

S6 Instrument of Delegation - Member of Staff



Instrument of Delegation

to

Members of Council Staff

(Local Laws)

Instrument of Delegation

In exercise of the powers conferred by the legislation referred to in the attached Schedule, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. declares that:
 - 2.1 this Instrument of Delegation is authorised by a resolution of Council passed on **18 October 2021**; and
 - 2.2 the delegation:
 - 2.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 2.2.2 remains in force until varied or revoked;
 - 2.2.3 is subject to any conditions and limitations set out in sub-paragraph 2.3, and the Schedule; and
 - 2.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 2.3 the delegate must not determine the issue, take the action or do the act or thing:
 - 2.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;
 - 2.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategyadopted by Council;
 - 2.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or
 - 2.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff or delegated committee.

THE COMMON SEAL of MAROONDAH CITY COUNCIL was affixed hereto on 18 October 2021, in accordance with resolution of Council made on 18 October 2021, in the presence of

)
)
)
)


.....

.....

Councillor

Chief Executive Officer



SCHEDULE

INDEX

| ACT / REGULATION | PAGE NO |
|---------------------------------|---------|
| DOMESTIC ANIMALS ACT 1994 | 1 |

| DOMESTIC ANIMALS ACT 1994 | | | |
|---------------------------|---|--|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS AND LIMITATIONS |
| s 41A(1) | Power to declare a dog to be a menacing dog | Coordinator Local Laws Team Leader Local Laws | Council may delegate this power to a Council authorised officer |