliance Principal Design Engineer
Limitations on sub delegation:	1. Approval must be in writing for the crossing under regulation 14(2) of the *Local Government (Uniform Local Provisions) Regulations 1996.* 2. Due process for the issuing of a notice under section 3.25 of the *Local Government Act 1995* must be followed. 3. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions, including but not limited to the Cross Over Council Policy.
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

2.17 Powers of entry	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to: 1. Enter on to land to perform any function of the local government under the Act. 2. Give a notice of entry. 3. Seek and execute an entry under warrant. 4. Execute entry in an emergency. 5. Give notice and effect entry by opening a fence. in accordance with: **Legislation** — *Local Government Act 1995*; **Section** — 3.32, 3.33, 3.34, 3.36, 5.42 and 5.43 For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer
Limitations on delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Power to sub delegate:	**Legislation** — *Local Government Act 1995*; **Section** — 5.44
Sub delegation Powers of entry	
Delegator:	Chief Executive Officer
Date adopted:	29 June 2026

Sub delegated to:	Director City Business Director Infrastructure Director Planning, Place and Urban Development Manager Regulatory Services Manager Parks and Landscape Manager Infrastructure Project Management & Facilities Manager Infrastructure Engineering Manager City Planning Manager City Design Engineering Team Leader - Development and Compliance Coordinator Statutory Planning All Senior Heritage Officers Principal Statutory Planner All Senior Planning Officers All Statutory Planning Officers Planning Officer Team Leader Strategic Planning and Heritage Services Senior Strategic Planning Officer Strategic Planning Officer Heritage and Strategic Planning Officer Compliance Officer Principal Compliance Officer Principal Building Surveyor Building Surveyor
Limitations on sub delegation:	1. In accordance with section 3.35 of the *Local Government Act 1995*, purpose of entry to be given on request. 2. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

2.18 Disposing of confiscated or uncollected goods	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to sell or otherwise dispose of confiscated or uncollected goods and to recover expenses incurred for removing and impounding and in disposing of confiscated or uncollected goods, in accordance with: **Legislation**: *Local Government Act 1995* **Section**: 3.47, 3.48, 3.58, 5.42 and 5.43 For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer
Limitations on delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Power to sub delegate:	**Legislation**: *Local Government Act 1995* **Section**: 5.44

Sub delegation Disposing of confiscated or uncollected goods	
Delegator:	Chief Executive Officer
Date adopted:	29 June 2026
Sub delegated to:	All Directors Manager Regulatory Services Manager Parks and Landscape Manager Infrastructure Project Management & Facilities Manager Infrastructure Engineering Manager Community Development Manager Customer Experience Manager Arts Manager Commercial Services Manager Economic Development and Events Manager Waste and Fleet Team Leader Community Safety and Parking
Limitations on sub delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.

Reporting requirements
Use of this delegation is to be recorded in the City's record keeping system.

2.19 Disposal of sick or injured animals	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to destroy and dispose of an animal that is determined to be too sick or injured to treat, in accordance with: **Legislation** / **Section** *Local Government Act 1995* / 3.47A(1), 5.42 and 5.43 For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer
Limitations on delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Power to sub delegate:	**Legislation** / **Section** *Local Government Act 1995* / 5.44

Sub delegation Disposal of sick or injured animals	
Delegator:	Chief Executive Officer
Date adopted:	29 June 2026
Sub delegated to:	Director Planning, Place and Urban Development Director Infrastructure Manager Regulatory Services Manager Parks and Landscape Team Leader Community Safety and Parking Manager Waste and Fleet

Limitations on sub delegation:	1. To be disposed of in the following manner: a. Through surrender to an appropriate rescue organisation, with preference given to a no-kill facility where possible. b. Euthanasia. 2. Circumstances where euthanasia may be considered acceptable include, but are not limited to the following: a. Where animals are vicious, dangerous, unmanageable, fearful or likely to cause harm due to their behaviour or temperament. b. Where the animal is sick or injured as determined by a veterinarian surgeon. c. Unclaimed impounded animals unable to be taken by rescue organisations. 3. Euthanasia will be undertaken by an approved veterinarian surgeon in line with the Australian Veterinary Association Code of Professional Conduct. The veterinary surgeon will determine the most appropriate method of euthanasia. 4. No animal shall be surrendered to any person or organisation if it is believed the animal may be used for the purposes of medical research. 5. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

2.20 Close thoroughfares to vehicles	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to: 1. Close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles. 2. Give public notice and provide to the Commissioner of Main Roads and consider submissions relevant to road closures for proposed closures of thoroughfares for a period exceeding 4 weeks. 3. Where level or alignment of a thoroughfare is fixed or altered or where draining water from a thoroughfare to private land, notify affected owners and consider any submissions made. in accordance with: **Legislation**: *Local Government Act 1995* — **Section**: 3.50, 3.50A, 3.51, 5.42 and 5.43 For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer
Limitations on delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Power to sub delegate:	**Legislation**: *Local Government Act 1995* — **Section**: 5.44

Sub delegation Close thoroughfares to vehicles	
Delegator:	Chief Executive Officer
Date adopted:	29 June 2026
Sub delegated to:	All Directors Manager Infrastructure Engineering Manager Regulatory Services Team Leader Community Safety and Parking Engineering Team Leader - Development and Compliance

Limitations on sub delegation:	1. Closure of a thoroughfare as part of a community event may only be granted where: a. the closures are similar to others held previously; or b. the closure only involves a single road closure within the CBD; or c. the closure only involves one street to accommodate a local resident activity. 2. Where applicable all road closures are to be undertaken in conjunction with a traffic management plan that complies with the Main Roads WA Traffic Management for Works on Roads Code of Practice. 3. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions. Note: All public notices are given and approved by the Chief Executive Officer.
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

2.21 Reserves under control of local government	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to do anything for the purposes of controlling and managing land that is vested in or under the management of the City, in accordance with: **Legislation** / **Section** *Local Government Act 1995* / 3.54, 5.42 and 5.43 For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer
Limitations on delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Power to sub delegate:	**Legislation** / **Section** *Local Government Act 1995* / 5.44

Sub delegation Reserves under control of local government	
Delegator:	Chief Executive Officer
Date approved:	29 June 2026
Sub delegated to:	All Directors Manager Parks and Landscape Manager Infrastructure Project Management & Facilities Manager Infrastructure Engineering
Limitations on sub delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.

Reporting Requirements
Use of this delegation is to be recorded in the City's record keeping system.

2.22 Dangerous excavations in or near public thoroughfares	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to deem an excavation to be dangerous and to fill in or fence the excavation, or request the owner or occupier to fill or securely fence the excavation, in accordance with: **Legislation** / **Section** *Local Government Act 1995* / 5.42 and 5.43 *Local Government (Uniform Local Provisions) Regulations 1996* / Regulation 11 Sch.9.1 cl.6 For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer
Limitations on delegation:	1. That due process for the issuing of a notice under section 3.25 of the *Local Government Act 1995* is followed. 2. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Power to sub delegate:	**Legislation** / **Section** *Local Government Act 1995* / 5.44

Sub delegation Dangerous excavations in or near public thoroughfares	
Delegator:	Chief Executive Officer
Date approved:	29 June 2026
Sub delegated to:	Director Infrastructure Director Planning, Place and Urban Development Manager Regulatory Services Manager Parks and Landscape Manager Infrastructure Project Management & Facilities Manager Infrastructure Engineering Engineering Team Leader - Development and Compliance
Limitations on sub delegation:	1. That due process for the issuing of a notice under section 3.25 of the *Local Government Act 1995* is followed. 2. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.

Reporting requirements
Use of this delegation is to be recorded in the City's record keeping system.

2.23 Private works on, over or under public places	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to grant permission to a person to construct anything on, over or under a public thoroughfare or other public place that is local government property, in accordance with: **Legislation** / **Section** *Local Government Act 1995* / 5.42 and 5.43 *Local Government (Uniform Local Provisions) Regulations 1996* / Regulation 17 Sch.9.1 cl.8 For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer
Limitations on delegation:	Subject to: 1. Schedule 3.1, Division 2, item 3 of the *Local Government Act 1995.* 2. That due process for the issuing of a notice under section 3.25 of the Act is followed. 3. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Power to sub delegate:	**Legislation** / **Section** *Local Government Act 1995* / 5.44
Sub delegation Private works on, over or under public places	
Delegator:	Chief Executive Officer
Date approved:	29 June 2026
Sub delegated to:	Director City Business Director Infrastructure Manager Regulatory Services Manager Infrastructure Engineering Engineering Team Leader - Development and Compliance

Limitations on sub delegation:	Subject to: 1. Schedule 3.1, Division 2, item 3 of the *Local Government Act 1995.* 2. That due process for the issuing of a notice under section 3.25 of the Act is followed. 3. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

2.24 Execution of documents	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to sign various classes of documents in accordance with: **Legislation** / **Section** *Local Government Act 1995* / 5.43(ha) and 9.49A(4) For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer All Directors All Managers
Limitations on delegation:	Execution of documents is to be undertaken in accordance with the Execution of Documents Council Policy and the *Local Government Act 1995* [s9.49A].
Power to sub delegate:	Nil
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

PART 3
Delegations from other legislation

Bush Fires Act 1954

3.1 *Bush Fires Act 1954* Powers, duties and functions of a local government	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates all powers, duties and functions of the local government under the B*ush Fires Act 1954*, in accordance with: **Legislation** / **Section** *Bush Fires Act 1954* / 48 For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer
Limitations on delegation:	Authority excludes powers and duties that: 1. Are prescribed in the Act with a requirement for a resolution of the local government. 2. Are prescribed by the Act for performance by designated officers. 3. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Power to sub delegate:	Nil.
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

Food Act 2008

3.2 *Food Act 2008* Appoint authorised and designated officers	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to appoint a person: 1. To be an authorised officer for the purposes of the *Food Act 2008.* 2. To be a designated officer for the purposes of the *Food Act 2008.* in accordance with: **Legislation** / **Section** *Food Act 2008* / 122(1) and 126(13) *Food Act 2008* / 118(2)(b), 118 (3) [s119] and [s120] and 118(4) For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer
Limitations on delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Power to sub delegate:	Nil.
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

3.3 *Food Act 2008* Prohibition orders	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to: 1. Serve a prohibition order on the proprietor of a food business in accordance with s65 of the *Food Act 2008* [s65]. 2. Give a certificate of clearance, where inspection demonstrates compliance with a prohibition order and any improvement notices. 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. in accordance with: **Legislation** — **Section** *Food Act 2008* — 118(2)(b), 118 (3) [s119] and [s120] and 118(4) *Food Act 2008* — 65(1), 66, and 67(4) For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer Director Planning, Place and Urban Development Manager Regulatory Services Principal Environmental Health Officer
Limitations on delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Power to sub delegate:	Nil.
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

3.4 *Food Act 2008* Prosecutions	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to institute proceedings for an offence under the *Food Act 2008* in accordance with: **Legislation** / **Section** *Food Act 2008* / 118(2)(b), 118 (3) [s119] and [s120] and 118(4) *Food Act 2008* / 125 For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer Director Planning, Place and Urban Development Manager Regulatory Services Principal Environmental Health Officer
Limitations on delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Power to sub delegate:	Nil.
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

3.5 *Food Act 2008* Registration of food businesses	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to: 1. Determine applications for registration of a food business in respect of any premises for the purposes of Part 9 of the *Food Act 2008* and issue a certificate of registration. 2. After considering an application, grant (with or without Limitations) or refuse the application. 3. Vary the Limitations or cancel the registration of a food business in respect of any premises under Part 9 of the in accordance with: **Legislation** — **Section** *Food Act 2008* — 118(2)(b), 118 (3) [s119] and [s120] and 118(4) *Food Act 2008* — 110(1) and (5) and 112 For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer Director Planning, Place and Urban Development Manager Regulatory Services Principal Environmental Health Officer All Environmental Health Officers
Limitations on delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Power to sub delegate:	Nil.
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

3.6 *Food Act 2008* Determine compensation	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to determine to refuse or pay on an application for compensation from a person on whom a prohibition notice has been served, who has suffered loss as a result of the making of the order; and considers that there were insufficient grounds for making the order, in accordance with: **Legislation** / **Section** *Food Act 2008* / 118(2)(b), 118 (3) [s119] and [s120] and 118(4) *Food Act 2008* / 70(2) and (3) For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer
Limitations on delegation:	1. The level of compensation to be paid in respect of any single claim is not to exceed $5 000. 2. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Power to sub delegate:	Nil.
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

Building Act 2011

3.7 *Building Act 2011* Approve or refuse building permit	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to: 1. Grant a building permit. 2. Refuse a building permit. 3. Determine approved alternative building solution to meet performance requirement in the Building Code relating to fire detection and early warning. 4. Determine approval / refusal of battery powered smoke alarm and determine application form. in accordance with: **Legislation** / **Section** *Building Act 2011* / 127 *Building Act 2011* / 20, 27(1) and (3) *Building Regulations 2012* / Regulation 55 and 61 For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer
Limitations on delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Power to sub delegate:	**Legislation** / **Section** *Building Act 2011* / 127(6A)
Sub delegation Approve or refuse building permit	
Delegator:	Chief Executive Officer
Date approved:	29 June 2026

Register of Delegated Authority 2026-27

Sub delegated to:	Manager Regulatory Services Principal Building Surveyor
Limitations on sub delegation:	1. Subject to the qualification requirements of *Building Services (Registration) Act 2011.* 2. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

3.8 *Building Act 2011* Approve or refuse demolition permit	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to: 1. Grant a demolition permit. 2. Refuse a demolition permit. 3. Impose, vary or revoke Limitations on a demolition permit. in accordance with: **Legislation** / **Section** *Building Act 2011* / 127 *Building Act 2011* / 21, 27(1) and (3) For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer
Limitations on delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Power to sub delegate:	**Legislation** / **Section** *Building Act 2011* / 127(6A)

Sub delegation Approve or refuse demolition permit	
Delegator:	Chief Executive Officer
Date approved:	29 June 2026
Sub delegated to:	Manager Regulatory Services Principal Building Surveyor
Limitations on sub delegation:	1. Subject to the qualification requirements of *Building Services (Registration) Act 2011.* 2. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.

Reporting requirements
Use of this delegation is to be recorded in the City's record keeping system.

3.9 *Building Act 2011* Grant occupancy permit or building approval certificate	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to: 1. Require an applicant to provide any document or information required in order to determine an application. 2. Grant or modify an occupancy permit or building approval certificate. 3. Impose, add, vary or revoke Limitations on an occupancy permit or building approval certificate. 4. The period in which an occupancy permit or modification, or building approval certificate has effect. in accordance with: **Legislation** / **Section** *Building Act 2011* / 127 *Building Act 2011* / 58, 62(1) and (3) For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer
Limitations on delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Power to sub delegate:	**Legislation**: *Building Act 2011* — **Section**: 127(6A)

Sub delegation Grant occupancy permit or building approval certificate	
Delegator:	Chief Executive Officer
Date approved:	29 June 2026
Sub delegated to:	Manager Regulatory Services Principal Building Surveyor
Limitations on sub delegation:	1. Subject to the qualification requirements of *Building Services (Registration) Act 2011.* 2. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

3.10 *Building Act 2011* Designate authorised persons	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to designate an employee as an authorised person, in accordance with: **Legislation** / **Section** *Building Act 2011* / 127 *Building Act 2011* / 96(3) For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer
Limitations on delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Power to sub delegate:	**Legislation** / **Section** *Building Act 2011* / 127(6A)
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

3.11 *Building Act 2011* Issue and revocation of building orders	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to: 1. Make building orders in relation to: a. Building work. b. Demolition work. c. An existing building or incidental structure. 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, cause an authorised person to: a. Take any action specified in the order. b. Commence or complete any work specified in the order. 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 expenses incurred in doing anything in regard to non-compliance with a building order [s.118(3)]. 6. Initiate a prosecution pursuant to section 133(1) for noncompliance with a building order made pursuant to section 110 of the *Building Act 2011.* in accordance with: **Legislation** — **Section** *Building Act 2011* — 127 *Building Act 2011* — 110(1), 111(1), 117(1) and (2), 118(2) and (3) and 133(1) For the purpose of effective management of the City of Fremantle.

Register of Delegated Authority 2026-27

Delegated to:	Chief Executive Officer	
Limitations on delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.	
Power to sub delegate:	**Legislation** *Building Act 2011*	**Section** 127(6A)
Sub delegation Issue and revocation of building orders		
Delegator:	Chief Executive Officer	
Date approved:	29 June 2026	
Sub delegated to:	Manager Regulatory Services Principal Building Surveyor Principal Compliance Officer	
Limitations on sub delegation:	1. Subject to the qualification requirements of *Building Services (Registration) Act 2011.* 2. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.	
Reporting requirements		
Use of this delegation is to be recorded in the City's record keeping system.		

3.12 *Building Act 2011* Inspection and copies of building records	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to determine an application from an interested person to inspect and copy a building record, in accordance with: **Legislation** / **Section** *Building Act 2011* / 127 *Building Act 2011* / 131(2) For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer
Limitations on delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Power to sub delegate:	**Legislation** / **Section** *Building Act 2011* / 127(6A)

Sub delegation Inspection and copies of building records	
Delegator:	Chief Executive Officer
Date approved:	29 June 2026
Sub delegated to:	Manager City Planning Manager Regulatory Services Principal Building Surveyor
Limitations on sub delegation:	1. Subject to the qualification requirements of *Building Services (Registration) Act 2011.* 2. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.

Reporting requirements
Use of this delegation is to be recorded in the City's record keeping system.

Litter Act 1979

3.13 *Litter Act 1979* Withdrawal of infringement notices	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to determine if an infringement is to be withdrawn; and to sign withdrawal notices sent under subsection 4 of the *Litter Act 1979*, in accordance with: **Legislation** | **Section** *Litter Act 1979* | 30(4a) For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer Director Planning, Place and Urban Development Manager Regulatory Services Team Leader Community Safety and Parking
Limitations on delegation:	1. An individual infringement notice cannot be withdrawn or extended by the same officer that has issued it. 2. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Power to sub delegate:	Nil.
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

Dog Act 1976

3.14 *Dog Act 1976* Functions		
Delegator:	Council	
Date adopted:	25 June 2026	
Delegation:	Council delegates the authority to undertake all the powers and duties of the local government under the *Dog Act 1976*, in accordance with: **Legislation**: *Dog Act 1976* **Section**: 10AA For the purpose of effective management of the City of Fremantle.	
Delegated to:	Chief Executive Officer	
Limitations on delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions, including but not limited to the Local Laws Relating to Dogs.	
Power to sub delegate:	**Legislation** *Dog Act 1976*	**Section** 10AA(3)
Sub delegation Functions		
Delegator:	Chief Executive Officer	
Date approved:	29 June 2026	
Sub delegated to:	Manager Regulatory Services Team Leader Community Safety and Parking	
Limitations on sub delegation:	The Manager Regulatory Services and Team leader Community Safety and Parking are authorised to undertake the following functions: a. Direct a registration officer to refuse or effect or renew a registration of a dog or cancel a registration [s16]. b. Determine that a dog cannot be registered where no application has been made [s17A]. c. Determine, for the purposes of assessing whether a dog can be registered or remain registered, that a dog is not, or will not be appropriately confined [s16, s17A]. d. Determine for the purposes of assessing whether a dog can be registered or remain registered, that a dog is destructive, unduly mischievous, or to be suffering from an infectious or contagious disease [s16, s17A]. e. Establish and maintain dog management facilities [s 11(1)]. f. Keep a register of dogs [s14(1)].	

	g. Discount or waive a dog registration fee [s15(4A)] h. Grant exemption regarding the number of dogs that may be kept [s26(3)]. i. Approve kennel establishments [s27]. j. Appoint persons to seize dogs [s29(1a)]. k. Declare a dog to be a dangerous dog [s33E]. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions, including but not limited to the Local Laws Relating to Dogs.
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

Cat Act 2011

3.15 *Cat Act 2011* Functions		
Delegator:	Council	
Date adopted:	25 June 2026	
Delegation:	Council delegates the authority to undertake all of the powers and duties of the local government under the *Cat Act 2011*, in accordance with: **Legislation**: *Cat Act 2011*; **Section**: 44 For the purpose of effective management of the City of Fremantle.	
Delegated to:	Chief Executive Officer	
Limitations on delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.	
Power to sub delegate:	**Legislation**: *Cat Act 2011*	**Section**: 45
Sub delegation Functions		
Delegator:	Chief Executive Officer	
Date approved:	29 June 2026	
Sub delegated to:	Manager Regulatory Services Team Leader Community Safety and Parking	
Limitations on sub delegation:	Limited to the following sections of the *Cat Act 2011*: a. Registration [s9] b. Cancellation of registration [s10] c. Notice to be given of certain decisions made under this Subdivision [s13] d. Approval to breed cats [s37] e. Cancellation of approval to breed cats [s38] f. Notice to be given of certain decisions made under this Subdivision [s40] g. Authorised person may cause a cat to be destroyed [s49] All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.	
Reporting requirements		
Use of this delegation is to be recorded in the City's record keeping system.		

Graffiti Vandalism Act 2016

3.16 *Graffiti Vandalism Act 2016* Functions		
Delegator:	Council	
Date adopted:	25 June 2026	
Delegation:	Council delegates the authority to undertake all of the powers and duties of the local government under the *Graffiti Vandalism Act 2016*, in accordance with: **Legislation** / **Section** *Graffiti Vandalism Act 2016* / 16 *Graffiti Vandalism Act 2016* / Part 3 For the purpose of effective management of the City of Fremantle.	
Delegated to:	Chief Executive Officer	
Limitations on delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions, including but not limited to the Street Arts and Graffiti Removal Council Policy.	
Power to sub delegate:	**Legislation** *Graffiti Vandalism Act 2016*	**Section** 17
Sub delegation Functions		
Delegator:	Chief Executive Officer	
Date approved:	29 June 2026	
Sub delegated to:	Director Infrastructure Director Creative Arts and Community Manager Infrastructure Project Management & Facilities	
Limitations on sub delegation:	1. Unauthorised street art is to be assessed by the Director Creative Arts and Community before removal. 2. The Director Infrastructure can only hear or determine an objection in accordance with Section 22 of the *Graffiti Vandalism Act 2016.* 3. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions, including but not limited to the Street Arts and Graffiti Removal Council Policy.	
Reporting requirements		
Use of this delegation is to be recorded in the City's record keeping system.		

Public Health Act 2016

3.17 *Public Health Act 2016 Functions of an Enforcement Agency*	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to exercise all of the powers and duties conferred or imposed on a local government, as an enforcement agency, under the *Public Health Act 2016*. in accordance with: **Legislation** | **Section** *Public Health Act 2016* | 21 For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer
Limitations on delegation:	1. The designation of authorised officers is to be in accordance with section 25 of the *Public Health Act 2016.* 2. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Power to sub delegate:	Nil.
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

Fines, Penalties and Infringement Notices Enforcement Act 1994

3.18 *Fines, Penalties and Infringement Notices Enforcement Act 1994* Appointment of prosecution officers	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to provide written notice to the Registrar designating those officers that are prosecution officers for the purposes of sections 16 and 22 of the *Fines, Penalties and Infringement Notices Enforcement Act 1994*, in accordance with: **Legislation**: *Fines, Penalties and Infringement Notices Enforcement Act 1994.* **Section**: 13 and 13(2) For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer
Limitations on delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Power to sub delegate:	Nil.
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

Planning and Development Act 2005

3.19 *Planning and Development Act 2005* Illegal development	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to: 1. Give a written direction to the owner or any other person undertaking an unauthorised development to stop, and not recommence, the development or that part of the development that is undertaken in contravention of the planning scheme, interim development order or planning control area requirements. 2. Give a written direction to the owner or any other person who undertook an unauthorised development: a. to remove, pull down, take up, or alter the development b. to restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the responsible authority. 3. Give a written direction to the person whose duty it is to execute work to execute that work where it appears that delay in the execution of the work to be executed under a planning scheme or interim development order would prejudice the effective operation of the planning scheme or interim development order. in accordance with: **Legislation** — **Section** *Local Government Act 1995* — 5.42 *Planning and Development Act 2005* — 214(2), (3) and (5) For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer
Limitations on delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Power to sub delegate:	**Legislation** — **Section** *Local Government Act 1995* — 5.44

Sub delegation Illegal development	
Delegator:	Chief Executive Officer
Date approved:	29 June 2026
Sub delegated to:	Director Planning, Place and Urban Development Manager City Planning Manager Regulatory Services
Limitations on sub delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

City of Fremantle Local Planning Scheme No. 4

3.20 City of Fremantle Local Planning Scheme No. 4 Enforcement and appeals	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to take action under part 13 of the *Planning and Development Act 2005* for any failure to comply with the provisions of Local Planning Scheme No. 4 or the *Planning and Development (Local Planning Schemes) Regulations 2015* (Deemed Provisions). As well as the power to determine a position in respect to any mediation resulting from an application for review made under Part 14 of the *Planning and Development Act 2005* in response to a decision made under delegated authority; and The determination of the City's position with respect to any appeal to the State Administrative Tribunal on a decision made under delegated authority. In accordance with: **Legislation** — **Section** *Planning and Development Act 2005* — Parts 13 and 14 *Planning and Development (Local Planning Schemes) Regulations 2015* — Division 2 of Schedule 2, cl. 82 For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer
Limitations on delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Power to sub delegate:	**Legislation** — **Section** *Planning and development (Local Planning Schemes) Regulations 2015* — Sch 2 cl. 83

Sub delegation Enforcement and appeals	
Delegator:	Chief Executive Officer
Date approved:	29 June 2026
Sub delegated to:	Director Planning, Place and Urban Development Manager City Planning Manager Regulatory Services Principal Compliance Officer
Limitations on sub delegation:	**Written direction:** 1. The following officers may only issue written direction in accordance with section 214 of the *Planning and Development Act 2005* (illegal development): • Manager Regulatory Services • Manager City Planning • Principal Compliance Officer 2. The power to withdraw written direction is limited to the Director Planning, Place and Urban Development. **Take legal action:** 1. The following officers may only take legal action in regard to breaches of the Local Planning Scheme No. 4 or the *Planning and Development (Local Planning Schemes) Regulations 2015* (Deemed Provisions): • Director Planning, Place and Urban Development • Manager Regulatory Services All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

3.21 City of Fremantle Local Planning Scheme No. 4 Development Control	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the authority to determine: 1. applications for planning approval (including the exercise of discretion under Local Planning Scheme No. 4 and the Residential Design Codes); 2. all matters which arise out of the imposition of conditions on planning approvals; and 3. all matters delegated to the City of Fremantle under the *Planning and Development Act 2005,* or functions that the City is authorised to exercise under that Act. in accordance with: **Legislation** — **Section** *Local Government Act 1995* — 5.42 and 5.43 For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer
Limitations on delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Power to sub delegate:	**Legislation** — **Section** *Local Government Act 1995* — 5.44
Sub delegation Development control	
Delegator	Chief Executive Officer
Date approved:	29 June 2026
Sub delegated to:	Director Planning, Place and Urban Development Manager City Planning Coordinator Statutory Planning Principal Statutory Planner

Limitations on sub delegation:	**All powers and duties** **Director Planning, Place and Urban Development** **Manager City Planning** The officers listed above have all of the powers and duties of the Council under the Local Planning Scheme No. 4 with the exception of: a. The adoption of a local planning policy, structure plan or local development plan *unless a minor amendment to a policy that does not require advertising*. b. The establishment of a committee under local planning scheme no. 4. c. Determining a planning application considered a significant application by: • Director Planning, Place and Urban Development • Manager City Planning d. Determining a planning application, or variation to planning approval where: • relevant objection/s have been received on planning grounds which cannot be addressed by conditions of approval and is not a minor variation as determined by the officers listed below, and clearly does not meet the intent of the relevant planning provision: • Chief Executive Officer • Director Planning, Place and Urban Development • Manager City Planning • the application involves demolition of a building (excluding an outbuilding, incidental structure, or minor addition) on the City of Fremantle Heritage List or within a Heritage Area, unless it has been identified as a non-contributory place by a decision of Council. e. Determining a variation of planning approval where the original decision has been determined by the Council or Committee unless one of the officers listed below deems the variation to be minor and the requirements of this delegation are met: • Chief Executive Officer • Director Planning, Place and Urban Development • Manager City Planning f Determining an application for extension of time, where the original decision was determined by the

Council or Committee and it is not the first extension of time for the planning application.

g Determining an application for planning approval in relation to a non- conforming use.

h Revocation of a local planning policy.

Limited authority

Coordinator Statutory Planning and Principal Statutory Planner

The officers listed above have some powers and duties of the Council under the Local Planning Scheme No. 4 with the exception of:

a. The adoption of a local planning policy, structure plan or local development plan.

b. The establishment of a committee under local planning scheme no. 4.

c. Determining a planning application considered a significant application by part 1 sub delegated officers.

d. Determining a planning application or variation to planning approval where:
   - relevant objection/s have been received on planning grounds which cannot be addressed by conditions of approval and is not a minor variation as determined by the officers listed below, and clearly does not meet the relevant performance criteria of the R Codes or intent of the relevant planning policy or scheme provision
     - Chief Executive Officer
     - Director Planning, Place and Urban Development
     - Manager City Planning
   - the application involves demolition of a building (excluding an outbuilding, incidental structure or minor addition) on the City of Fremantle Heritage List or within a Heritage Area.

e. Determining a variation of planning approval where the original decision has been determined by the Council or Committee unless one of the officers listed below deems the variation to be minor and the requirements of this delegation are met.
   - Chief Executive Officer
   - Director Planning, Place and Urban Development
   - Manager City Planning

f. Determining an application for extension of time, where the original decision was determined by the Council or

Committee and it is *not* the first extension of time for the planning application.

g. Determining an application for planning approval in relation to a non-conforming use.

h. Revocation of a local planning policy.

Prohibitions

Coordinator Statutory Planning

The officer listed above are subject to the following additional prohibitions:

1. may not determine a net increase of more than two dwellings (unless on a survey strata lot)

2. may not determine a net increase of over 5000m2 of building floor area unless in the Commercial or Industrial zone.

3. may not refuse applications

4. may not determine applications in a manner not generally consistent with relevant planning policies

5. Determining a planning application, or variation to planning approval where:
    - Relevant objection/s have been received on planning grounds which cannot be addressed by conditions of approval and is not a minor variation as determined by the officers listed below, and clearly does not meet the intent of the relevant planning provisions:
        - Chief Executive Officer
        - Director Planning, Place and Urban Development
        - Manager City Planning

Prohibitions

Principal Statutory Planner

The officer listed above are subject to the following additional prohibitions:

1. may not determine applications for development exceeding $2,000,000 in value

2. may not determine a net increase of more than two dwellings (unless on a survey strata lot)

3. may not determine a net increase of over 5000m2 of building floor area

	4. may not refuse applications 5. may not determine applications in a manner not generally consistent with relevant planning policies 6. may not determine an application for planning approval where any submissions have been received, irrespective of issues raised, unless all submissions received are in support of the development without condition
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

3.22 Modifications to the Heritage List and Local Heritage Survey	
Delegator:	Council
Date adopted:	25 June 2026
Authorised function:	Council provide authorisation to modify the Heritage List and Local Heritage Survey to maintain their currency by: • amending listing information where no advertising is required under the regulations, and • reclassifying to **Level 4** - Historic Record Only and removing from the Heritage List any properties that have been subdivided from the originally listed parent lot and have little or no heritage significance. In accordance with: **Legislation** — **Section** *Local Government Act 1995* — 5.42 *Planning and Development (Local Planning Schemes) Regulations 2015* — Part 10, Division 2 of Schedule 2 For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer
Limitations on delegation:	1. Any amendments must have the support of the effected landowner where consultation is required under legislation. 2. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Power to sub delegate:	**Legislation** — **Section** *Planning and Development (Local Planning Schemes) Regulations 2015* — Schedule 2 cl.83

Sub delegation **Modifications to the Heritage List and Local Heritage Survey**	
Delegator	Chief Executive Officer
Date approved:	29 June 2026
Sub delegated to:	Director Planning, Place and Urban Development Manager City Planning
Limitations on sub delegation:	1. Any amendments must have the support of the effected landowner where consultation is required under legislation. 2. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

Health (Asbestos) Regulations 1992

3.23 *Health (Asbestos) Regulations 1992 Appointment of authorised officers and approved officers*	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council delegates the appointment in writing of persons or classes of persons to be authorised officers or approved officers for the purposes of the *Criminal Procedure Act 2004* Part 2 in relation to infringement notices under the *Health (Asbestos) Regulations 1992*, in accordance with: **Legislation** | **Regulation** *Health (Asbestos) Regulations 1992* | 15D(5) For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer
Limitations on delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Power to sub delegate:	Nil
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

Health (Miscellaneous Provisions) Act 1911

3.24 *Health (Miscellaneous Provisions) Act 1911 Powers of local government*	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council appoints a deputy to exercise the powers and functions of the local government under the *Health (Miscellaneous Provisions) Act 1911*, in accordance with: **Legislation** / **Section** *Health (Miscellaneous Provisions) Act 1911* / 26 For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer
Limitations on delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Power to sub delegate:	**Legislation** / **Section** *Health (Miscellaneous Provisions) Act 1911* / 26
Sub delegation ***Health (Miscellaneous Provisions) Act 1911 Powers of local government***	
Delegator	Chief Executive Officer
Date approved:	29 June 2026
Sub delegated to:	Manager Regulatory Services
Limitations on sub delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

Short-Term Rental Accommodation Act 2024

3.25 *Short-Term Rental Accommodation Act 2024* Designated Officer	
Delegator:	Council
Date adopted:	25 June 2026
Delegation:	Council designates for the purpose of issuing a certificate in accordance with section 29 of the *Short-Term Rental Accommodation Act 2024:* **Legislation**: *Short-Term Rental Accommodation Act 2024* **Section**: 29 For the purpose of effective management of the City of Fremantle.
Delegated to:	Chief Executive Officer Director Planning, Place and Urban Development Manager City Planning Manager Regulatory Services
Limitations on delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Power to sub delegate:	Nil
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

PART 4
Delegations to local government from external agencies

The delegations outlined in part 4 of this register are externally established and may be subject to change. Please check the Government Gazette for most current version and use this register for reference only.

Environmental Protection Act 1986

4.1 Noise Control – Serve Environmental Protection Notices [S65(1)]

Noise Control – Serve Environmental Protection Notices [S65(1)]

Published in Government Gazette No.47, 19 March 2004

ENVIRONMENTAL PROTECTION ACT 1986

Section 20

Delegation No. 52

Pursuant to section 20 of the *Environmental Protection Act 1986*, the Chief Executive Officer hereby delegates as follows -

Powers and duties delegated -

All the powers and duties of the Chief Executive Officer, where any noise is being or is likely to be emitted from any premises not being premises licensed under the Act, to serve an environmental protection notice under section 65(1) in respect of those premises, and where an environmental protection notice is so served in such a case, all the powers and duties of the Chief Executive Officer under Part V of the Act in respect of that environmental protection notice.

Persons to whom delegation made -

This delegation is made to any person for the time being holding or acting in the office of Chief Executive Officer under the *Local Government Act 1995.*

Pursuant to section 59(1)(e) of the *Interpretations Act 1984*, Delegation No. 32, dated 4 February 2000 is hereby revoked.

Dated this 9th day of January 2004.

Approved –

FERDINAND TROMP, A/Chief Executive Officer.

Dr JUDY EDWARDS MLA, Minister for the Environment.

4.2 Noise Control – Keeping of Log Books, Noise Control Notices, Calibration and Approval of Non-Complying Events [Reg.16]

Noise Control – Keeping of Log Books, Noise Control Notices, Calibration and Approval of Non-Complying Events [Reg.16]

Published in Government Gazette No.232, 20 December 2013

EV402*

ENVIRONMENTAL PROTECTION ACT 1986

DELEGATION NO. 112

I, Jason Banks, in my capacity as Acting Chief Executive Officer of the Department of Environment Regulation responsible for the administration of the *Environmental Protection Act 1986* ("the Act"), and pursuant to section 20 of the Act, hereby delegate to any person for the time being holding or acting in the office of a Chief Executive Officer under the *Local Government Act 1995*, my powers and duties under the *Environmental Protection (Noise) Regulations 1997*, other than this power of delegation, in relation to—

(1) waste collection and other works—noise management plans relating to specified works under regulation 14A or 14B
(2) bellringing or amplified calls to worship—the keeping of a log of bellringing or amplified calls to worship requested under regulation 15(3)(c)(vi);
(3) community activities—noise control notices in respect of community noise under regulation 16;
(4) motor sport venues—noise management plans in relation to motor sport venues under Part 2 Division 3;
(5) shooting venues—noise management plans in relation to shooting venues under Part 2 Division 4;
(6) calibration results—requesting, under regulation 23(b), details of calibration results undertaken and obtained under Schedule 4;
(7) sporting, cultural and entertainment events—approval of events or venues for sporting, cultural and entertainment purposes under Part 2 Division 7, subject to the following limitation—
    (a) Subregulation 18(13)(b) is not delegated.

Under section 59(1)(e) of the *Interpretation Act 1984*, Delegation No. 68, gazetted 22 June 2007 is hereby revoked.

Dated the 12th day of December 2013. JASON BANKS, Acting Chief Executive Officer.

Approved by—

JOHN DAY, Acting Minister for Environment; Heritage.

4.3 Noise Control – Noise Management Plans – Construction Sites [Reg.13]

Noise Control – Noise Management Plans – Construction Sites [Reg.13]

Published in Government Gazette No.71 – 16 May 2014

EV405*

ENVIRONMENTAL PROTECTION ACT 1986

DELEGATION NO. 119

I, Jason Banks, in my capacity as the Acting Chief Executive Officer of the Department responsible for the administration of the *Environmental Protection Act 1986* ("the Act"), and pursuant to section 20 of the Act, hereby delegate to the holder for the time being of the offices of —

(8) Chief Executive Officer under the *Local Government Act 1995;* and
(9) to any employee of the local government under the *Local Government Act 1995* who is appointed as an Authorised Person under section 87 of the Act,

all my powers and duties in relation to noise management plans under regulation 13 of the *Environmental Protection (Noise) Regulations 1997,* other than this power of delegation.

Under section 59(1)(e) of the *Interpretation Act 1984*, Delegation No. 111, gazetted 20 December 2013, is hereby revoked.

Dated the 1st day of May 2014.
JASON BANKS, Acting Chief Executive Officer.

————

Approved by—
Hon ALBERT JACOBS JP MLA, Minister for Environment: Heritage

Planning and Development Act 2005

4.4 Referral arrangements - Western Australian Planning Commission

Western Australian Planning Commission – Referral Arrangements

Government Gazette No. 8 – 18 January 2022 (pages 115 - 117)

PL406

PLANNING AND DEVELOPMENT ACT 2005

NOTICE OF RESOLUTION

Resolution under Clause 32 of the MRS

RES 2021/01

Notice of resolution made under clause 32 of the Metropolitan Region Scheme (MRS) regarding development control powers of the Western Australian Planning Commission

Under clause 32 of the MRS, the WAPC may, by resolution, identify land and require that applications for all or certain classes of development on that land, be referred to the WAPC for determination.

Resolution under clause 32 of the MRS

On 8 December 2021, pursuant to clause 32 of the MRS, the WAPC RESOLVED—

A. TO REVOKE its resolution made under clause 32 of the MRS as detailed in the *Government Gazette* of 12 June 2015 at pages 2062 and 2063 and as published in the *Government Gazette* of 11 December 2011 concerning Lots 202 and 203, Corner Kwinana Freeway, Beeliar Drive and Wentworth Parade, Success.

B. TO REQUIRE all local governments within the MRS area to refer applications for development of the classes and in the locations specified in clauses 1 to 4 of Schedule 1 to the WAPC for determination.

C. TO REQUIRE the local governments specified in clauses 5 to 8 of Schedule 1 to refer applications for development of the classes and in the locations specified in clauses 5 to 8 of Schedule 1 to the WAPC for determination.

D. TO CONFIRM that words used in the schedule to this resolution have the meanings given to them in the *Planning and Development Act 2005* (Act) and the MRS, unless the context otherwise requires, the meanings defined in Schedule 3. In the case of any inconsistency, the Act prevails;

E. TO DECLARE that the resolution takes effect when notice of it is published in the *Government Gazette*.

SAM FAGAN, Secretary, Western Australian Planning Commission.

————

SCHEDULE 1

All Local Governments in the area covered by the MRS

1. Development of state or Regional Significance

Development in respect of which the WAPC, by notice in writing in each case, advises the local government that the development is of state or regional significance or that, in the public interest, the development should be subject of an application determined by the WAPC.

2. Development in the rural zone

Extractive Industry applications and any other uses which in the opinion of the WAPC or the local government may not be consistent with the rural zone.

3. Poultry Farms

Applications made under clause 28 of the MRS for approval to commence and carry out development of new poultry farms or any extension or addition in excess of 100 square meters to the improvements of an existing poultry farm in the Rural, Urban or Urban Deferred zones in the MRS.

4. Development in Activity Centres

Applications made under clause 28 of the MRS for approval to commence and carry out development relating to a building or extension/s to an existing building for shop-retail purposes —

(a) where the local government or the WAPC considers that the development proposed may be of State or regional significance;

(b) where the development proposed is major development which the local government considers is appropriately located in an activity centre of a higher level of the Activity Centre Hierarchy that the activity centre in which it is proposed to be located;

(c) where the development proposed is major development which the WAPC (after consulting the relevant local government) considers is appropriately located in an activity centre of a higher level of the Activity Centre Hierarchy that the activity centre in which it is proposed to be located;

(d) for Strategic metropolitan centre or Secondary centre developments where the development proposed is major development;

(e) for District centre developments, where the development is major development and where approval of the proposal would result in the shop/retail floorspace exceeding 20 000m^2 of shop/retail floorspace (net lettable area); or

(f) where the development proposed is wholly or partly located in zoned land in specialised centres.

except where the application complies with an activity centre structure plan or equivalent plan or strategy for the activity centre endorsed by the WAPC.

Referral arrangements for specific local governments

5. Stirling and Glendalough Station Precinct

Unless a structure plan is in place for the areas defined in the WAPC plan No. 4.1495/1, the City of Stirling is to refer for determination to the WAPC the following classes of applications under clause 28 of the MRS for approval to commence and carry out development on land –

(a) Applications that include non-residential uses and/or development;

(b) Applications for 5 or more residential dwellings.

6. Kwinana Industrial Area

The City of Kwinana is to refer for determination by the WAPC all applications made under clause 28 of the MRS for all classes of development for the area shown on WAPC plan No. 4.1489/1, except where development is estimated by the applicant to be less than $250,000 in respect of which the council may decide at its discretion to submit or not to the WAPC.

7. North Coogee Industrial Area

The City of Cockburn is to refer for determination by the WAPC all applications made under clause 28 of the MRS for all classes of development for the area shown on WAPC plan 4.1622.

8. Parliament House Precinct 6

The City of Perth is to refer for determination by the WAPC all applications for approval to commence and carry out development within –

(a) The area depicted as the Inner Precinct on WAPC plan 3.2096; and
(b) The area depicted as the Outer Precinct on WAPC plan 3.2096, where the development proposed will exceed the specified height limits, previously determined by the WAPC.

Interpretation

In this notice of resolution, words have the meaning given to them in the Act and the MRS. Unless the context otherwise requires —

"activity centre" is defined in section 9 of State Planning Policy 4.2;

"activity centre hierarchy" means the categories of activity centres set out in Appendix 1 of State Planning Policy 4.2, namely—

- Capital City
- Strategic centres
- Specialised centres
- Secondary centres
- District centres
- Neighbourhood centres; and
- Local centres

"Advice agency" means a department public authority or body which is requested to provide advice and recommendations on applications for planning approval under the GBRS as an agency responsible for reserved land or to which local governments refer applications under the terms of schedule 3.

"Category A activity centre uses" means land uses as defined in section 9 of State Planning Policy 4.2;

"Forward to the WAPC" and similar expressions mean convey by email, by hand or electronically to the office of the Department of Planning Lands and Heritage.

"major development" means development as defined in section 9 of State Planning Policy 4.2;

"net lettable area" is defined in section 9 of State Planning Policy 4.2;

"precinct structure plan or equivalent" means a precinct structure plan prepared for an activity centre as required under 7.2 of State Planning Policy 4.2, and includes what were previously referred to as an activity centre plan;

"*Planning approval*" means the planning approval of the WAPC as required under the MRS and this resolution, whether granted by the WAPC or by delegates of the WAPC including committees, or officers.

————

4.5 Development applications - Western Australian Planning Commission

Western Australian Planning Commission – Development Applications

Government Gazette No. 8 – 18 January 2022 (pages 111 – 115)

PL405

PLANNING AND DEVELOPMENT ACT 2005

Instrument of delegation

DEL 2022/03 Powers of Local Governments Metropolitan Region Scheme

Delegation of certain powers and functions of the Western Australian Planning Commission relating to the Metropolitan Region Scheme

Preamble

Under section 16 of the *Planning and Development Act 2005* (the Act) the Western Australian Planning Commission (the WAPC) may, by resolution published in the *Government Gazette*, delegate any function to an officer of a public authority or to a local government, a committee established under the *Local Government Act 1995* or an employee of a local government.

In accordance with section 16(4) of the Act, a reference in this instrument to a function or a power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or conferred upon the WAPC by the Act or any other written law as the case requires.

Resolution under section 16 of the Act (delegation)

On 8 December 2021, pursuant to section 16 of the Act, the WAPC resolved—

A. To delegate to local governments, and to members and officers of those local governments, its functions in respect of the determination, in accordance with Part IV of the Metropolitan Region Scheme, of applications for approval to commence and carry out development specified in clauses 1 and 2 of Section A, within their respective districts, subject to the conditions set out in clauses 1 to 4 of Section B;

B. To revoke its delegation of powers and functions to local governments as detailed in the notice entitled "DEL 2017/02 Powers of local governments (MRS)" published in the *Government Gazette* on 30 May 2017, to give effect to this delegation,

SAM FAGAN, Secretary, Western Australian Planning Commission.

————

PLANNING AND DEVELOPMENT ACT 2005

INSTRUMENT OF DELEGATION

SECTION A—Types of Development

1. Development on zoned land

Applications for development on land zoned under the MRS except—

(a) where the land is subject to a resolution under Clause 32 of the MRS; or

(b) where the land is subject to the declaration of a planning control area under Section 112 of the *Planning and Development Act 2005*; or

(c) where that land is partly within the development control area described in section 10 of the *Swan and Canning Rivers Management Act 2006* or is outside the development control area but abuts waters within the development control area and the Swan River Trust objects to the proposal, or a referral body recommends refusal; or

(d) where the local government is of the opinion that the application should be determined by the WAPC on the grounds that the proposal is of State or regional importance or is in the public interest, or

(e) in respect of public works undertaken by public authorities.

2. Development on regional road reservations

Applications for developments on or abutting land that is reserved in the MRS for the purpose of a regional road.

SECTION B—Conditions

1. Referral requirements for development on land within or abutting a regional road reservation

The following applications for development on land that abuts or is fully or partly reserved as regional road reservation (classified as Category 1, 2 and 3) shall be referred to Main Roads WA (MRWA) or the Department of Planning, Lands and Heritage, as applicable, for transport planning related comments and recommendations before being determined by the local government subject to the process explained in clause 4, Section B.

Type of regional road reservation in the MRS	Classification on plans SP 693 (PRR) and SP 694 (ORR)	Referral Agency
Primary Regional Road (PRR)	Category 1, 2 and 3	Main Roads WA
Other Regional Road (ORR)	Category 1, 2 and 3	Department of Planning, Lands and Heritage

The regional road network (PRR and ORR) changes periodically with amendments to the MRS. This clause relates to all regional road reservations in the MRS as amended from time to time. Regional roads subject to this notice and the relevant agency that is responsible for their planning are shown on accompanying editions of plans SP 693(PRR, MRWA) and SP 694 (ORR, WAPC).

The road categories shown on plans SP 693 (PRR) and SP 694 (ORR) classify the regional roads based on—

(a) the permissible vehicular access arrangements to the subject land via the regional road frontage

- **Category 1 road** means that frontage access is not allowed (control of access);
- **Category 2 road** means that frontage access may be allowed subject to approval; and

(b) the legibility and statutory powers of current road land requirements defined for the purpose of regional road reservation in the MRS

- **Category 3 road** means that the subject regional road reservation is not accurately defined or is subject to review by the agency that is responsible for planning of the regional road.

"**Category 1 road**" applies where regional roads—

(a) are constructed or planned to a fully controlled and grade separated freeway standard; or

(b) are constructed or planned to an access controlled arterial standard, (i.e. functioning as Primary Distributor or Integrator Arterial (District Distributor) road with widely spaced signalised intersections or roundabouts, and a few, if any, direct access points to individual sites or local streets.

"Category 2 road" applies where regional roads—

(a) are constructed or planned to a partially access controlled arterial standard, (i.e. a primary or district distributor road with direct connections to local streets and driveways to larger sites, but with some restriction of direct frontage access to individual properties); or

(b) have direct frontage access to abutting properties due to the historic development of the road and properties.

"Category 3 road" applies where regional road reservation is not accurately defined or is under review.

Tables 1, 2 and 3 below outline the category of the regional road reservation and the criteria for referring development applications to agencies for comment in accordance with this instrument of delegation.

Table 1—Referral process of development applications with respect to Category 1 (PRR or ORR reservations in the MRS)

Respective referral agency (as per Section B)	
Referral is required in these instances	**Referral is not required in these instances**
1. Where a development application has one or more of the following characteristics— (a) Development, including earthworks and drainage, which encroaches or impacts upon the road reservation; or (b) Development with potential for a significant increase in traffic using any access, either directly or indirectly, onto the road reservation; or (c) Development, which involves direct vehicle access to and/or from the regional road reservation.	1. Where the local government first decides to refuse the application under the MRS; or 2. Under circumstances where the application is for an ancillary and incidental addition or modification to an existing authorised development, which does not encroach upon the road reservation and has no intention to alter existing access arrangements.

Table 2—Referral process of development applications with respect to Category 2 (PRR or ORR reservations in the MRS)

Respective referral agency (as per Section B)	
Referral is required in these instances	**Referral is not required in these instances**
1. Where a development application has one or more of the following characteristics— (a) Development, including earthworks and drainage, which encroaches or impacts upon the road reservation; or (b) Development with potential for a significant increase in traffic on the regional road using any access, either directly or indirectly, onto the road reservation; or (c) Development, which involves the retention of more than one existing access; or additional, relocated or new access between the subject land and the road reservation; or (d) Development, which proposes retention of an existing access between the subject land and the road reservation, where alternative access is or could be made available from side or rear streets or from rights of way at rear; or (e) Development on a lot affected by the regional road reservation where— • all or part of the proposed development is within the regional road reservation; and • has a construction value greater than $50 000; or (f) Development on a lot affected by the regional road reservation where— • none of the proposed development is within the	1. Where the local government first decides to refuse the application under the MRS; or 2. Under circumstances where the application is for an ancillary and incidental addition or modification to an existing authorised development, which does not encroach upon the road reservation and has no intention to alter existing access arrangements.

regional road reservation; and • has a construction value greater than $250 000	

Table 3—Referral process of development applications with respect to Category 3 (PRR or ORR reservations in the MRS)

Respective referral agency (as per Section B)	
Referral is required in these instances	**Referral is not required in these instances**
1. All development applications, other than those where local governments first decides to refuse it.	1. Where the local government first decides to refuse the application under the MRS.

Notes—

(1) Copies of plans SP 693 (PRR) and SP 694 (ORR) are available from the WAPC's website: "Resolutions and instruments of delegation—WAPC Powers of local governments (MRS)". (http://www.DPLH.wa.gov.au/1212.asp).

(2) In determining applications under this delegation, local governments shall have due regard to relevant WAPC and MRWA policy and guidelines, including but not limited to the Commission's D C Policy—*5.1 Regional Roads (Vehicular Access)*, the Transport Impact Assessment Guidelines, and MRWA *Driveways Policy*, which set out the principles and requirements to be applied when considering proposals for vehicle access to or from developments abutting certain categories of regional roads.

(http://www.DPLH.wa.gov.au/publications/812.asp; and https://www.mainroads.wa.gov.au/BuildingRoads/StandardsTechnical/RoadandTrafficEngineering/GuidetoRoadDesign/Pages/Driveways.aspx)

(3) Local governments shall ensure that sufficient transport information accompanies the development application to assist the referral agency in assessing the transport implications of the proposal. This information should be provided in accordance with the WAPC's *Transport Impact Assessment Guidelines.* http://www.DPLH.wa.gov.au/publications/1197.asp

(4) With regard to proposals for new noise-sensitive developments, the local government shall have due regard to the provisions of Commission's *State Planning Policy—5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning*. (http://www.DPLH.wa.gov.au/publications/1182.asp)

2. Referral requirements for development on land abutting the Swan River Trust Development Control Area

Applications for development on land that is outside the development control area but abutting land that is in the development control area, or which in the opinion of the local government are likely to affect waters in the development control area, shall be referred to the Swan River Trust for comment and recommendation before being determined by the local government.

3. Referral requirements for development on land abutting other reservations

Applications for development on land abutting land reserved in the MRS for purposes other than regional roads or Parks and Recreation (where the reservation corresponds with the Swan River Trust development control area and is covered by Clause 2, Section B of this notice) shall be referred to the public authority responsible for that reserved land for comment and recommendation before being determined by the local government.

In the case of land reserved for the purpose of Parks and Recreation, which is not vested or owned by another public authority, the applications shall be referred to the Department of Planning, Lands and Heritage before being determined by the local government.

4. For the purpose of this Instrument of Delegation

(a) Where an application is referred by the local government to a public authority for comment and recommendation, the public authority shall provide comment and a recommendation, if any, within 30 days of receipt of the application. If no comment or recommendation is received within that 30 day period the local government may determine the application on the available information.

(b) Where the recommendation provided by the public authority specified in the delegation notice is not acceptable to the local government the application, together with the recommendations provided by all public authorities consulted and the reasons why the recommendation is not acceptable to the local government, shall be referred immediately to the WAPC for determination.

(c) The powers delegated to a member or officer of a local government may only be exercised by a member or officer who has been delegated power from the local government to consider and determine applications for approval to commence and carry out development within the local government district under the local government's local planning scheme.

Interpretation

In this Instrument of Delegation, unless the context otherwise requires—

- A reference to a 'position' or 'classification' contemplates and includes a reference to its successor in title.
- "access" means both entry and exit from either a road or abutting development by a vehicle.
- "Commission" or "WAPC" means the "Western Australian Planning Commission".
- "development" has the same meaning given to it in and for the purposes of the *Planning and Development Act 2005* or "*development means the development or use of any land, including—*
  - (a) *any demolition, erection, construction, alteration of or addition to any building or structure on the land;*
  - (b) *the carrying out on the land of any excavation or other works;*
  - (c) *in the case of a place to which a Conservation Order made under section 59 of the Heritage of Western Australia Act 1990 applies, any act or thing that—*
    - (i) *is likely to change the character of that place or the external appearance of any building; or*
    - (ii) *would constitute an irreversible alteration of the fabric of any building".*
- "local road" means a public road other than a private road or a road subject of reservation under Part II of the MRS.
- "not acceptable" means that the local government wishes to determine the application, as a delegate of the WAPC, in a manner that is inconsistent with the recommendation received from the public agency to which the local government was required to consult under this Notice of Delegation.
- Main Roads WA means Main Roads Western Australia
- "regional road" means any road designated under the region Scheme as follows—
  - (a) land coloured red in the Scheme Map—Primary Regional Roads; and
  - (b) land coloured dark blue in the Scheme Map—Other Regional Roads.
- "reserved land" means land reserved under Part II of the MRS.
- "road reservation" means land reserved for the purposes of a regional road in the MRS.
- "significant increase in traffic" means generating more than 100 vehicle trips in the peak hour and would therefore require a transport assessment to accompany the development application. Refer to the Commission's *Transport Impact Assessment Guideline.*

Strata Titles Act 1985

4.6 Western Australian Planning Commission - Strata Title Scheme Applications –

Western Australian Planning Commission – Strata Title Scheme Applications

Government Gazette –29 January 2021 (Pages 449-450)

PL402

PLANNING AND DEVELOPMENT ACT 2005

INSTRUMENT OF DELEGATION

Del 2020/01 Powers of Local Governments

Delegation to local governments of certain powers and functions of the Western Australian Planning Commission relating to certain applications under the *Strata Titles Act 1985*.

Preamble

Under section 16 of the *Planning and Development Act 2005* (the Act) the Western Australian Planning Commission (the WAPC) may, by resolution published in the Government Gazette, delegate any function under the Act or any other written law to a local government, a committee established under the *Local Government Act 1995* or an employee of a local government.

In accordance with section 16(4) of the Act, a reference in this instrument to a function or a power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or imposed on the WAPC by the Act or any other written law as the case requires.

Resolution under section 16 of the Act (delegation)

On 20 January 2021, pursuant to section 16 of the Act, the WAPC RESOLVED—

A. To delegate to local governments, and to members and officers of those local governments, its powers and functions under section 15 of the *Strata Titles Act 1985* as set out in clause 1 of Schedule, within their respective districts, subject to the conditions set out in clause ~~2~~ 3 of Schedule 1;
B. To delegate to local governments, and to members and officers of those local governments, its powers and functions under sections 21 and 22 of the *Strata Titles Act 1985* as set out in clause 2 of Schedule 1, within their respective districts, subject to the conditions set out in clause 3 of Schedule 1;
C. To amend "Del 2020/01 – Powers of Local Governments" to give effect to its resolution and to publish an updated, consolidated instrument.

SAM FAGAN, Secretary,

Western Australian Planning Commission.

————

Schedule 1

1. Applications made under section 15 of the Strata Titles Act 1985

Power to determine applications under section 15 of the

Strata Titles Act 1985, except those applications that—

(a) propose the creation of a vacant lot;

(b) propose vacant air stratas in multi-tiered strata scheme developments;

(c) propose the creation or postponement of a leasehold scheme;

(d) propose a type 1 (a) subdivision or a type 2 subdivision (as defined in section 3 of the *Strata Titles Act 1985*);

(e) in the opinion of the WAPC as notified to the relevant local government in writing, or in the opinion of the relevant local government as notified to the WAPC in writing, relate to—

i. a type of development; and/or

ii. land within an area

which is of state or regional significance, or in respect of which the WAPC has determined is otherwise in the public interest for the WAPC to determine the application;

(f) in the opinion of the relevant local government as notified to the WAPC in writing, propose development of a type which the local government considers would warrant the imposition of a condition requiring the ceding of land for public open space or payment in lieu thereof.

2. Applications under sections 21 and 22 of the *Strata Titles Act 1985*

Power to determine applications under –

(a) section 21 of the *Strata Titles Act 1985;*

(b) section 22 of the *Strata Titles Act 1985* where the amendment or repeal of scheme by-laws requires the approval of the WAPC.

3. Reporting requirements

A local government that exercises the power referred to in clause 1 and/or clause 2, is to provide the WAPC with data on all applications determined under this Instrument of Delegation. This must be provided at the conclusion of each financial year in the format prescribed by the WAPC.

Heritage Act 2018

4.7 Section 19 of the Heritage Act 2018 - Department of Planning, Lands and Heritage

Section 19 of the Heritage Act 2018 - Department of Planning, Lands and Heritage

Government Gazette N0.13 – 3 February 2026 (page 227)

HR401

HERITAGE ACT 2018

INSTRUMENT OF DELEGATION – CITY OF FREMANTLE

Pursuant to section 19 of the Heritage Act 2018 (Act), the Heritage Council of Western Australia resolved—

1. To REVOKE the delegation instrument as published in the Government Gazette on 20 May 2025 at page 663;
2. To DELEGATE the authority to provide advice under section 74 of the Act to the following officers of the City of Fremantle (City) (each a Delegate and together the 'Delegates')—
   a. the Manager City Planning; or
   b. the Team Leader Strategic Planning and Heritage
   in relation to proposals as defined under section 71 of the Act that if implemented would, or would be likely to, affect P25225 West End, Fremantle (West End), a place entered in the State Register of Heritage Places.
3. To REQUIRE that the Delegates must not exercise this delegation in respect of proposals falling within the classes or location specified in Schedule 1, and must instead refer those proposals to the Council for determination.
4. To REQUIRE that the authority delegated under this instrument may only be exercised personally by a Delegate and must not be further delegated, assigned or sub-delegated.
5. To REQUIRE that the delegates have due regard to, and act consistently with, the Heritage Council Delegation Framework dated July 2023 as published by the Council on its website when exercising this delegation.
6. To DECLARE that this resolution take effect when notice of it is published in the Government Gazette.

This delegation shall come into operation on 3 February 2026.

KRISTI CLARKE, A/Assistant Director General, Heritage and Property Services,
Department of Planning, Lands and Heritage.

Schedule

This is the Schedule to the instrument of delegation as authorised by the Heritage Council of Western Australia pursuant to section 19 of the Heritage Act 2018 (Act).

Schedule 1

1. Other registered places

Proposals that would also affect, or be likely to affect, any registered place as defined in section 4 of the Act, other than West End.

2. Places owned or occupied by the City
Proposals related to a place owned or occupied by, or where the management body is, the City.

3. Contentious issues
Proposals where, in the opinion or understanding of the delegate—
(a) the impacts on the cultural heritage significance of a place are assessed as 'major' on the Impact Rating provided at Schedule 1 of the Heritage Council Delegation Framework dated July 2023;
(b) there is substantial public, community commentary or media activity;
(c) the Minister for Heritage is, or is likely to become, involved or interested;
(d) there are significant stakeholder objections or concerns;
(e) the recommended response would conflict with the direction or activity of any statutory authority or State agency;
(f) the recommended response conflicts or is inconsistent with a previous Council resolution, or an adopted Council policy;
(g) there is no consensus between the delegate and their reporting/supporting officer(s) or professional advisers;
(h) a decision may have a negative impact on the reputation of the Council, the Minister or cultural heritage in general.

4. State-wide interest
Proposals for—
(a) any State-wide or regional activity, policy, guidelines or strategy where there is an identified heritage matter to be raised
(b) State legislation or policy that may impact on heritage places
(c) projects that will have a broad impact on the economy or cultural heritage of the State or a region.

5. Heritage Agreements
Proposals that would result in the delegate exercising their delegated powers in a way that would commit the Council to entering a heritage agreement; unless it can be clearly demonstrated as being consistent with the Council's policy 'Heritage agreement as a condition of Heritage Council support'.

6. Places of strategic priority
Proposals that relate to a place for which the delegate has received notice that, in the opinion of the Council, is a strategic priority.

PART 5
Delegations from the Chief Executive Officer

5.1 *Local Government Act 1995* - Conferences, seminars and training courses	
Delegator:	Chief Executive Officer
Date approved:	29 June 2026
Delegation:	The Chief Executive Officer delegates authority to approve attendance by employees at training courses, conferences and seminars within Australia, in accordance with: **Legislation** | **Section** *Local Government Act 1995* | 5.44 For the purpose of effective management of the City of Fremantle.
Delegated to:	All Directors All Managers
Limitations on delegation:	1. Directors can approve attendance at training courses, seminars and conferences where they are within the budget. 2. Managers can only approve attendance at: a. one day seminars/conferences b. training courses (one or more days) 3. Where they are within Western Australia and within budget. 4. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions, including but not limited to the Purchasing Council Policy.
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

5.2 Dealing with complaints	
Delegator:	Chief Executive Officer
Date approved:	29 June 2026
Delegation:	The Chief Executive Officer delegates authority to receive, investigate, and deal with complaints and receive withdrawals of complaints, in accordance with: **Legislation** — **Section** *Local Government Act 1995* — 5.44 *Local Government (Model Code of Conduct) Regulations 2021* — 11(3) *Public Interest Disclosure Act 2003* — 23 Council Complaints Policy — -
Delegated to:	Manager Customer Experience Manager Governance Manager People and Culture
Limitations on delegation:	Complaint types are restricted to the following positions: • **Manager Governance:** - Public Interest Disclosures; - CEO complaints (Council Policy); and - Council member, committee member or candidate complaints*; • **Manager People and Culture** - Public Interest Disclosures; and - Employee complaints (Council policy) • **Manager Customer Experience** - Public Interest Disclosures; and - Services complaints (Council policy) Delegated officers may receive, investigate, and determine the outcome of a complaint, and receive withdrawals of complaints*. All complaint appeals are to be presented to the Chief Executive Officer for determination*. *A council member, committee member or candidate complaint must be dealt with under clauses 12 to 13 of the *Local Government (Model Code of Conduct) Regulations 2021* unless it is referred to the Local Government Inspector. The appointed person may conduct an investigation and present findings to Council for a decision. All complaint appeals are to be presented to Council, unless a dismissal has already been determined by Council.
Reporting Requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

5.3 *Local Government Act 1995* - Infringement notice - grant an extension of time or withdraw infringement	
Delegator:	Chief Executive Officer
Date approved:	29 June 2026
Delegation:	The Chief Executive Officer delegates authority to grant an extension of time to pay a modified penalty and withdraw an infringement notice: In accordance with: **Legislation** | **Section** *Local Government Act 1995* | 9.19, 9.20 and 5.44 For the purpose of effective management of the City of Fremantle.
Delegated to:	All Directors Manager Regulatory Services Manager Infrastructure Engineering Manager Parks and Landscape Team Leader Community Safety and Parking Team Leader Business Support – Development Approvals
Limitations on delegation:	1. An infringement notice cannot be withdrawn, modified or extended by the same officer that has issued it. 2. The Team Leader Business Support – Development Approvals is only delegated to grant extensions and to withdraw infringements if an appeal has been received. 3. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions, including but not limited to the Parking Infringement Appeals Council Policy.
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

***5.4 Local Government Act 1995* – Release of electoral roll information**	
Delegator:	Chief Executive Officer
Date approved:	29 June 2026
Delegation:	The Chief Executive Officer delegates authority to approve the release of information under section 5.94(m) and 5.94(s) of the *Local Government Act 1995:* 1. Any rates record. 2. Any register of owners and occupiers under section 4.32(6) and electoral rolls. In accordance with: **Legislation** / **Section** *Local Government Act 1995* / 5.44 and 5.96 *Local Government (Administration) Regulations 1996* / Regulation 29B For the purpose of effective management of the City of Fremantle.
Delegated to:	All Directors Manager Governance Rates Coordinator
Limitations on delegation:	1. The request for the information must be made in the approved manner and form. 2. The relevant officer must be satisfied, by statutory declaration or otherwise, that the information will not be used for commercial purposes. 3. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

***5.5 Local Government Act 1995* – Destruction of electoral materials**	
Delegator:	Chief Executive Officer
Date approved:	29 June 2026
Delegation:	The Chief Executive Officer delegates the authority to destroy electoral materials, after a period of 4 years, in accordance with: **Legislation** / **Section** *Local Government Act 1995* / 5.44 and 4.84(a) *Local Government (elections) Regulations 1997* / Regulation 82 For the purpose of effective management of the City of Fremantle.
Delegated to:	Director City Business Manager Governance
Limitations on delegation:	1. Where the City undertake the destruction of Electoral material it is to be carried out under the supervision of the Director City Business or Manager Governance in the presence of at least 2 employees. 2. The parcels are to be conveyed securely to a secure paper destruction company or placed in a locked bin provided by such a company, by or under the supervision of the Director City Business or Manager Governance in the presence of at least 2 employees. 3. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

***5.6 Local Government Act 1995* – Owners and Occupiers Roll -**	
Delegator:	Chief Executive Officer
Date approved:	29 June 2026
Delegation:	The Chief Executive Officer delegates authority to: 1. Decide whether the claimant is eligible under section 4.30 and accept or reject the claim accordingly. 2. Make any enquiries necessary to make a decision on an eligibility claim. 3. Approve the omission of an elector's address from the Owners and Occupiers register on the basis of a declaration from the elector that the publication of this information would place the elector's or their family's safety at risk. 4. Maintain and amend the Owners and Occupiers Register to make sure that the information recorded is accurate and up to date. 5. Decide that a person is no longer eligible under section 4.30 to be enrolled on the Owners and Occupiers Electoral Roll and carry out the functions of section 4.35. 6. Decide to accept or reject a claim made before the close of enrolments, but less than 14-days before the close of nominations. 7. Decide with the approval of the Electoral Commission, that a new electoral roll is not required for an election day which is less than 100 days since the last election day. In accordance with: **Legislation** — **Section** *Local Government Act 1995* — 4.30, 4.31, 4.32, 4.34, 4.35 and 5.44 *Local Government (Elections) Regulations 1997* — Regulations 10A, 11(1a) 13(2) and (4) For the purpose of effective management of the City of Fremantle.
Delegated to:	Director City Business Manager Governance
Limitations on delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

***5.7 Local Government Act 1995* – Local government employees**	
Delegator:	Chief Executive Officer
Date approved:	29 June 2026
Delegation:	The Chief Executive Officer delegates authority to: 1. Employ a person in any position other than Director or Manager. 2. Make arrangements relating to the persons employment. In accordance with: **Legislation**: *Local Government Act 1995*; **Section**: 5.36(3) and 5.44 For the purpose of effective management of the City of Fremantle.
Delegated to:	Manager People and Culture
Limitations on delegation:	1. Contracts for Director or Manager positions must be approved by the Chief Executive Officer. 2. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

5.8 Approvals under Elected Member Policies	
Chief Executive Officer makes the following direction:	
Date approved:	29 June 2026
Direction:	The Chief Executive Officer makes a direction to determine approvals in accordance with the following policy position: 1. Elected Member professional development 2. Elected Member allowances and reimbursements 3. Elected Member grants, sponsorships and donations 4. Elected Member attendance at events For the purpose of effective management of the City of Fremantle.
Direction made to:	Manager Governance
Limitations on direction:	1. Any approvals that fall outside the provisions of the policies listed above must be determined by the Chief Executive Officer. 2. Donations to a maximum of $5 000 per occasion, as adopted in the annual budget. 3. All actions are to be undertaken in accordance with relevant legislative, procedural and policy provisions, including but not limited to the following council policies: 1. Elected Member professional development 2. Elected Member allowances and reimbursements 3. Elected member grants, sponsorship and donations 4. Elected Member attendance at events
Reporting requirements	
Use of this direction is to be recorded in the City's record keeping system.	

***5.9 Freedom of Information Act 1992* – Direction to make decisions**	
Chief Executive Officer 'principal officer of an agency' makes the following direction:	
Date approved:	29 June 2026
Direction:	The Chief Executive Officer delegates authority to: 1. Make decisions 2. Review decisions In accordance with: **Legislation** | **Section** *Freedom of Information Act 1992* | 39, 100 and 100(B) For the purpose of effective management of the City of Fremantle.
Direction made to:	Director City Business Manager Governance Team Leader Records Management
Limitations on direction:	1. The Director City Business and the Manager Governance may review decisions in accordance with Division 5 of the *Freedom of Information Act 1992,* but may not make a decision. 2. The Team Leader Records Management may make a decision, generally, but may not review a decision. 3. All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Reporting requirements	
Use of this direction is to be recorded in the City's record keeping system.	

5.10 Local Government (Functions and General) Regulations 1996 – Tenderers to be notified of outcome	
Delegator:	Chief Executive Officer
Date approved:	29 June 2026
Delegation:	The Chief Executive Officer delegates authority to give each tenderer notice in writing containing particulars of the successful tender or advising that no tender was accepted. In accordance with: **Legislation** *Local Government (Functions and General) Regulations 1996* **Regulation** 19 For the purpose of effective management of the City of Fremantle.
Delegated to:	Director City Business Manager Commercial Services Contracts Lead
Limitations on delegation:	All actions are to be undertaken in compliance with relevant legislative, procedural and policy provisions.
Reporting requirements	
Use of this delegation is to be recorded in the City's record keeping system.	

PART 6
Delegations from Other Council Meetings

DELEGATIONS FROM OTHER COUNCIL MEETINGS

Nil.

Table of amendments/review

Delegation reference	Reason for change	Decision reference
All delegations	Annual Review of Delegated Authority Council to CEO and officers approved by Council.	24 June 2026 C2606-13
All delegations	Annual Review of Delegated Authority CEO to Officers approved by the CEO.	29 June 2026 Doc ID 6359664
5.3	Amendment to limitation 2. Team Leader Business Support – Development Approvals may grant extensions if an appeal has been received. Previously done under acting through.	10 July 2026 Doc ID 6364015
2.11 and 2.12	Addressed the inconsistency between policy and delegations. **2.11** Expressions of interest and tenders Allows the CEO to vary a contract while active and ensures other delegated powers within 2.11 are in accordance with the procurement policy. **2.12** Procurement Exemptions Ensures exemptions are in accordance with the procurement policy.	22 July 2026 SGSC2607-7
2.11 and 2.12	Sub-Delegations (CEO to Officers) **Delegation 2.11** Remove: "May only agree to variations before a contract is entered into in accordance with relevant City of Fremantle policies." Insert: "May determine variations to a contract in accordance with the City of Fremantle Procurement Policy and Guidelines." Update references from Purchasing Council Policy to Procurement Policy and Guidelines. **Delegation 2.12** Update references from Purchasing Council Policy to Procurement Policy and Guidelines.	CEO Approval – Doc ID 6374245