

DA 3 – 03

To Institute a Prosecution, or to Issue an Infringement

<b>POWER / DUTY ASSIGNED TO</b>	Local Government
<b>POWER TO DELEGATE</b>	<i>Bush Fires Act 1954</i> <del>Section 48 Delegation by Local Governments</del> <a href="#">s.59 (3) Prosecution of Offences</a>
<b>DELEGATED TO</b>	Chief Executive Officer Bush Fire Control Officer/s Director Planning and Development Manager Environmental Services Ranger and Emergency Services Coordinator Senior Ranger/s Ranger/s
<b>POWER / DUTY DELEGATED</b>	The <i>Bush Fires Act 1954</i>
<b>FUNCTION</b>	<a href="#">s.59 Prosecution of offences</a> <a href="#">s.59A Alternative procedure – infringement notices</a>
<b>CONDITIONS</b>	<ol style="list-style-type: none"> <li>1. Rangers and Senior Rangers are prohibited from commencing a prosecution for an offence against the <i>Bush Fire Act 1954</i>;</li> <li>2. Rangers and Senior Rangers are prohibited from instituting legal proceedings pursuant to s.59A(3) of the <i>Bush Fire Act 1954</i>; and</li> <li>3. A delegation as per s.48 of the <i>Bush Fire Act 1954</i> does not include the power to sub-delegate</li> </ol>
<b>POLICY</b>	Council Policy: <a href="#">Ranger and Emergency Services Approach to Regulatory Functions</a>
<b>REFERENCE DOCUMENTS</b>	<a href="#">Annual Firebreak and Fuel Hazard Reduction Notice</a>
<b>SUB DELEGATION</b>	

<b>RECORD KEEPING</b>	ECM – GOVN015 ‘Instrument of Council Delegation to CEO’	
<b>VERIFICATION</b>	Initial Council Resolution C1812/264	Recent Council Resolution C2101/010
<b>RECENT ALTERATIONS</b>	August 2019	
<b>PREVIOUS DELEGATION REFERENCE</b>	BF3 – To Institute a Prosecution, or to Issue an Infringement	