



Sub-delegations under the Fences Act 1975

8 October 2019

INSTRUMENT OF SUBDELEGATION

On the 25th day of March 2014 the City of Holdfast Bay ("the Council") delegated certain powers and functions under the following Act:

- *Fences Act 1975*

to the person holding the position of Chief Executive Officer (the "Head Delegation") subject to the terms and conditions specified in the relevant resolution(s) or in the Schedule of Conditions (if any) in the Head Delegation.

In exercise of the powers under Section 101 of the *Local Government Act 1999* I, as Chief Executive Officer hereby:

- revoke all previous sub-delegations to the positions indicated below; and
- sub-delegate such of those powers and functions identified in the Head Delegation as are specified below to the person holding the positions specified below, on the terms and conditions specified below.

The sub-delegated powers and functions may be exercised individually by each sub-delegate in respect of any particular matter where the sub-delegate is required or proposing to act in the course of their duties.



Signature

Roberto Bria
CHIEF EXECUTIVE OFFICER

8 October 2019

CONDITIONS OF SUBDELEGATIONS MADE BY THE CHIEF EXECUTIVE OFFICER

Conditions applying to all sub delegations

Nil

Other Conditions

Nil

POWERS AND FUNCTIONS SUBDELEGATED IN THIS INSTRUMENT

Delegation Sources

- Fences Act 1975

Titles

- General Manager City Assets and Services: General Manager City Assets and Services - Howard Lacy
- Manager Assets and Facilities: Manager Assets and Facilities - Rajiv Mouveri
- Manager Engineering: Manager Engineering - Michael de Heus
- Manager Field Services: Manager Field Services - Ross Whitfield

Instrument of Delegation under the Fences Act 1975

Fences Act 1975			
#	Item Delegated	Conditions and Limitations	Delegate
82028	<p>1. Notice of Intention to Perform Fencing Work</p> <p>1.1 The power pursuant to Section 5(1) of the Fences Act 1975 ("the Act") to serve notice, in accordance with Section 5(2) of the Act, on an adjoining land owner of a proposal to erect a fence to divide the Council's land (being land of less than one hectare) from the land of the adjoining land owner.</p>		General Manager City Assets and Services, Manager Assets and Facilities, Manager Engineering, Manager Field Services
82029	<p>1. Notice of Intention to Perform Fencing Work</p> <p>1.2 The power pursuant to Section 5(3) of the Act to serve notice in accordance with Section 5(4) of the Act on an adjoining land owner of a proposal to perform any replacement, repair or maintenance work in relation to a fence dividing the Council's land (being land of less than one hectare) and the adjoining owner's land.</p>		General Manager City Assets and Services, Manager Assets and Facilities, Manager Engineering, Manager Field Services
82030	<p>2. Cross-notice</p> <p>2.1 The power pursuant to Section 6(1) of the Act to serve in the prescribed form and to determine the criteria under Section 6(2) of the Act, a cross-notice on an adjoining land owner, objecting to and/or putting forward counter-proposals in relation to fencing work to divide the Council's land (being land of less than one hectare) from the land of the adjoining land owner.</p>		General Manager City Assets and Services, Manager Assets and Facilities, Manager Engineering, Manager Field Services
82031	<p>2. Cross-notice</p> <p>2.2 The power pursuant to Section 6(3) of the Act to object and serve notice on the adjoining owner to any counter-proposal contained in any cross-notice under Section 6(2) of the Act.</p>		General Manager City Assets and Services, Manager Assets and Facilities, Manager Engineering, Manager Field Services
82032	<p>3. Agreement upon Basis of Proposals and Counter proposals</p> <p>3.1 The power pursuant to Section 7 of the Act to authorise payment of part or all of the cost of constructing or maintaining a fence adjacent to Council land, (being land which is less than one hectare in area).</p>		General Manager City Assets and Services, Manager Assets and Facilities, Manager Engineering, Manager Field Services
82033	<p>4. Performance of Fencing Work</p> <p>4.1 The power pursuant to Section 8 of the Act to authorise the commencement and completion of fencing work to divide the Council's land (being land of less than one hectare) from the land of the adjoining land-owner.</p>		General Manager City Assets and Services, Manager Assets and Facilities, Manager Engineering, Manager Field Services