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HERITAGE ACT 2018
INSTRUMENT OF DELEGATION

No. 706/2018

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

1. Revoke the delegation instruments, pursuant to section 59(1)(e) of the *Interpretation Act 1984*, which was published on 25 August 2017, 12 August 2014, 18 July 2014, 18 July 2014, 28 March 2014, 11 January 1994, and 23 February 1993; and
2. Delegate its powers and functions under the Act and *Heritage Regulations 2019* (Regulations) as set out in Column 1 of the Schedule to the specified person or the holder for the time being of a specified office in the Heritage and Property Services Division, Department of Planning, Lands and Heritage as specified in Column 2 of the Schedule.

This delegation shall come into operation on the date this instrument is published in the *Government Gazette*.

Dated the 1st day of July 2019.

VAUGHAN DAVIES, 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).

| | Column 1: Powers or functions | Column 2: Delegate |
|----|---|---|
| 1. | To make preliminary determination under section 39(2) of the Act as to whether the nominated place warrants review under section 39(2) of the Act. | <ul style="list-style-type: none"> • Assistant Director-General; or • Executive Director. |
| 2. | To determine whether the accepted request for amendment of the land description in the register entry warrants consideration in detail under section 43(2). | <ul style="list-style-type: none"> • Assistant Director-General; or • Executive Director. |
| 3. | To determine whether the accepted request for removing an entry in the register warrants consideration in detail under section 48(2). | <ul style="list-style-type: none"> • Assistant Director-General; or • Executive Director. |
| 4. | To provide advice to the relevant decision-maker on a referred proposal under section 74 and any other written laws (e.g. <i>Planning and Development Act 2005</i>). | <ul style="list-style-type: none"> • Assistant Director General; • Executive Director; or • Director, Heritage Development. |
| 5. | To determine an application for a works permit made under section 79 of the Act. | <ul style="list-style-type: none"> • Assistant Director-General; • Executive Director; or • Director, Heritage Development. |
| 6. | To determine whether a place should be the subject of a heritage agreement for any of the reasons specified in section 91(1)(e) of the Act. | <ul style="list-style-type: none"> • Assistant Director-General; or • Executive Director. |
| 7. | To direct an owner or occupier of any place to give information or comply with any orders under sections 126(1) and 133(5) of the Act. | <ul style="list-style-type: none"> • Assistant Director-General; • Executive Director; or • Inspectors appointed under section 114 of the Act. |

| | Column 1: Powers or functions | Column 2: Delegate |
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| 8. | To call tenders, award contracts, appoint technical or professional consultants for the purposes of— (a) identifying, documenting or conserving places of cultural heritage significance; or (b) assisting with education, research and publication that furthers the objectives of the Act. | <ul style="list-style-type: none">• Assistant Director General; or• Executive Director. |
