

Summary of Recommended Amendments

ATTACHMENT 1

Delegation Title	Proposed Amendment
Amendments to the Parking Schemes for Suburban Areas Outside of the Joondalup City Centre Policy	<p>The amendments proposed to the Title and information contained under Function to be performed reflect the amalgamation of this delegation with the 'Authority for Chief Executive Officer to Approve Amendments to the Parking Scheme' delegation, thereby enabling the Authority for the Chief Executive Officer to Approve Amendments to the Parking Scheme delegation to be deleted.</p> <p>Under Function to be performed:</p> <p>The addition of the word 'conditions' to the 'Function to be performed' is proposed to allow the Chief Executive Officer authority to approve and implement amendments to the Parking Schemes which are not a 'time limit' or 'prohibition'. Any conditions proposed to be exercised will not be inconsistent with the provisions of the City's Parking Local Law or Policy - Parking Schemes for Suburban Areas Outside of the Joondalup City Centre.</p>
Art Collection and Advisory Committee	<p>Under Conditions:</p> <p>An increase from \$7,500 to \$15,000 in the amount the Chief Executive Officer is authorised under the delegation to approve acquisitions for artworks. This proposed increase reflects the budget allocation for acquiring artworks listed for consideration in the draft 2011/12 Budget.</p>
Amendments to the Parking Scheme	<p>It is proposed to delete this delegation and incorporate it into the delegation 'Amendments to the Parking Schemes for Suburban Areas Outside of the Joondalup City Centre Policy' delegation for ease of reference, to one delegation only.</p>
Authority to Determine Future Applications for Renewal of Home Business	<p>Under Delegation to:</p> <p>An amendment to the position title to reflect a change in the City's organisational structure – the position of Manager Planning Services replaces the position of Manager Planning Approvals and Environmental Services.</p>

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Delegation Title	Proposed Amendment
<p>Building Licence Applications and Building Approval Certificates</p>	<p>Under Conditions: An added reference to the <i>Local Government (Building Surveyors) Regulations 2008</i>.</p> <p>Under Reference: The inclusion of the <i>Local Government (Building Surveyors) Regulations 2008</i>.</p> <p>In the Attached document to the Delegation: The inclusion of the newly created position - Manager Compliance and Regulatory Services The inclusion of the position Level 1 Building Surveyor.</p> <p>The delegated authority to approve or refuse 'Building Approval Certificates' is proposed to be removed from the position of Building Surveyor. The authority to approve or refuse 'Building Approval Certificates' will remain with the position of Principal Building Surveyor and will also be delegated to the newly created position of Manager Compliance and Regulatory Services.</p>
<p>Certificate of Local Government Required by Strata Titles Act 1985</p>	<p>Under Delegation to: An amendment to the position title to reflect a change in the City's organisational structure - Manager Compliance and Regulatory Services replaces the position of Manager Planning Approvals and Environmental Services.</p>
<p>Certificates of Classification, Licences, Notices and Associated Functions Under the Local Government (Miscellaneous Provisions) Act 1960</p>	<p>Under Conditions: An added reference to the <i>Local Government (Building Surveyors) Regulations 2008</i>.</p> <p>Under Chief Executive Officer delegates to: The inclusion of two newly created positions - Manager Compliance and Regulatory Services Coordinator Compliance</p> <p>Under Reference: The inclusion of the <i>Local Government (Building Surveyors) Regulations 2008</i>.</p>

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Delegation Title	Proposed Amendment
Choice of Tender	<p>Under Conditions:</p> <p>It is proposed to add the following to the Conditions of the delegation: 'Authority to decline to accept any tender'.</p> <p>The proposed amendment will delegate to the Chief Executive the authority to decline to accept any tender where it has been determined that no tender submission received is appropriate in accordance with the City's evaluation process.</p>
Incurring Liability and Making Payments	<p>Under Chief Executive Officer delegates to:</p> <p>Amendments to a number of position titles and payment categories, to reflect changes in the City's organisational structure and operational requirements.</p>
Limitation May be Placed on Who Can Tender	<p>Change of Title:</p> <p>Amended Title to: Seeking Expressions of Interest.</p> <p>The amended title better reflects the function of the delegation to be performed.</p>
Subdivision and Development Control: Part 10 - Planning and Development Act 2005	<p>Under Delegation to:</p> <p>An amendment to the position title to reflect a change in the City's organisational structure – the position of Manager Planning Services replaces the position of Manager Planning Approvals and Environmental Services.</p>

Delegation Title	Proposed Amendment
Town Planning Delegations - General	<p>An amendment to the position title to reflect a change in the City’s organisational structure – the position of Manager Planning Services replaces the position of Manager Planning Approvals and Environmental Services.</p> <p>At its meeting held on 15 April 2008, Council approved Amendment No 36 to the City of Joondalup’s District Planning Scheme No. 2 subject to approval by the Minister for Planning and Infrastructure. Part 5 of the recommendation is as follows:</p> <p><i>“5 NOTES that, pending the successful adoption of the short stay policy and District Planning Scheme No 2 amendment, that the delegation of planning powers notice will be amended to reflect that proposals for short term accommodation abutting a residential zone will be referred to the Council for determination.”</i></p> <p>Amendment No 36 came into effect on 16 July 2010.</p> <p>Subsequently, a new part (d) is proposed to be inserted into the Town Planning Delegations - General:</p> <p><i>“(d) the determination of an application for approval for short stay accommodation except where abutting the ‘Residential’ zone.”</i></p>



REGISTER OF DELEGATION OF AUTHORITY

APPROVED

GARRY HUNT
Chief Executive Officer

Date:

Date of last review by Council:

22 June 2010 (CJ095-06/10)

Date of last review in accordance with District Planning Scheme No 2

22 June 2010

INTRODUCTION

The Delegations of Authority contained herein are made to Committees pursuant to Section 5.16 and to the Chief Executive Officer pursuant to Section 5.42 of the *Local Government Act 1995* (the Act) and, where listed, some of these functions are hereby Delegated by the Chief Executive Officer to City of Joondalup employees pursuant to Section 5.44 of that Act. All delegations made by the Council must be by **absolute majority** decision.

The Act provides that the following are decisions that cannot be delegated to the Chief Executive Officer:

- Any power or duty that requires a decision of an absolute majority or 75% majority of the local government.
- Accepting a tender which exceeds an amount determined by the local government.
- Appointing an auditor.
- Acquiring or disposing of any property valued at an amount determined by the local government.
- Any of the local government's powers under Sections 5.98, 5.99 and 5.100 of the Act.
- Borrowing money on behalf of the local government.
- Hearing or determining an objection of a kind referred to in Section 9.5.
- The power under Section 9.49A(4) to authorise a person to sign documents on behalf of the local government.
- Any power or duty that requires the approval of the Minister or Governor.
- Such other duties or powers that may be prescribed by the Act.

The Act allows for the Chief Executive Officer to delegate any of his powers to another employee, this must be done in writing. The Act allows for the Chief Executive Officer to place conditions on any delegations if he desires.

A register of delegations, being this manual, relevant to the Chief Executive Officer and other employees is to be kept and reviewed at least once every financial year.

If a person is exercising a power or duty that they have been delegated, the Act requires them to keep necessary records to the exercise of the power or discharge of the duty. The written record is to contain:

- how the person exercised the power or discharged the duty;
- when the person exercised the power or discharged the duty; and
- the persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.

The aim of the delegated authority manual is to assist with improving the time taken to make decisions within the constraints allowed by the relevant legislation. This is consistent with the City's commitment to a strong customer service focus.

Each instrument of delegation describes the function being delegated and the relevant statutory reference which is the source of power for the exercise of the function. Also included is a reference to related documents such as policies of the Council which may provide guidance in the exercise of the delegation.

This delegated authority manual will be reviewed in accordance with the Act on an annual basis. The coordination of the review will be performed by Council Support Services.

INDEX

TITLE	TRIM	PAGE
ADMINISTER THE CITY'S LOCAL LAWS	INT11/5668	5
AMENDMENTS TO THE PARKING SCHEMES FOR SUBURBAN AREAS OUTSIDE OF THE JOONDALUP CITY CENTRE POLICY	INT11/5670	6
APPOINTMENT OF AUTHORISED OFFICERS	INT11/5671	7
ART COLLECTION AND ADVISORY COMMITTEE	INT11/5672	9
ASSESSMENT – COMMUNITY FUNDING	INT11/5673	10
AUTHORITY FOR CHIEF EXECUTIVE OFFICER TO APPROVE AMENDMENTS TO THE PARKING SCHEME	INT11/5674	11
AUTHORITY TO APPOINT AN ACTING CHIEF EXECUTIVE OFFICER	INT11/5675	12
AUTHORITY TO DETERMINE FUTURE APPLICATIONS FOR RENEWAL OF HOME BUSINESS	INT11/5676	13
AUTHORITY TO ENTER INTO AN AGREEMENT WITH SYNERGY FOR PROVISION OF STREET LIGHTING	INT11/5677	14
AUTHORITY TO EXTEND CONTRACTS	INT11/5679	15
AUTHORITY TO WAIVE FEES	INT11/5680	16
AUTHORITY TO WRITE OFF OF MONIES	INT11/5681	17
BUILDING LICENCE APPLICATIONS AND BUILDING APPROVAL CERTIFICATES	INT11/5682	18
CERTIFICATE OF LOCAL GOVERNMENT REQUIRED BY STRATA TITLES ACT 1985	INT11/5683	20
CERTIFICATES OF CLASSIFICATION, LICENCES, NOTICES AND ASSOCIATED FUNCTIONS UNDER THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960	INT11/5684	21
CHOICE OF ACCEPTABLE TENDERS FROM AN EXPRESSION OF INTEREST	INT11/5685	22
CHOICE OF TENDER	INT11/5686	23
CLOSING CERTAIN THOROUGHFARES TO VEHICLES	INT11/5687	24
DISPOSING OF PROPERTY	INT11/5688	25
DISTRIBUTION OF COMMUNITY NEWSPAPER	INT11/5689	26
INCURRING LIABILITY AND MAKING PAYMENTS	INT11/5690	27
LIMITATION MAY BE PLACED ON WHO CAN TENDER	INT11/5691	31

OBJECTION TO THE RATE RECORD	INT11/5692	32
PAYMENTS FROM THE MUNICIPAL FUND AND TRUST FUND – SIGNATORIES TO BANK ACCOUNTS	INT11/5693	33
POWER TO INVEST	INT11/5694	34
SUBDIVISION AND DEVELOPMENT CONTROL: PART 10 - PLANNING AND DEVELOPMENT ACT 2005	INT11/5695	35
TOWN PLANNING DELEGATIONS - GENERAL	INT11/5696	36

ADMINISTER THE CITY'S LOCAL LAWS

Function to be performed: To administer the City's local laws and to do all other things that are necessary or convenient to be done for, or in connection with, performing the functions of the City under the *Local Government Act 1995*.

Delegated by: Council

Conditions: Nil

Delegation to: Chief Executive Officer

Reference: Sections 3.18 and 5.42 of the *Local Government Act 1995*

Animals Local Law 1999

Bushfire Prevention and Control Local Law 1998

Extractive Industries Local Law 1998

Health Local Law 1999

Local Government and Public Property Local Law 1999

Parking Local Law 1998

Private Property Local Law 1998

Signs Local Law 1999

Standing Orders Local Law 2005

Trading in Public Places Local Law 1999

CJ175-10/10

**AMENDMENTS TO THE PARKING SCHEMES
FOR SUBURBAN AREAS OUTSIDE OF THE JOONDALUP CITY CENTRE
POLICY**

Function to be performed: Authority to approve and implement amendments to parking schemes adopted by Council ~~under the Parking Schemes for Suburban Areas Outside of the Joondalup City Centre Policy~~ in relation to:

- time limits, conditions and prohibitions in streets and parking stations;
- the designation of visitor and authorised vehicle parking.

Delegated by: Council

Conditions: Authority to be exercised consistently with the provisions of the *City of Joondalup Parking Local Law 1998*

Delegation to: Chief Executive Officer

Chief Executive Officer delegates to: N/A

Reference: City Policy – Parking Schemes for Suburban Areas outside of the Joondalup City Centre.

City of Joondalup Parking Local Law 1998

CJ073-05/08, CJ183-08/09

APPOINTMENT OF AUTHORISED OFFICERS

Function to be performed: The power:

1. To appoint and authorise employees to exercise the powers and duties set out in the *Local Government Act 1995* as listed hereunder:
 - 1.1 Section 3.25 – Notices requiring certain things to be done by owner or occupier of land;
 - 1.2 Section 3.27 – Things local governments can do on land that is not local government property;
 - 1.3 Section 3.31 – Power to enter property;
 - 1.4 Sections 3.39 to 3.48 – Power to remove and impound;
 - 1.5 Section 9.11 – Persons committing breach of Act to give name, address and date of birth;
 - 1.6 Section 9.13 – Onus of proof in vehicle cases;
 - 1.7 Section 9.16 – Issue infringement notices;
 - 1.8 Section 9.19 – Extension of time;
 - 1.9 Section 9.20 – Withdrawal of notice;
 - 1.10 Section 9.24 – Commencing prosecutions.
2. To appoint and authorise employees to exercise the powers and duties of a local government to administer and enforce the provisions of the:
 - 2.1 *Health Act 1911*;
 - 2.2 *Food Act 2008*;
 - 2.3 *Animal Welfare Act 2002*;
 - 2.4 *Dog Act 1976*;
 - 2.5 *Bush Fires Act 1954*;
 - 2.6 *Control of Vehicles (Off-road Areas) Act 1978*;
 - 2.7 *Caravan Parks and Camping Grounds Act 1995*.

Delegated by: Council

Conditions: Nil

Delegation to: Chief Executive Officer

Reference: Sections 3.24, 5.42 and 9.10 of the *Local Government Act 1995*

Section 33 of the *Animal Welfare Act 2002*

Section 48 of the *Bush Fires Act 1954*

Section 17 of the *Caravan Parks and Camping Grounds Act 1995*

Section 38 of the *Control of Vehicles (Off-road Areas) Act 1978*

Sections 11 and 29 of the *Dog Act 1976*

Section 122 of the *Food Act 2008*

Sections 26 and 27 of the *Health Act 1911*

ART COLLECTION AND ADVISORY COMMITTEE

Function to be performed: Authority to approve acquisitions for artworks within the available adopted budget funds.

Delegated by: Council

Conditions: (1) Committee authority to be exercised in accordance with City Policy – The City’s Art and Memorabilia Collections.

(2) Chief Executive Officer authorised to approve acquisitions for artworks up to ~~\$7,500~~ \$15,000, approval for which is to be based on the written advice of the City’s Art Consultant.

Delegation to: The Art Collection and Advisory Committee

Chief Executive Officer

Chief Executive Officer delegates to: N/A

Reference: Sections 5.16 and 5.42 of the *Local Government Act 1995*

City Policy - The City’s Art and Memorabilia Collections

ASSESSMENT – COMMUNITY FUNDING

Function to be performed:	Authority to approve community funding submissions, not exceeding an amount of \$10,000.
Delegated by:	Council
Conditions:	Authority to be exercised consistently with the provisions of City Policy – Community Funding.
Delegation to:	Chief Executive Officer
Chief Executive Officer delegates to:	N/A
Reference:	City Policy – Community Funding

**~~AUTHORITY FOR CHIEF EXECUTIVE OFFICER
TO APPROVE AMENDMENTS TO THE PARKING SCHEME~~**

Function to be performed: ~~Authority to approve amendments to the Parking Scheme to implement and change time limits in streets and parking stations and the designation of visitor and authorised vehicle parking.~~

Delegated by: Council

Conditions: Nil

Delegation to: Chief Executive Officer

Chief Executive Officer delegates to: N/A

Reference: CJ073-05/08

AUTHORITY TO APPOINT AN ACTING CHIEF EXECUTIVE OFFICER

- Function to be performed:** Authority to make appointments to the position of Acting Chief Executive Officer based on:
- (a) the City employee holding the substantive position of 'Director' and is designated a 'Senior Employee' as per Section 5.37 of the *Local Government Act 1995*;
 - (b) Appointments being for no longer than 35 days, with all other appointments to the position of Acting Chief Executive Officer referred to the Council for determination.
- Delegated by:** Council
- Conditions:** Authority subject to the Chief Executive Officer ~~to~~ advising Elected Members when a senior employee is to be designated Acting Chief Executive Officer, when circumstances require, for the following three month period.
- Delegation to:** Chief Executive Officer
- Chief Executive Officer delegates to:** N/A
- Reference:** Section 5.42 of the *Local Government Act 1995*
CJ220-10/05

**AUTHORITY TO DETERMINE FUTURE APPLICATIONS
FOR RENEWAL OF HOME BUSINESS**

Function to be performed: Authority to determine future applications for renewal of the Home Business Category 2 (Music/Drum School) at 6 (Lot 397) Melrose Crest, Kinross.

Delegated by: Council

Conditions: Authority subject to no changes to the operation of the business being made.

Delegation to: Manager Planning Services ~~Approvals and Environmental Services~~

Chief Executive Officer delegates to: N/A

Reference: Clause 8.6 of the District Planning Scheme No 2

CJ198-09/09

**AUTHORITY TO ENTER INTO AN AGREEMENT WITH SYNERGY
FOR PROVISION OF STREET LIGHTING**

Function to be performed:	Authority to: (1) Enter into an agreement with Synergy for the provision of street lighting to the City. (2) Approve the annual extension to the existing agreement with Synergy for the provision of street lighting to the City.
Delegated by:	Council
Conditions:	Nil
Delegation to:	Chief Executive Officer
Chief Executive Officer delegates to:	N/A
Reference:	Sections 3.57 and 5.42 of the <i>Local Government Act 1995</i> CJ240-11/07

AUTHORITY TO EXTEND CONTRACTS

Function to be performed: Authority to approve any contract extensions on tenders approved by the Council, within the original terms and conditions approved by the Council, subject to satisfactory performance.

Delegated by: Council

Conditions: Authority subject to the Chief Executive Officer reporting to the Audit Committee on a six monthly basis on the exercise of this delegation.

Delegation to: Chief Executive Officer

Chief Executive Officer delegates to: N/A

Reference: Section 5.42 of the *Local Government Act 1995*
CJ231-11/05

AUTHORITY TO WAIVE FEES

Function to be performed: Authority to waive or grant a concession in relation to any amount of money which is owed to the City other than rates and service charges.

Delegated by: Council

Conditions: Nil

Delegation to: Chief Executive Officer

Chief Executive Officer delegates to: All Directors

Reference: Section 6.12 of the *Local Government Act 1995*
Council Policy - Setting Fees and Charges

AUTHORITY TO WRITE OFF OF MONIES

Function to be performed	Authority to write off monies.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Conditions:	Subject to a report being provided to the Audit Committee on a six monthly basis on the exercise of this delegation
Delegation to:	Chief Executive Officer - individual items to \$20,000.
Chief Executive Officer delegates to:	Director Corporate Services - individual items to \$20,000 Manager Financial Services - individual items to \$5,000 Team Leader Rating Services - individual items to \$50
Reference:	Section 6.12 of the <i>Local Government Act 1995</i> CJ78-03/99

BUILDING LICENCE APPLICATIONS AND BUILDING APPROVAL CERTIFICATES

Function to be performed: Authority to approve or refuse building licence applications and building approval certificates.

Delegated by: Council

Conditions: As described in the attached Schedule

Delegation to: Persons as described in the attached Schedule who are qualified in accordance with the *Local Government (Building Surveyors) Regulations 2008*.

Reference: Section 374AAB of the *Local Government (Miscellaneous Provisions) Act 1960*

Local Government (Building Surveyors) Regulations 2008

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960

DELEGATION TO	DESCRIPTION OF AUTHORITY BEING DELEGATED	POWER BEING DELEGATED	CONDITIONS
<p align="center"><u>MANAGER COMPLIANCE AND REGULATORY SERVICES</u></p> <p align="center">PRINCIPAL BUILDING SURVEYOR</p> <p align="center"><u>Level 1</u></p>	<p>BUILDING LICENCE APPLICATION/BUILDING APPROVAL CERTIFICATE</p> <p>Approve (or refuse) building licence applications or building approval certificates</p>	<p>Sections 374 and 374AA</p>	<p>Unrestricted assessment and certification.</p>
<p align="center"><u>BUILDING SURVEYOR</u></p> <p align="center"><u>Level 1</u></p>	<p><u>BUILDING LICENCE APPLICATION</u></p> <p><u>Approve building licence applications</u></p>	<p><u>Sections 374 and 374AA</u></p>	<p><u>Unrestricted assessment and certification.</u></p>
<p align="center">BUILDING SURVEYOR</p> <p align="center">Level 2</p>	<p>BUILDING LICENCE APPLICATION/BUILDING APPROVAL CERTIFICATE</p> <p>Approve building licence applications or building approval certificates</p>	<p>Sections 374 and 374AA</p>	<p>Restricted to assessing and certifying compliance of buildings that are no more than three storeys and 2,000m² in total floor area.</p>
<p align="center">BUILDING SURVEYOR</p> <p align="center">Technician</p>	<p>BUILDING LICENCE APPLICATION/BUILDING APPROVAL CERTIFICATE</p> <p>Approve (or refuse) building licence applications or building approval certificates</p>	<p>Sections 374 and 374AA</p>	<p>Restricted to approve building applications for buildings not greater than 500m² and not more than two storeys.</p>

**CERTIFICATE OF LOCAL GOVERNMENT
REQUIRED BY STRATA TITLES ACT 1985**

Function to be performed: Authority to issue certificate of local government required by Section 5B of the *Strata Titles Act 1985*.

Delegated by: Council

Conditions: Nil

Delegation to: ~~Manager Planning, Approvals and Environmental Services~~

Manager Compliance and Regulatory Services

Coordinator Planning Approvals

Principal Building Surveyor

Chief Executive Officer delegates to: N/A

Reference: Section 23 of the *Strata Titles Act 1985*

The Common Seal of the City of Joondalup was affixed by the authority of a resolution of Council in the presence of:

**CERTIFICATES OF CLASSIFICATION, LICENCES, NOTICES AND
ASSOCIATED FUNCTIONS UNDER THE LOCAL GOVERNMENT
(MISCELLANEOUS PROVISIONS) ACT 1960**

Function to be performed: Authority to issue certificate of classification of building, make survey of dangerous building, inspect swimming pool enclosures, grant licences, issue directions and notices and perform associated functions of a local government pursuant to the *Local Government (Miscellaneous Provisions) Act 1960*.

Delegated by: Council

Conditions: Delegation is subject to the qualification requirements of the *Local Government (Building Surveyors) Regulations 2008*

Advise Council upon issue of notices.

Delegation to: Chief Executive Officer

Chief Executive Officer delegates to: Manager Compliance and Regulatory Services

Principal Building Surveyor

Coordinator Compliance

Reference: *The Local Government (Miscellaneous Provisions) Act 1960*
Local Government (Building Surveyors) Regulations 2008

CHOICE OF ACCEPTABLE TENDERS FROM AN EXPRESSION OF INTEREST

Function to be performed: A local government is to choose acceptable tenderers from expressions of interest received.

Delegated by: Council

Conditions: Nil

Delegation to: Chief Executive Officer

Chief Executive Officer delegates to: N/A

Reference: Regulation 23 of the *Local Government (Functions and General) Regulations 1996*

CJ60-08/98

CHOICE OF TENDER

Function to be performed:	Valid tenders are to be assessed by the local government before deciding which tender to accept. A Local Government may decline to accept any tender.
Delegated by:	Council
Conditions:	Authority limited to tenders valued at less than \$250,000 <u>Authority to accept tenders valued at less than \$250,000</u> <u>Authority to decline to accept any tender</u>
Delegation to:	Chief Executive Officer
Chief Executive Officer delegates to:	N/A
Reference:	Sections 3.57 and 5.43 of the <i>Local Government Act 1995</i> Regulation 18 of the <i>Local Government (Functions and General) Regulations 1996</i>

CLOSING CERTAIN THOROUGHFARES TO VEHICLES

Function to be performed:	A local government may close any thoroughfare that it manages to the passage of vehicles wholly or partially.
Delegated by:	Council
Conditions:	Nil
Delegation to:	Chief Executive Officer
Chief Executive Officer delegates to:	Director Infrastructure Services Manager Infrastructure Management Services
Reference:	Sections 3.50 and 3.50A of the <i>Local Government Act 1995</i>

DISPOSING OF PROPERTY

Function to be performed: A local government may dispose of property

- (1) At public auction; or
- (2) By public tender; or
- (3) By private treaty.

“Property” includes the whole or any part of the interest of a local government in property, but does not include money.

Delegated by: Council

Conditions: Authority limited to property valued at less than \$500,000.

Delegation to: Chief Executive Officer

Chief Executive Officer delegates to: N/A

Reference: Section 3.58 of the *Local Government Act 1995*

DISTRIBUTION OF COMMUNITY NEWSPAPER

Function to be performed: Authority to add or subtract suburbs upon written request by the Community Newspaper Group in accordance with the approval.

Delegated by: Council

Conditions: Nil

Delegation to: Chief Executive Officer

Chief Executive Officer delegates to: N/A

Reference: CJ174-08/09,

INCURRING LIABILITY AND MAKING PAYMENTS

Function to be performed: The Chief Executive Officer is to ensure efficient systems and procedures are established to ensure proper authorisation for the incurring of liabilities and the making of payments.

The authority to approve requisitions and purchase orders and for the supply of goods and services and subsequent certification of services for which funds have been provided for in the Annual Budget.

Delegated by: Chief Executive Officer

Conditions: (1) Authority to Chief Executive Officer is unlimited subject to annual budget limitations.

(2) Authority which may be Delegated by the Chief Executive Officer to employees is subject to the following maximum individual amounts Authority subject to limits on payments defined by categories A, B, C, D and E as follows:

(i) Category A – unlimited amount subject to annual budget limitations:

(ii) Category B – limited to \$2 million

(iii) Category C – limited to \$250,000

(iv) Category D – limited to \$25,000

(v) Category E – limited to \$5,000

Delegation to: N/A

Chief Executive Officer delegates to: **Category A**

- Director Corporate Services

Category B

- Manager City Projects
- Director Infrastructure Services
- Director Planning and Development
- Director Governance and Strategy

Category C

- Manager Financial Services
- Manager Information Technology
- Manager Infrastructure Management Services
- Manager Operations Services
- Manager Asset Management
- Manager Rangers Parking and Community Safety
- Manager Leisure and Cultural Services
- Manager Community Development and Library Services
- ~~Building Coordinator~~ Coordinator Building Capital Works
- ~~Team Leader Civil Projects Services~~ Team Leader Infrastructure Management Civil Projects Services
- Team Leader Landscaping and Conservation (moved from Category D)
- Operations Coordinator – Engineering
- Operations Coordinator – Natural Areas and Parks
- ~~Parks Technical Officer~~ Parks Coordinator
- Executive Officer, Office of the CEO

Category D

- Manager Strategic and Organisational Development
- Manager Governance and Marketing
- Manager Human Resources
- Manager Planning Services, ~~Approvals and Environmental Services~~
- Manager Compliance and Regulatory Services
- ~~Fleet Coordinator~~ Coordinator Fleet Management
- Coordinator Business Systems
- Coordinator Network Services
- Administration Coordinator, Infrastructure Services

- ~~Coordinator Conservation and Landscaping~~ Coordinator Natural Areas
- Coordinator Rangers and City Watch
- Coordinator, Traffic and Projects Engineering
- Coordinator Capital Works Programming Services
- ~~Team Leader Landscaping and Conservation~~ (moved to Category C)
- Coordinator Civil Projects
- ~~Coordinator Waste Management and Environmental Services~~ Waste and Recycling Policy Coordinator
- ~~Building Maintenance Supervisor~~ Coordinator Building Maintenance
- Coordinator Community Services
- Coordinator Leisure Centre
- Coordinator Recreation Services
- Coordinator Cultural Services
- Coordinator Urban Design and Policy
- Principal Environmental Health Officer
- Principal Legal Officer
- Coordinator Parking Services
- Coordinator Community Safety
- ~~Property Coordinator~~ Coordinator Property Management
- Waste Operations Coordinator

Category E

- Executive Assistant to the Mayor
- Executive Assistant to the CEO
- Executive Research Officer
- Senior Financial Accountant

- Senior Management Accountant
- Team Leader Rating Services
- Contracts and Purchasing Coordinator
- Team Leader IT Service Desk
- Administration Officer Leisure Centres
- Administration Officer Leisure and Cultural Services
- Principal Building Surveyor
- Coordinator Library Services
- Coordinator Library Operations
- Senior Librarian – Joondalup
- Senior Librarian – Whitford
- Senior Librarian – Woodvale
- Senior Librarian – Duncraig / Sorrento
- Senior Ranger
- Recreation Development Officer

Reference:

Sections 5.44 and 6.5 of the *Local Government Act 1995*

Regulations 5, 8, 11 and 12 of the *Local Government (Financial Management) Regulations 1996*

**LIMITATION MAY BE PLACED ON WHO CAN TENDER
SEEKING EXPRESSIONS OF INTEREST**

- Function to be performed:** If a local government thinks that there is good reason to make a preliminary selection from amongst prospective tenderers, it may seek expressions of interest with respect to the supply of the goods or services required.
- Delegated by:** Council
- Conditions:** Authority which may be Delegated by the Chief Executive Officer to employees is limited to the ability to seek expressions of interest only.
- Delegation to:** Chief Executive Officer
- Chief Executive Officer delegates to:** Director Corporate Services
Manager Financial Services
- Reference:** Regulation 21 of the *Local Government (Functions and General) Regulations 1996*

OBJECTION TO THE RATE RECORD

Function to be performed: The local government is to promptly consider any objection to the rate record and may either disallow it or allow it, wholly or in part.

Delegated by: Council

Conditions: Nil

Delegation to: Chief Executive Officer

Chief Executive Officer delegates to: Director Corporate Services.

Manager Financial Services

Team Leader Rating Services

Reference: Section 6.76 of the *Local Government Act 1995*

PAYMENTS FROM THE MUNICIPAL FUND AND TRUST FUND – SIGNATORIES TO BANK ACCOUNTS

Function to be performed: A Payment may be made from the Municipal Fund or the Trust Fund if the local government has delegated to the CEO the exercise of its power to make payments from those funds.

Delegated by: Council

Conditions: N/A

Delegation to: Chief Executive Officer

Authority is subject to payments being made strictly in accordance with the signatory requirements set out in the following:

Cheques or EFT Payment Amounts	Combination of Signatories
Payments under \$10,000	Any one signatory
Payments of \$10,000 and over to payments under \$250,000	Any two signatories
Payments of \$250,000 and over	Any 1 of Category A and 1 of B signatories; or any 2 Category A signatories
Category A Signatories	Category B Signatories
Chief Executive Officer	Senior Management Accountant
Director Planning and Development	Senior Financial Accountant
Director Corporate Services	
Director Infrastructure Services	
Director Governance and Strategy	
Manager Financial Services	

Chief Executive Officer delegates to:

All Directors
 Manager Financial Services
 Senior Financial Accountant
 Senior Management Accountant

Reference:

Sections 6.7 and 6.9 of the *Local Government Act 1995*
 Regulation 12 of the *Local Government (Financial Management) Regulations 1996*

POWER TO INVEST

Function to be performed: Money held in the municipal fund or the trust fund of the local government that is not, for the time being, required by the local government for any other purpose may be invested in accordance with Part III of the *Trustees Act 1962*.

Delegated by: Council

Conditions:

- (1) Authority to Chief Executive Officer is unlimited.
- (2) Authority which may be Delegated by the Chief Executive Officer to employees is subject to the following maximum individual amounts:
 - (i) Unlimited - Director Corporate Services
 - (ii) Up to \$3 million - Manager Financial Services
 - (iii) Up to \$1.5 million - Senior Management Accountant and Senior Financial Accountant

Delegation to: Chief Executive Officer

Chief Executive Officer delegates to: Director Corporate Services

Manager Financial Services

Senior Management Accountant

Senior Financial Accountant

Reference: Section 6.14 of the *Local Government Act 1995*

**SUBDIVISION AND DEVELOPMENT CONTROL:
PART 10 - PLANNING AND DEVELOPMENT ACT 2005**

- Function to be performed:** Authority to object to or make recommendations in response to a plan of subdivision which, in the opinion of the Western Australian Planning Commission, may affect the functions of a local government, pursuant to Section 142 of the *Planning and Development Act 2005*.
- Delegated by:** Council
- Conditions:** The Chief Executive Officer is to prepare and present a report to the Council, on a monthly basis, where the exercise of powers and functions related to this delegation has been undertaken.
- Delegation to:** Director Planning and Development.

Manager Planning Services , ~~Approvals and Environmental Services.~~

Coordinator Urban Design and Policy.

Coordinator Planning Approvals.

Senior Planning Officer.
- Reference:** Section 142 of the *Planning and Development Act 2005*

TOWN PLANNING DELEGATIONS - GENERAL

1 DELEGATIONS TO DIRECTOR AND MANAGER

Pursuant to Clause 8.6 of the Scheme, the Council delegates to the employees of the City who occupy the positions of Director Planning and Development, and the Manager Planning ~~Services, Approvals and Environmental Services~~, the following powers conferred or imposed on the Council under the Scheme:

- (a) the determination of an application for approval of development for the purpose of one or more single houses;
- (b) the determination of an application for approval of development for the purpose of not more than ten grouped dwellings or multiple dwellings;
- (c) the determination of an application for approval of a development for the purpose of a class of use listed in Table 1 (Zoning Table) of the Scheme (other than a single house, grouped dwelling or multiple dwelling) where:
 - (i) the development complies with the standards and requirements of the Scheme; or
 - (ii) the development relates only to patio, shade sail or outbuilding additions to an existing development, and a variation is proposed to the setback or landscaping requirements for the development site, of up to 100% of that standard or requirement; or
 - (iii) for developments other than patios, shade sails and outbuilding additions to an existing development, the setbacks, the landscaping or the number of parking bays of the development are less than the minimum requirement of the Scheme by not more than 10% of that requirement; and
 - (iii) the development complies with Policy - Height of Buildings Within The Coastal Area (Non-Residential Zones);
- (d) the determination of an application for approval for short stay accommodation except where abutting the 'Residential' zone.
- ~~(d)~~(e) the direction under Clause 6.6.2 of the Scheme that Clause 6.7 (Public Notice) is to apply to an application for planning approval involving a "D" use;
- ~~(e)~~(f) a recommendation to the Western Australian Planning Commission under Clause 6.3 of the Scheme;
- ~~(f)~~(g) the determination under Clause 6.1.2 of the Scheme whether to require plans and other information to be submitted with an application;
- ~~(g)~~(h) the decision whether to consult under Clause 6.4;
- ~~(h)~~(i) the issue of a direction/notice under Clauses 8.2, 8.3, 8.8 and 8.10 of the Scheme and Sections 214 and 215 of the *Planning and Development Act 2005*.

2 MATTERS DELEGATED TO COORDINATOR PLANNING APPROVALS AND SENIOR PLANNING OFFICER

Pursuant to Clause 8.6 of the Scheme, the Council delegates to the employees of the City who occupy the positions of the Coordinator Planning Approvals and the Senior Planning Officer (Planning Approvals) the powers specified in paragraph 1 above except:

- (a) the determination of an application for approval of a single house under Clause 6.1.3 (b) of the Scheme or the determination of an application for approval of a grouped dwelling or multiple dwelling under Clause 6.1.1 of the Scheme where:
 - (i) the open space of the proposed development is less than the applicable minimum requirement of Table 1 of the Residential Design Codes by more than 10% of that requirement; or
 - (ii) the plot ratio of the proposed development exceeds the maximum requirement of Table 1 of the Residential Design Codes by more than 10% of that requirement; or
 - (iii) any of the setbacks of the proposed development are less than the minimum requirements of Table 1 or Table 2 or Clause 6.2.3 A3.3 or A3.5 of the Residential Design Codes by more than 1.5 metres; or
 - (iv) the site area per dwelling of the proposed development is less than the minimum requirement of Table 1 of the Residential Design Codes; or
 - (v) the requirements of Clause 6.10.1 A1 (iii), (iv) or (v) of the Residential Design Codes are exceeded by more than 15% of those requirements;
 - (vi) the requirements of Clause 6.3.2 A2 (ii) or (iii) of the Residential Design Codes are exceeded by more than 10% of those requirements; or
 - (vii) the proposed development exceeds the Building Height Envelope set out in City Policy – Height and Scale of Buildings Within Residential Areas.
- (b) the determination of an application for planning approval under Clause 6.1 of the Scheme where:
 - (i) the setbacks of the proposed development; or
 - (ii) the number of on-site car parking bays to be provided; or
 - (iii) the area of the development site to be developed as landscaping;do not satisfy the minimum requirement of the Scheme;
- (c) the determination of an application for planning approval where:
 - (i) advertising and the giving of notice has occurred under Clause 6.7 of the Scheme; and
 - (ii) an objection has been received;

- (d) the determination of an application for approval under Clause 6.1.3(b) of the Scheme or the determination of an application for approval of a grouped dwelling or multiple dwelling under Clause 6.1.1 of the Scheme where:
 - (i) consultation under Clause 4.2.1 of the Residential Design Codes has occurred; and
 - (ii) an objection has been received from a person notified under that clause;
- (e) the refusal of any application for planning approval under Clause 6.1 of the Scheme and the refusal of any application for approval under Clause 6.1.3(b); and
- (f) a recommendation to the Western Australian Planning Commission under Clause 6.3 of the Scheme.
- (g) the issue of a direction/notice under Clauses 8.2, 8.3, 8.8 and 8.10 of the Scheme and Sections 214 and 215 of the *Planning and Development Act 2005*.

3 PERIOD OF DELEGATION

The delegations made in paragraphs 1 and 2 above are to have effect for a period of 2 years from and including the date of this decision.

4 REPORTING TO COUNCIL

The Chief Executive Officer is to cause a report of the exercise of powers and functions referred to in paragraph 1 and 2 above, to be prepared and presented to each ordinary meeting of the Council.