



**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).

	<b>Column 1: Powers or functions</b>	<b>Column 2: Delegate</b>
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"> <li>• Assistant Director-General; or</li> <li>• Executive Director.</li> </ul>
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"> <li>• Assistant Director-General; or</li> <li>• Executive Director.</li> </ul>
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"> <li>• Assistant Director-General; or</li> <li>• Executive Director.</li> </ul>
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"> <li>• Assistant Director General;</li> <li>• Executive Director; or</li> <li>• Director, Heritage Development.</li> </ul>
5.	To determine an application for a works permit made under section 79 of the Act.	<ul style="list-style-type: none"> <li>• Assistant Director-General;</li> <li>• Executive Director; or</li> <li>• Director, Heritage Development.</li> </ul>
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"> <li>• Assistant Director-General; or</li> <li>• Executive Director.</li> </ul>
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"> <li>• Assistant Director-General;</li> <li>• Executive Director; or</li> <li>• Inspectors appointed under section 114 of the Act.</li> </ul>