

Council's Annual Review of Delegations – 2015 – Summary of Changes

Item No.	Affected Delegation	Change	Rationale	Comment / Recommendation
1	Authorised Persons under the <i>Building Act 2011</i>	AMEND reference to Building Regulations as follows: <i>Building Regulations 2011</i> <u>2012</u>	The <i>Building Regulations 2012</i> have been incorrectly referenced.	Supported and recommended.
2	<i>Building Act 2011</i> – Occupancy Permits, Building Orders and Associated Functions	ADD two positions of Senior Building Surveyor (00153, 00148) to the list of persons able to perform delegated functions.	The Senior Building Surveyors are qualified in accordance with the <i>Local Government (Building Surveyors) Regulations 2008</i> . Their inclusion will facilitate improved approval processes.	Supported and recommended.
3	Payments from Municipal Fund and Trust Fund – Incurring Liabilities and Making Payments	Change title by deleting all references to trust fund.	Delegation amended to relate strictly for municipal fund transactions only. Provides tighter financial management controls.	Supported and recommended.
4	Payments from Trust Fund – Incurring Liabilities and Making Payments.	New delegation.	New delegation arising from separation of authorising payments from municipal fund. Delegations limited to Directors and Managers with trust fund responsibilities. Provides tighter financial management controls.	Supported and recommended.
5	Choice of Tender.	Increase Chief Executive Officer's authority to accept tenders valued at less than \$300,000, to \$350,000.	The Chief Executive Officer's current limit of \$300,000 has been in effect since 2012. This minimal increase accounts for cost increases for goods and services that have occurred since 2012.	Supported and recommended.
6	<i>Food Act 2008</i> – Functions of an Enforcement Agency	AMEND legislative reference as follows: Section 422 <u>118(2)(b)</u> of the <i>Food Act 2008</i> .	The relevant section of the <i>Food Act 2008</i> was incorrectly referenced.	Supported and recommended.



**REGISTER OF
DELEGATION OF AUTHORITY**

Review		
Reviewed By	Date Approved	Resolution / TRIM Number
Council	28 June 2011	(CJ107-06/11)
Council	26 June 2012	CJ108-06/12 / 07032
Chief Executive Officer	30 May 2013	INT13/9868
Council	25 June 2013	CJ094-06/13
Council	24 June 2014	CJ091-06/14
Chief Executive Officer	30 June 2014	INT14/15493
Council	21 October 2014	CJ180-10/14
Chief Executive Officer	13 May 2015	INT15/11342

Amendments			
Delegation	Date Approved	Resolution / TRIM Number	Amendment
Authorised Persons under the Building Act 2011	20 March 2012	CJ027-03/12	Insertion of delegation as a result of the new Building Act 2011
Certificates of Classification, Licences, Notices and Associated Functions under the Local Government (Miscellaneous Provisions) Act 1960	20 March 2012	CJ027-03/12	Deletion of delegation as a result of new Building Act 2011
Occupancy Permits, Building Orders and Associated Functions under the Building Act 2011	20 March 2012	CJ027-03/12	Insertion of delegation as a result of the new Building Act 2011
Permit Applications, Certificate of Design Compliance, Certificate of Construction Compliance and Building Approval Certificates	20 March 2012	CJ027-03/12	Insertion of delegation as a result of the new Building Act 2011
Town Planning Delegations - General	15 May 2012	CJ075-05/12	Revised delegations in accordance with the District Planning Scheme No 2
Incurring Liability and Making Payments	15 June 2012	INT12/13286	Add to Category C (up to \$250,000) the position of Coordinator Natural Areas and Capital Works Projects.
Office Development Committee	26 June 2012	CJ122-06/12	Add new delegation to the Office Development Committee.
Incurring Liability and Making Payments	31 August 2012	INT12/20354	Add to Category E (up to \$5,000) the position of Collection Management Team Leader.
Permit Applications / Certificates of Building Design, Building Approval Certificates and Certificates of Construction Compliance	2 October 2012	INT12/23123	Remove Position No. 00150 from Building Surveyor classification to Assistant Building Surveyor classification, in accordance with advice from HR and Coordinator Building Approvals.
Incurring Liability and Making Payments	19 October 2012	INT12/24858	Add to Category D (up to \$25,000) the position of Internal Auditor.
Approve alterations and additions to City premises by a lessee, where cost is less than \$50,000	20 November 2012	CJ260-11/12	Insertion of delegation to CEO as a result of Council resolution.

Amendments			
Delegation	Date Approved	Resolution / TRIM Number	Amendment
Incurring Liability and Making Payments	22 November 2012	EMI12/6002	Change title of 'Manager Governance and Marketing' to 'Manager Governance', following restructure.
Incurring Liability and Making Payments	22 November 2012	EMI12/6002 INT12/29775	Add 'Acting Manager Marketing and Communications', following restructure.
Administer the City's Local Laws AND Appointing Authorised Officers	20 November 2012	CJ232-11/12 RGS00813	Add <i>Pest Plant Local Law 2012</i> to list of local laws; Add ability for CEO to appoint authorised persons to enforce the provisions of the <i>City of Joondalup Pest Plant Local Law 2012</i> .
Acknowledge Receipt of Primary and Annual Returns	8 April 2013	INT13/7349	Addition of new delegation from CEO to Director Governance and Strategy
Choice of Tender – Admiral Park Clubroom redevelopment	27 May 2013	CJ084-05/13 INT13/10876	Insertion of new delegation from Council to Chief Executive Officer – to accept tenders for the Admiral Park Clubroom redevelopment project subject to the price of tenders not exceeding \$858,990.
Administer the City's Local Laws.	30 May 2013	INT13/9868	Replacing " <i>Agriculture and Related Resources Protection Act 1976</i> " with " <i>Pest Plant Local Law 2012</i> " within the reference list.
Appointment of Authorised Officers.	30 May 2013	INT13/9868	Replacing " <i>Agriculture and Related Resources Protection Act 1976</i> " with " <i>Pest Plant Local Law 2012</i> " within the reference list.
Incurring Liability and Making Payments.	30 May 2013	INT13/9868	<ul style="list-style-type: none"> Amending the title of "Senior Librarian – Duncraig/Sorrento" to "Senior Librarian Duncraig". Amending various position titles within the Infrastructure Services Directorate. Inclusion of "Design Engineer / Coordinator (01119)" to Category C. Inclusion of "Executive Project Officer (00937)" to Category D.
Authority to Approve of Alterations and Additions to City Premises.	30 May 2013	INT13/9868	Inclusion of Director Infrastructure Services.

Amendments			
Delegation	Date Approved	Resolution / TRIM Number	Amendment
Certificate of local government required by <i>Strata Titles Act 1985</i> .	25 June 2013	CJ094-06/13	<ul style="list-style-type: none"> Amend description of function to be performed. Add "Coordinator Urban Design and Policy (00111)". Amend legislative references.
Subdivision and Development Control: Part 10 – <i>Planning and Development Act 2005</i> .	25 June 2013	CJ094-06/13	<ul style="list-style-type: none"> Amend position numbers. Add "Senior Urban Planner (00115, 00609)".
Town Planning Delegations – General.	25 June 2013	CJ094-06/13	<ul style="list-style-type: none"> Add "Coordinator Urban Design and Policy (00111)" Amend "Senior Urban Planner 00122, 00125)" to "Senior Planning Officer (00122, 00125)". Various typographical and wording amendments.
Appointment of Authorised Officers	25 June 2013	CJ102-06/13	CEO appointed as an authorised person to undertake all the powers and duties of the local government under the <i>Cat Act 2011</i> .
Town Planning Delegations – General	16 July 2013	CJ123-07/13	Inclusion of new paragraph (b) to Part 2 enabling DPCD and MPS to determine applications for planning approval for the unlisted use of "Ancillary Dwelling", where the subject land is zoned 'Residential'.
Authority to Waive Fees	25 July 2013	INT13/16608 INT13/16607 INT13/16265 INT13/16587 INT13/16588 INT13/16589 INT13/16590 INT13/16592 INT13/16595 INT13/16597 INT13/16598	Insertion of new delegation to various library officers to waive fees and accounts within specified parameters.
Authority to Write off Monies	25 July 2013	INT13/16608	Insertion of new delegation to Manager Community Development and Library Services to write off bad debts up to \$500.

Amendments			
Delegation	Date Approved	Resolution / TRIM Number	Amendment
Incurring Liability and Making Payments	16 August 2013	INT13/16228	Inclusion of "Manager Executive and Risk" (1193) to Category C.
Choice of Tender – Bramston Park development project	19 August 2014	CJ145-08/14	Insertion of new delegation from Council to Chief Executive Officer – to accept tenders for the <ul style="list-style-type: none"> Bramston Park floodlighting works subject to the price of tenders not exceeding \$387,712; and Bramston Park development project (minus the floodlighting works) subject to the price of tenders not exceeding \$1,949,238.
Waiver of Fees and Granting of Concessions	9 December 2014	CJ243-12/14	Insertion of new conditions, limiting CEO to \$5,000.
Waiver of Fees and Granting of Concessions	16 February 2015	INT15/5981	<ul style="list-style-type: none"> Inclusion of various library staff with differing limits of authority. Change of title from Senior Librarian to Branch Librarian (throughout document). Added new additional condition from CEO to library staff, requiring quarterly reporting of waivers.
Incurring Liability and Making Payments	17 March 2015	INT14/18637	Inclusion of the following staff to Category D: <ul style="list-style-type: none"> Co-ordinator Civil Projects (Peter Ross – 00208) Co-ordinator Civil Projects (Jeff Giles – 00210) Co-ordinator Electrical Projects (Tony Rowan – 01244)
Building and Demolition Permit Applications	23 March 2015	EMI15/1629	Title of position number 00110 changed from "Administration Team Leader" to "Administration Officer".

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 their 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 required.

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.

In addition to delegations made in accordance with the *Local Government Act 1995*, a number of delegations are also made to the Chief Executive Officer, or directly to other officers in some instances, in accordance with the provisions of other legislation.

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.

CONTENTS

INTRODUCTION.....	7
CONTENTS	8
PART 1 – DELEGATIONS UNDER THE <i>LOCAL GOVERNMENT ACT 1995</i>	9
ACKNOWLEDGE RECEIPT OF PRIMARY AND ANNUAL RETURNS	10
ACTIVITIES ON PRIVATE LAND	11
ADMINISTER THE CITY’S LOCAL LAWS	12
APPOINTMENT OF AN ACTING CHIEF EXECUTIVE OFFICER	13
APPOINTMENT OF AUTHORISED PERSONS	14
AUTHORITY TO APPROVE OF ALTERATIONS AND ADDITIONS TO CITY PREMISES ..	15
CHOICE OF ACCEPTABLE TENDERS FROM AN EXPRESSION OF INTEREST.....	16
CHOICE OF TENDER.....	17
CHOICE OF TENDER – BRAMSTON PARK DEVELOPMENT PROJECT	18
CLOSING CERTAIN THOROUGHFARES TO VEHICLES	19
DISPOSING OF PROPERTY	20
EXTENSION OF EXISTING CONTRACTS	21
OBJECTION TO THE RATE RECORD	22
OPENING OF FENCES	23
PAYMENTS FROM MUNICIPAL FUND - INCURRING LIABILITIES AND MAKING PAYMENTS	24
AUTHORISING PAYMENT FROM THE TRUST FUND	29
PAYMENTS FROM MUNICIPAL FUND AND TRUST FUND – SIGNATORIES TO BANK ACCOUNTS.....	30
POWER TO INVEST	32
SEEKING EXPRESSIONS OF INTEREST.....	33
WAIVER OF FEES AND GRANTING OF CONCESSIONS	34
WRITE OFF OF MONIES.....	36
PART 2 – DELEGATIONS TO COMMITTEES	37
ART COLLECTION AND ADVISORY COMMITTEE	38
OFFICE DEVELOPMENT COMMITTEE	39
PART 3 – DELEGATIONS UNDER OTHER LEGISLATION.....	40
AMENDMENTS TO THE PARKING SCHEMES.....	41
AUTHORISED PERSONS UNDER THE BUILDING ACT 2011	42
BUILDING ACT 2011 – BUILDING AND DEMOLITION PERMIT APPLICATIONS, BUILDING APPROVAL CERTIFICATES, CERTIFICATES OF BUILDING COMPLIANCE, CONSTRUCTION COMPLIANCE AND DESIGN COMPLIANCE	43
<i>BUILDING ACT 2011</i> – OCCUPANCY PERMITS, BUILDING ORDERS AND ASSOCIATED FUNCTIONS	46
<i>BUSH FIRES ACT 1954</i> – FUNCTIONS OF A LOCAL GOVERNMENT	47
<i>CAT ACT 2011</i> – POWERS AND DUTIES OF A LOCAL GOVERNMENT	48
<i>DISTRICT PLANNING SCHEME NO. 2</i> – DELEGATIONS - GENERAL	49
<i>DISTRICT PLANNING SCHEME NO. 2</i> – DETERMINE FUTURE APPLICATIONS FOR RENEWAL OF HOME BUSINESS	53
<i>DOG ACT 1976</i> – POWERS AND DUTIES OF A LOCAL GOVERNMENT	54
<i>FOOD ACT 2008</i> – FUNCTIONS OF AN ENFORCEMENT AGENCY	55
<i>HEALTH ACT 1911</i> – APPOINTMENT OF DEPUTY	56
<i>PLANNING AND DEVELOPMENT ACT 2005</i> – POWERS AS TO ILLEGAL DEVELOPMENT	57

PART 1 – DELEGATIONS UNDER THE *LOCAL GOVERNMENT ACT 1995*

ACKNOWLEDGE RECEIPT OF PRIMARY AND ANNUAL RETURNS

Function delegated:	To provide written acknowledgement of the receipt of Primary and Annual Returns in accordance with section 5.77 of the <i>Local Government Act 1995</i> .
Delegated by:	Chief Executive Officer (00001).
Delegation to:	Director Governance and Strategy (00648).
Conditions:	Nil.
Legislation:	Section 5.77 of the <i>Local Government Act 1995</i>
Policy:	Not applicable.
Adoption / Revision reference:	INT13/7349 (8 April 2013).

ACTIVITIES ON PRIVATE LAND

Function delegated:	Authority to do any of the things prescribed in Schedule 3.2 of the <i>Local Government Act 1995</i> , even though the land on which it is done is not local government property and the local government does not have the consent to do it.
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Limited to those activities as listed in Schedule 3.2 of the <i>Local Government Act 1995</i> .
Chief Executive Officer delegates to:	Not applicable.
Additional sub-delegation conditions:	Nil.
Legislation:	Section 3.27 of the <i>Local Government Act 1995</i> .
Policy:	Not applicable.
Adoption / Revision reference:	CJ091-06/14

ADMINISTER THE CITY'S LOCAL LAWS

Function delegated:	Authority 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 City's local laws.
Delegated by:	Council.
Delegated to:	Chief Executive Officer (00001).
Conditions:	Nil.
Chief Executive Officer delegates to:	Not applicable.
Additional sub-delegation conditions:	Nil.
Legislation:	Sections 3.18 and 5.42 of the <i>Local Government Act 1995</i> <i>Animals Local Law 1999</i> <i>Bushfire Prevention and Control Local Law 1998</i> <i>Extractive Industries Local Law 1998</i> <i>Health Local Law 1999</i> <i>Local Government and Public Property Local Law 1999</i> Parking Local Law 2013 <i>Pest Plant Local Law 2012</i> <i>Private Property Local Law 1998</i> <i>Signs Local Law 1999</i> <i>Trading in Public Places Local Law 1999</i>
Policy:	Nil.
Adoption / Revision reference:	CJ175-10/10, CJ107-06/11, CJ232-11/12; INT13/9868 (30 May 2013).

APPOINTMENT OF AN ACTING CHIEF EXECUTIVE OFFICER

Function delegated:	Authority to make appointments to the position of Acting Chief Executive Officer.
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Authority subject to: <ol style="list-style-type: none">1 the City employee holding the substantive position of 'Director' and is designated a 'Senior Employee' as per Section 5.37 of the <i>Local Government Act 1995</i>;2 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;3 the Chief Executive Officer advising Elected Members when a senior employee is to be designated Acting Chief Executive Officer, when circumstances require, during the following three month period.
Chief Executive Officer delegates to:	Not applicable.
Additional sub-delegation conditions:	Nil.
Legislation:	Section 5.39(1a)(a) of the <i>Local Government Act 1995</i> .
Policy:	Not applicable.
Adoption / Revision reference:	CJ220-10/05, CJ107-06/11.

APPOINTMENT OF AUTHORISED PERSONS

Function delegated:	<p>Authority:</p> <ol style="list-style-type: none"> 1 To appoint and authorise persons to exercise the powers and duties of an authorised person as set out in the <i>Local Government Act 1995</i> and listed hereunder: <ol style="list-style-type: none"> 1.1 Section 3.25 – Notices requiring certain things to be done by owner or occupier of land; 1.2 Section 3.31 – Power to enter property; 1.3 Sections 3.39 to 3.48 – Power to remove, impound and disposal; 1.4 Section 9.10 – Power to appoint authorised persons to perform particular functions; 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 offences; 1.7 Section 9.16 – Issue infringement notices; 1.8 Section 9.17 – Receive payment of modified penalties; 1.9 Section 9.19 – Extension of time; 1.10 Section 9.20 – Withdrawal of notice; 1.11 Section 9.24 – Commencing prosecutions. 2 To appoint and authorise persons to exercise the powers and duties of an authorised person under the City's local laws.
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Nil.
Chief Executive Officer delegates to:	Not applicable.
Additional sub-delegation conditions:	Nil.
Legislation:	Sections 3.24 and 9.10 of the <i>Local Government Act 1995</i> .
Policy:	Not applicable.
Adoption / Revision reference:	CJ107-06/11; CJ027-03/12; CJ232-11/12; INT13/9868 (30 May 2013); CJ102-06/13; CJ091-06/14; CJ180-10/14.

AUTHORITY TO APPROVE OF ALTERATIONS AND ADDITIONS TO CITY PREMISES

Function delegated:	Authority to approve of alterations and additions to City premises by the lessee, where the cost is less than \$50,000, subject to the exercise of the delegation being reported to the Audit Committee on an annual basis.
Delegated by:	Council.
Delegated to:	Chief Executive Officer (00001).
Conditions:	Authority subject to: <ol style="list-style-type: none">1 the cost of the alterations or additions being less than \$50,000; and2 the Chief Executive Officer reporting the exercise of the delegation to the Audit Committee on an annual basis.
Chief Executive Officer delegates to:	Director Infrastructure Services (00184).
Additional sub-delegation conditions:	Nil.
Legislation:	Section 5.42 of the <i>Local Government Act 1995</i> .
Policy:	Not applicable.
Adoption / Revision Reference:	CJ260-11/12; INT13/9868 (30 May 2013);

CHOICE OF ACCEPTABLE TENDERS FROM AN EXPRESSION OF INTEREST

Function delegated:	Authority to choose acceptable tenderers from expressions of interest received, from those persons who are considered to be capable of satisfactorily supplying the goods or services.
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Nil.
Chief Executive Officer delegates to:	Not applicable.
Additional sub-delegation conditions:	Nil.
Legislation:	Regulation 23(3) of the <i>Local Government (Functions and General) Regulations 1996</i> .
Policy:	Not applicable.
Adoption / Revision reference:	CJ60-08/98, CJ107-06/11.

CHOICE OF TENDER

Function delegated:	Authority to decide which tender to accept. Authority to decline to accept any tender.
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Authority to accept tenders valued at less than \$300,000 <u>350,000.</u>
Chief Executive Officer delegates to:	Not applicable.
Additional sub-delegation conditions:	Nil.
Legislation:	Section 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> .
Policy:	Not applicable.
Adoption / Revision reference:	CJ107-06/11.

CHOICE OF TENDER – BRAMSTON PARK DEVELOPMENT PROJECT

Function delegated:	Authority to decide which tender to accept. Authority to decline to accept any tender.
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	<ol style="list-style-type: none">1 Authority to accept tenders for the Bramston Park floodlighting works subject to the price of tenders not exceeding \$387,712.2 Authority to accept tenders for the Bramston Park development project (minus the floodlighting works) subject to the price of tenders not exceeding \$1,949,238.
Chief Executive Officer delegates to:	Not applicable.
Additional sub-delegation conditions:	Nil.
Legislation:	Sections 3.57, 5.42 and 5.43 of the <i>Local Government Act 1995</i> . Regulation 18 of the <i>Local Government (Functions and General) Regulations 1996</i> .
Policy:	Not applicable.
Adoption / Revision reference:	CJ145-08/14.

CLOSING CERTAIN THOROUGHFARES TO VEHICLES

Function delegated:	Authority to close any thoroughfare that the City manages, wholly or partially, to the passage of vehicles.
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Nil.
Chief Executive Officer delegates to:	Director Infrastructure Services (00184). Manager Infrastructure Management Services (00186).
Additional sub-delegation conditions:	Not applicable.
Legislation:	Sections 3.50 and 3.50A of the <i>Local Government Act 1995</i> .
Policy:	Not applicable.
Adoption / Revision reference:	CJ107-06/11.

DISPOSING OF PROPERTY

Function delegated:	Authority to dispose of property – (1) at public auction; (2) by public tender; (3) by private treaty.
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Authority limited to property valued at less than \$600,000. “Property” includes the whole or any part of the interest of a local government in property, but does not include money.
Chief Executive Officer delegates to:	Not applicable.
Additional sub-delegation conditions:	Nil.
Legislation:	Section 3.58 of the <i>Local Government Act 1995</i> .
Policy:	Not applicable.
Adoption / Revision reference:	CJ107-06/11

EXTENSION OF EXISTING CONTRACTS

Function delegated:	Authority to approve any contract extensions on tenders approved by the Council.
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Authority subject to: <ol style="list-style-type: none">1 the extension being within the original terms and conditions approved by the Council;2 satisfactory performance of the contractor(s);3 the Chief Executive Officer reporting to the Audit Committee on a six monthly basis on the exercise of this delegation.
Chief Executive Officer delegates to:	Not applicable.
Additional sub-delegation conditions:	Nil.
Legislation:	Section 3.57 of the <i>Local Government Act 1995</i> .
Policy:	Not applicable.
Adoption / Revision reference:	CJ231-11/05.

OBJECTION TO THE RATE RECORD

Function delegated:	Authority to consider any objection to the rate record and either disallow it or allow it, wholly or in part.
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Nil.
Chief Executive Officer delegates to:	Director Corporate Services (00063). Manager Financial Services (00075). Team Leader Rating Services (00079).
Additional sub-delegation conditions:	Not applicable.
Legislation:	Section 6.76 of the <i>Local Government Act 1995</i> .
Policy:	Not applicable.
Adoption / Revision reference:	CJ107-06/11

OPENING OF FENCES

Function delegated:	Authority to open a fence on private land.
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Limited to those activities that expressly states such authority under Schedule 3.2 of the <i>Local Government Act 1995</i> .
Chief Executive Officer delegates to:	Not applicable.
Additional sub-delegation conditions:	Nil.
Legislation:	Section 3.36 of the <i>Local Government Act 1995</i> .
Policy:	Not applicable.
Adoption / Revision reference:	CJ091-06/14

**PAYMENTS FROM MUNICIPAL FUND ~~AND TRUST FUND~~ - INCURRING
LIABILITIES AND MAKING PAYMENTS**

Function delegated: Authority to incur liabilities and make payments from the municipal ~~and trust funds~~fund.

Delegated by: Council.

Delegation to: Chief Executive Officer (00001).

Conditions:

- (1) Authority subject to funds being provided in the Annual Budget.
- (2) Authority to Chief Executive Officer is unlimited.
- (3) Incurring liabilities and making payments to be undertaken in accordance with the City's procedures and systems for incurring liabilities and making payments.
- (4) Authority which may be Delegated by the Chief Executive Officer to employees is subject to the maximum individual amount limits on payments defined by categories A, B, C, D and E as follows:
 - (i) Category A – unlimited individual amounts 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.

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

- Director Corporate Services (00063).

Category B

- Manager City Projects (00859).
- Director Infrastructure Services (00184).
- Director Planning and Community Development (00105).
- Director Governance and Strategy (00648).

Category C

- Manager Financial Services (00075).
- Manager Information Technology (00094).
- Manager Infrastructure Management (00186).
- Manager Operation Services (00220).
- Manager Asset Management (00065).
- Manager Rangers Parking and Community Safety (00912).
- Manager Leisure and Cultural Services (00159).
- Manager Community Development and Library Services (00390).
- Team Leader Infrastructure Management Civil Projects Services (00490).
- Team Leader Landscaping and Conservation (00211).
- Coordinator Engineering Operations (00227).
- Coordinator Park Operations (00806).
- Team Leader Projects (00224).
- Executive Officer (00006).
- Coordinator Natural Areas and Capital Works Projects (01120).
- Design Engineer/Coordinator (01119).
- Manager Executive and Risk Services (01193)

Category D

- Manager Strategic and Organisational Development (000503).
- Manager Governance (00010).
- Manager Human Resources (00054).

- Manager Planning Services (00108).
- Manager Compliance and Regulatory Services (01093).
- Coordinator Fleet Management (00069).
- Coordinator Building Capital Works (00195).
- Coordinator Business Systems (00095).
- Coordinator Network Services (00770).
- Administration Coordinator (00187).
- Executive Liaison Officer (00007).
- Library Service Coordinator (00516).
- Coordinator Library Operations (00517).
- Team Leader Natural Areas (00506).
- Coordinator Rangers and City Watch (00607).
- Coordinator Traffic Project Engineer (00203).
- Coordinator Infrastructure Asset Management (00205).
- Waste and Recycle Policy Coordinator (00197).
- Coordinator Building Maintenance (00228).
- Coordinator Community Development (00175).
- Coordinator Leisure Centre (00612).
- Recreation Services Coordinator (00611).
- Coordinator Cultural Services (00166).
- Coordinator Urban Design and Policy (00111).
- Principal Environmental Health Officer (00114).
- Principal Events Officer (00168).
- Principal Legal Officer (00640).
- Coordinator Parking Services (00853).
- Community Safety Coordinator (00800).
- Coordinator Property Management (00497).

- Waste Operations Coordinator (00762).
- Business Performance Analyst (01200).
- Manager Marketing and Communications (01162).
- Executive Project Officer (00937).
- Co-ordinator Civil Projects (00208).
- Co-ordinator Civil Projects (00210).
- Co-ordinator Electrical Projects (01244).

Category E

- Executive Assistant to the Mayor (00003).
- Executive Assistant to the CEO (00002).
- Senior Financial Accountant (00078).
- Senior Management Accountant (00083).
- Team Leader Rating Services (00079).
- Coordinator Contracts and Purchasing (00068).
- Service Desk Team Leader (00101).
- Senior Leisure Officer (00639, 00637, 00617, 00638).
- Administration Officer Leisure and Cultural Services (00160).
- Coordinator Building Approvals (00113).
- Branch Librarian – Joondalup (00519).
- Branch Librarian – Whitford (00520).
- Branch Librarian – Woodvale (00522).
- Branch Librarian – Duncraig (00521).
- Senior Ranger (00212).
- Recreation Development Officer (00172, 00173).
- Collection Management Team Leader (00528).
- Team Leader Youth Services (00182).

- Team Leader Community Development (01224).

Additional sub-delegation conditions: Nil.

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

Policy: Not applicable.

Adoption / Revision reference: CJ107-06/11; INT12/13286 (15 June 2012); INT12/20354 (31 August 2012); INT12/24858 (19 October 2012); EMI12/6002; INT12/29775 (22 November 2012); INT13/9868 (30 May 2013); INT14/18637; CJ091-06/14; INT15/5981; INT15/11342

AUTHORISING PAYMENT FROM THE TRUST FUND

<u>Function delegated:</u>	<u>Authority to make payments from the trust fund.</u>
<u>Delegated by:</u>	<u>Council.</u>
<u>Delegation to:</u>	<u>Chief Executive Officer (00001).</u>
<u>Conditions:</u>	<u>Making payments to be undertaken in accordance with the City's procedures and systems for making payments from the trust fund.</u>
<u>Chief Executive Officer delegates to:</u>	<ul style="list-style-type: none">• <u>Director Corporate Services (00063).</u>• <u>Director Infrastructure Services (00184).</u>• <u>Director Planning and Community Development (00105).</u>• <u>Director Governance and Strategy (00648).</u>• <u>Manager Financial Services (00075).</u>• <u>Manager Infrastructure Management (00186).</u>• <u>Manager Operation Services (00220).</u>• <u>Manager Asset Management (00065).</u>• <u>Manager Leisure and Cultural Services (00159).</u>• <u>Manager Governance (00010).</u>• <u>Manager Compliance and Regulatory Services (01093).</u>
<u>Additional sub-delegation conditions:</u>	<u>Nil.</u>
<u>Legislation:</u>	<u>Regulations 5, 11 and 12 of the <i>Local Government (Financial Management) Regulations 1996.</i></u>
<u>Policy:</u>	<u>Not applicable.</u>
<u>Adoption / Revision reference:</u>	<u>CJ107-06/11; INT12/13286 (15 June 2012); INT12/20354 (31 August 2012); INT12/24858 (19 October 2012); EMI12/6002; INT12/29775 (22 November 2012); INT13/9868 (30 May 2013); INT14/18637; CJ091-06/14; INT15/5981</u>

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

Function delegated: Authority to make payments from the Municipal Fund or the Trust Fund.

Delegated by: Council.

Delegation to: Chief Executive Officer (00001).

Conditions: 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 (00001)	Senior Management Accountant (00083)
Director Planning and Community Development (00105)	Senior Financial Accountant (00078)
Director Corporate Services (00063)	
Director Infrastructure Services (00184)	
Director Governance and Strategy (00648)	
Manager Financial Services (00075)	

Chief Executive Officer delegates to: All Directors (00063, 000648, 00184, 00105).

Manager Financial Services (00075).

Senior Financial Accountant (00078).

Senior Management Accountant (00083).

Additional sub-delegation conditions: Not applicable.

Legislation: Sections 6.7 and 6.9 of the *Local Government Act 1995*.

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

Policy: Not applicable.

Adoption / Revision reference: CJ107-06/11; CJ091-06/14

POWER TO INVEST

Function delegated:	Authority to invest funds 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, in accordance with Part III of the <i>Trustees Act 1962</i> .
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Authority to Chief Executive Officer is unlimited.
Chief Executive Officer delegates to:	<ol style="list-style-type: none">1 Director Corporate Services (00063).2 Manager Financial Services (00075).3 Senior Management Accountant (00083) and Senior Financial Accountant (00078).
Additional sub-delegation conditions:	Authority subject to the following maximum individual amounts: <ol style="list-style-type: none">1 Unlimited - Director Corporate Services.2 Up to \$3 million - Manager Financial Services.3 Up to \$1.5 million - Senior Management Accountant and Senior Financial Accountant.
Legislation:	Section 6.14 of the <i>Local Government Act 1995</i> .
Policy:	<i>Investment Policy</i> .
Adoption / Revision reference:	CJ107-06/11

SEEKING EXPRESSIONS OF INTEREST

Function delegated:	Authority to seek expressions of interest with respect to the supply of goods or services, where it is considered that there is good reason to make a preliminary selection from among prospective tenderers.
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Not applicable.
Chief Executive Officer delegates to:	Director Corporate Services (00063). Manager Financial Services (00075).
Additional sub-delegation conditions:	Limited to the ability to seek expressions of interest only.
Legislation:	Regulation 21 of the <i>Local Government (Functions and General) Regulations 1996</i> .
Policy:	Not applicable.
Adoption / Revision reference:	CJ107-06/11

WAIVER OF FEES AND GRANTING OF CONCESSIONS

Function delegated:	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.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Additional subsidies and waiver of hire fees under the <i>Facility Hire Subsidy Policy</i> limited to \$5,000 per request.
Chief Executive Officer delegates to:	<ol style="list-style-type: none"> 1 All Directors (00063, 00648, 00184, 00105). 2 Manager Leisure and Cultural Services (00159). 3 Librarian – Dun Craig (00575), Librarians – Joondalup (00558), (00559), (00560), Librarian – Whitford (00539), Librarians – Woodvale (00549) (x2), Reference and Local History Librarian (00527); Adult and Seniors Officer (00525); Youth and Children’s Officer (00524); Youth and Children’s Officer (01231); Cataloguer (00532); Cataloguer (00531). 4 Coordinator Library Operations (00517), Library Service Coordinator (00516), Branch Librarian – Joondalup (00519), Branch Librarian – Whitford (00520), Branch Librarian – Woodvale (00522), Branch Librarian – Dun Craig (00521), Digital Services Officer (01126); Reference and Local History Team Leader (00526); Collection Management Team Leader (00528). 5 Manager Community Development and Library Services (00390). 6 Manager Compliance and Regulatory Services (01093).
Additional sub-delegation conditions:	<ol style="list-style-type: none"> 1 Not applicable. 2 Limited to individual items to \$5,000 and limited to the hire and use of City facilities. 3 Limited to waiving fines to the value of \$6.00 and under and waiving fines up to any value when a lost or damaged item is paid for by the customer, SUBJECT TO a quarterly report on fines and fees that have been waived being submitted to the Manager Financial Services. 4 Limited to waiving fines to the value of \$6.00 and

under; waiving fines up to any value when a lost or damaged item is paid for by the customer; waiving accounts up to \$150 for lost or damaged items in special circumstances, **SUBJECT TO** a quarterly report on fines and fees that have been waived being submitted to the Manager Financial Services.

- 5 Limited to waiving fines and accounts to the value of \$6.00 and over; waiving the \$12.80 debt collection fee in special circumstances, **SUBJECT TO** a quarterly report on fines and fees that have been waived being submitted to the Manager Financial Services.
- 6 Limited to waiving the City's Building Permit Application fee for applications submitted by not-for-profit charitable organisations.

Legislation: Section 6.12 of the *Local Government Act 1995*.

Policy: *Facility Hire Subsidy Policy*.

Adoption / Revision reference: CJ107-06/11; INT12/17389; INT13/13646; INT13/16607; INT13/16608; INT13/16265; INT13/16587; INT13/16588; INT13/16589; INT13/16590; INT13/16592; INT13/16595; INT13/16597; INT13/16598; CJ243-12/14; INT14/18637; INT15/5981; INT15/11342

WRITE OFF OF MONIES

Function delegated	Authority to write off monies.
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Subject to: <ul style="list-style-type: none"> (a) individual items to \$20,000; (b) a report being provided to the Audit Committee on a six monthly basis on the exercise of this delegation.
Chief Executive Officer delegates to:	<ul style="list-style-type: none"> 1 Director Corporate Services (00063). 2 Manager Financial Services (00075). 3 Manager Community Development and Library Services (00390). 4 Team Leader Rating Services (00079).
Additional sub-delegation conditions:	<ul style="list-style-type: none"> 1 Not applicable. 2 Individual items to \$5,000. 3 Individual items to \$500. 4 Individual items to \$50.
Legislation:	Section 6.12 of the <i>Local Government Act 1995</i> .
Policy:	Not applicable.
Adoption / Revision reference:	CJ78-03/99, CJ107-06/11; INT12/17389; INT13/13646; INT13/16608

PART 2 – DELEGATIONS TO COMMITTEES

ART COLLECTION AND ADVISORY COMMITTEE

Function delegated:	Authority to approve acquisitions for artworks within the available adopted budget funds.
Delegated by:	Council.
Delegation to:	Art Collection and Advisory Committee.
Conditions:	<ol style="list-style-type: none">(1) Committee authority to be exercised in accordance with <i>The City's Art and Memorabilia Collections Policy</i>.(2) Chief Executive Officer authorised to approve acquisitions for artworks up to \$15,000, approval for which is to be based on the written advice of the City's Art Consultant.
Committee delegates to:	Not applicable.
Legislation:	Sections 5.16 and 5.42 of the <i>Local Government Act 1995</i> .
Policy:	<i>The City's Art and Memorabilia Collections Policy</i> .
Adoption / Revision reference:	CJ107-06/11

OFFICE DEVELOPMENT COMMITTEE

Function delegated:	To make appropriate decisions on behalf of Council that are aligned with the Committee's Terms of Reference and in accordance with the constraints of the <i>Local Government Act 1995</i> .
Delegated by:	Council.
Delegation to:	Office Development Committee.
Conditions:	<p>The Terms of Reference of the Office Development Committee are:</p> <p>To provide advice and make recommendations to Council on:</p> <ul style="list-style-type: none">• the preferred location for the development of the Joondalup City Centre Commercial Office Development• the architectural design elements to be incorporated into the Joondalup City Centre Commercial Office Development• the core components to be included in the Joondalup City Centre Office Development• the development models and financial structures to progress the Joondalup City Centre Commercial Office Development, including expressions of interest• the options for the ongoing management and utilisation of the Joondalup City Centre Commercial Office Development.
Committee delegates to:	Not applicable.
Additional sub-delegation conditions:	Nil.
Legislation:	Section 5.16 of the <i>Local Government Act 1995</i> .
Policy:	Not applicable.
Adoption / Revision reference:	CJ122-06/12

PART 3 – DELEGATIONS UNDER OTHER LEGISLATION

AMENDMENTS TO THE PARKING SCHEMES

Function delegated:	Authority to approve and implement amendments to parking schemes adopted by Council in relation to: <ul style="list-style-type: none"> • time limits, conditions and prohibitions in streets and parking stations; • the designation of visitor and authorised vehicle parking.
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Authority to be exercised consistently with the provisions of the <i>City of Joondalup Parking Local Law 2013</i> .
Chief Executive Officer delegates to:	Not applicable.
Additional sub-delegation conditions:	Not applicable.
Legislation:	<i>City of Joondalup Parking Local Law 2013.</i>
Policy:	<i>Dedicated Car Parking for Seniors and Parents with Prams Policy.</i> <i>Joondalup City Centre Car Parking for Commercial Development Policy.</i> <i>Parking Schemes Policy.</i>
Adoption / Revision Reference:	CJ073-05/08, CJ183-08/09, CJ107-06/11,

AUTHORISED PERSONS UNDER THE BUILDING ACT 2011

Function delegated:	Authority to appoint authorised persons for the purposes of the <i>Building Act 2011</i> and <i>Building Regulations 2011 2012</i> in relation to buildings and incidental structures located, or proposed to be located in the City's district.
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Nil.
Chief Executive Officer delegates to:	Not applicable.
Additional sub-delegation conditions:	Not applicable.
Legislation:	Section 96(3) of the <i>Building Act 2011</i> . Section 127 of the <i>Building Act 2011</i> .
Policy:	Not applicable.
Adoption / Revision Reference:	CJ027-03/12

**BUILDING ACT 2011 – BUILDING AND DEMOLITION PERMIT APPLICATIONS,
BUILDING APPROVAL CERTIFICATES, CERTIFICATES OF BUILDING
COMPLIANCE, CONSTRUCTION COMPLIANCE AND DESIGN COMPLIANCE**

Function delegated:	Authority to approve or refuse to grant or modify building and demolition permit applications, building approval certificates, certificates of building compliance, construction compliance and design compliance.
Delegated by:	Council.
Delegation to:	Persons as described in the attached Schedule who are qualified in accordance with the <i>Local Government (Building Surveyors) Regulations 2008</i> .
Conditions:	As described in the attached Schedule.
Legislation:	Division 2 of Part 2 of the <i>Building Act 2011</i> . Divisions 1, 2 and 3 of Part 4 of the <i>Building Act 2011</i> . <i>Local Government (Building Surveyors) Regulations 2008</i>
Policy:	Not applicable.
Adoption / Revision reference:	CJ027-03/12; INT12/23123 (2 October 2012); CJ180-10/14; EMI15/1629

DELEGATION TO	DESCRIPTION OF AUTHORITY BEING DELEGATED	POWER BEING DELEGATED	CONDITIONS
<p>MANAGER COMPLIANCE AND REGULATORY SERVICES (01093)</p> <p>COORDINATOR BUILDING APPROVALS (00113)</p>	<p>PERMIT APPLICATIONS / CERTIFICATES OF BUILDING DESIGN, BUILDING APPROVAL CERTIFICATES AND CERTIFICATES OF CONSTRUCTION COMPLIANCE.</p> <p>Approve (or refuse) permit applications or certificates</p>	<p>Division 2 of Part 2 of the Building Act 2011</p> <p>Divisions 1, 2 and 3 of Part 4 of the Building Act 2011</p>	<p>Unrestricted assessment and certification.</p>
<p>SENIOR BUILDING SURVEYOR (00153, 00148)</p> <p>Level 1</p>	<p>PERMIT APPLICATIONS / CERTIFICATES OF BUILDING DESIGN, BUILDING APPROVAL CERTIFICATES AND CERTIFICATES OF CONSTRUCTION COMPLIANCE.</p> <p>Approve permit applications or certificates</p>	<p>Division 2 of Part 2 of the Building Act 2011</p> <p>Divisions 1, 2 and 3 of Part 4 of the Building Act 2011</p>	<p>Unrestricted assessment and certification.</p>
<p>BUILDING SURVEYOR (00149, 00151, 00154)</p> <p>Level 2</p>	<p>PERMIT APPLICATIONS / CERTIFICATES OF BUILDING DESIGN, BUILDING APPROVAL CERTIFICATES AND CERTIFICATES OF CONSTRUCTION COMPLIANCE.</p> <p>Approve permit applications or certificates</p>	<p>Division 2 of Part 2 of the Building Act 2011</p> <p>Divisions 1, 2 and 3 of Part 4 of the Building Act 2011</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>ASSISTANT BUILDING SURVEYOR (00150, 01068)</p>	<p>PERMIT APPLICATIONS / CERTIFICATES OF BUILDING DESIGN, BUILDING APPROVAL CERTIFICATES AND CERTIFICATES OF CONSTRUCTION COMPLIANCE.</p> <p>Approve permit applications or certificates</p>	<p>Division 2 of Part 2 of the Building Act 2011</p> <p>Divisions 1, 2 and 3 of Part 4 of the Building Act 2011</p>	<p>Restricted to assessing and certifying compliance of buildings not greater than 500m² and not more than two storeys.</p>

DELEGATION TO	DESCRIPTION OF AUTHORITY BEING DELEGATED	POWER BEING DELEGATED	CONDITIONS
ASSISTANT BUILDING SURVEYOR (00615) ADMINISTRATION OFFICER (00109, 00110, 00131, 00132, 00133)	BUILDING PERMIT APPLICATIONS Approve permit applications.	Division 2 of Part 2 of the Building Act 2011 Divisions 1, 2 and 3 of Part 4 of the Building Act 2011	Restricted to approving applications that have been certified by a suitably qualified Building Surveyor.

BUILDING ACT 2011 – OCCUPANCY PERMITS, BUILDING ORDERS AND ASSOCIATED FUNCTIONS

Function delegated:	Authority to grant or issue occupancy permits, issue building orders and notices and perform associated functions of a permit authority pursuant to the <i>Building Act 2011</i> .
Delegated by:	Council.
Delegation to:	Manager Compliance and Regulatory Services (01093). Coordinator Building Approvals (00113). <u>Senior Building Surveyor (00153, 00148).</u> Coordinator Compliance (01094).
Conditions:	Subject to the qualification requirements of the <i>Local Government (Building Surveyors) Regulations 2008</i> . Advise Council upon issue of notices.
Officers sub-delegate to:	Not applicable.
Legislation:	<i>Building Act 2011</i> . <i>Local Government (Building Surveyors) Regulations 2008</i>
Policy:	Not applicable.
Adoption / Revision reference:	CJ027-03/12; CJ180-10/14

BUSH FIRES ACT 1954 – FUNCTIONS OF A LOCAL GOVERNMENT

Function delegated:	Authority to perform the functions of the local government under the <i>Bush Fires Act 1954</i> .
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Cannot be sub-delegated.
Chief Executive Officer delegates to:	Not applicable.
Additional sub-delegation conditions:	Not applicable.
Legislation:	Section 48 of the <i>Bush Fires Act 1954</i> .
Policy:	Not applicable.
Adoption / Revision reference:	CJ180-10/14

CAT ACT 2011 – POWERS AND DUTIES OF A LOCAL GOVERNMENT

Function delegated:	Authority to exercise the powers or discharge the duties of the local government under the <i>Cat Act 2011</i> .
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Nil.
Chief Executive Officer delegates to:	Not applicable.
Additional sub-delegation conditions:	Not applicable.
Legislation:	Section 44 of the <i>Cat Act 2011</i> .
Policy:	Not applicable.
Adoption / Revision reference:	CJ102-06/13; CJ180-10/14

DISTRICT PLANNING SCHEME NO. 2 – DELEGATIONS - GENERAL

- 1 MATTERS DELEGATED TO SENIOR URBAN PLANNER (00115, 00609, 00778, 00122, 00125), COORDINATOR PLANNING APPROVALS (00112), AND COORDINATOR URBAN DESIGN AND POLICY (00111).

Pursuant to Clause 8.6 of the Scheme, the Council delegates to the employees of the City who occupy the position of Senior Urban Planner, Coordinator Planning Approvals, and Coordinator Urban Design and Policy the following powers conferred or imposed on Council under the Scheme:

- (a) the approval of an application for Planning Approval and/or the exercise of discretion under the Residential Design Codes for the purpose of a 'single house', an 'ancillary dwelling' or up to 10 'grouped dwellings', 'multiple dwellings' or 'aged or dependent persons' dwellings', or any associated, ancillary or incidental development where:
- (i) the Deemed-to-Comply Requirements of the Residential Design Codes have been satisfied (where applicable), and the development satisfies any applicable standards and requirements of the Scheme, any Agreed Structure Plan and all applicable Local Planning Policies; or
- (ii) the application requires assessment against the Design Principles of the Residential Design Codes, and there have not been any objections to the application received, provided:
- (a) the plot ratio of the proposed development does not exceed the maximum requirement of Table 1 or Table 4 (as applicable) of the Residential Design Codes by more than 10% of that requirement;
- (b) the building setbacks of the proposed development are not less than those specified under the Deemed-to-Comply Requirements of the Residential Design Codes by more than 1.5 metres;
- (c) a porch, balcony, verandah, chimney or equivalent does not project more than 50% into the primary street setback area stipulated in Table 1 of the Residential Design Codes;
- (d) any outbuilding is not in the primary or secondary setback area stipulated in Table 1 or Table 4 of the Residential Design Codes;
- (e) the height and/or length of boundary wall(s) does not exceed the amounts set out in the Deemed-to-Comply Requirements of the Residential Design Codes by more than 10% of those requirements, and where there are boundary walls to no more than two (2) separate boundaries; and
- (f) the height of the proposed fill, retaining wall or non-visually permeable fencing within the primary street setback area does not exceed 1.2 metres above natural ground level.
- (b) the approval of an application for Planning Approval for the purposes of a class of use listed in Table 1 (Zoning Table) of the Scheme other than a 'single house',

'ancillary dwelling', 'grouped dwelling', 'multiple dwelling', 'aged or dependent persons' dwelling' or any associated, ancillary or incidental development where:

- (i) the development satisfies any applicable standards and requirements of the Scheme, any Agreed Structure Plan and all applicable Local Planning Policies; or
- (ii) an application proposes a variation to the applicable setback requirements of up to 100% for patio(s), verandah(s), shade sail(s), portico(s), retaining wall(s) less than 1.2 metres above natural ground level in height or outbuilding(s) or
- (iii) the application is for the renewal of a Home Business - Category 2 or Home Business - Category 3, where no complaints or objections have been received since the previous approval was issued; and
- (iv) the application is not required to be considered by the Joondalup Design Reference Panel; and
- (v) there have not been any objections to the application received.

2 MATTERS DELEGATED TO MANAGER PLANNING SERVICES (00108) AND DIRECTOR PLANNING AND COMMUNITY DEVELOPMENT (00105)

Pursuant to Clause 8.6 of the Scheme, the Council delegates to the employees of the City who occupy the position of Manager Planning Services and Director Planning and Community Development, in addition to the powers set out in part 1 above, the following powers conferred or imposed on the Council under the Scheme and the *Planning and Development Act 2005*:

- (a) the determination of an application for Planning Approval for 'display homes' on proposed Lots 316, 317, and 320-325 Grand Ocean Entrance, proposed Lots 1185-1188, and 1208-1210, Larvotto Turn, and proposed Lots 120-1227 Umina Way in Burns Beach;
- (b) the determination of an application for Planning Approval and/or the exercise of discretion under the Scheme, a Local Planning Policy, an Agreed Structure Plan or the Residential Design Codes for the purpose of one or more 'single houses' or 'ancillary dwellings' and/or up to 10 'grouped dwellings', 'multiple dwellings', or 'aged or dependent persons' dwellings';
- (c) the determination of an application for Planning Approval for the purpose of a class of use listed in Table 1 (Zoning Table) of the Scheme (other than a 'single house', 'ancillary dwelling', 'grouped dwelling', 'multiple dwelling' or 'aged or dependent persons' dwelling') provided:
 - (i) building setbacks for buildings other than for those set out in 1(b)(ii) of these delegations, as set out in the Scheme or any applicable Agreed Structure Plan, are not less than the required amount by more than 1.5 metres;
 - (ii) the amount of car parking provided is not less than:

- (a) the standards and requirements set out in the Scheme or any applicable Agreed Structure Plan by more than 10%; or
 - (b) a car parking shortfall for that site previously approved by Council; or
 - (c) the standards and requirements set out in Amendment No. 65 to the Scheme, as adopted by Council;
- (iii) the landscaping strip provided achieves an average width of not less than 1.5 metres;
 - (iv) the overall amount of landscaping provided for the site does not vary the standards and requirements set out in the Scheme or any applicable Agreed Structure Plan by more than 10% of that requirement;
 - (v) the development complies with Policy - Height of Buildings Within The Coastal Area (Non-Residential Zones);
 - (vi) the satisfies the objective(s) of all applicable Local Planning Policies, with the exception of development that does not satisfy the standards and requirements of the *Height of Buildings Within The Coastal Area (Non-Residential Zones) Policy*; and
 - (vii) the development is not for 'short stay accommodation' abutting the 'Residential' zone.
- (d) 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) a recommendation to the Western Australian Planning Commission under Clause 6.3 of the Scheme, except where the proposed development is for Telecommunications Facilities;
 - (f) the determination under Clause 6.1.2 of the Scheme whether to require plans and other information to be submitted with an application;
 - (g) the determination under clause 6.1.3(i) of the Scheme whether works are temporary for the purposes of the Scheme and the length of time that such 'development' is permitted to remain in the requested location.
 - (h) the decision whether to consult with other authorities under Clause 6.4.

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.

Adoption / Revision reference: CJ229-12/11, CJ003-02/12, CJ075-05/12; CJ094-06/13;
CJ123-07/13; CJ180-10/14

DISTRICT PLANNING SCHEME NO. 2 – DETERMINE FUTURE APPLICATIONS FOR RENEWAL OF HOME BUSINESS

Function delegated:	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.
Delegation to:	Manager Planning Services (00108).
Conditions:	Authority subject to no changes to the operation of the business being made.
Manager Planning Services delegates to:	Not applicable.
Additional sub-delegation conditions:	Not applicable.
Legislation:	Clause 8.6 of <i>District Planning Scheme No.2</i> .
Policy:	<i>Home Business Policy</i> .
Adoption / Revision reference:	CJ198-09/09, CJ107-06/11; CJ091-06/14; CJ180-10/14

DOG ACT 1976 – POWERS AND DUTIES OF A LOCAL GOVERNMENT

Function delegated:	Authority to exercise the powers or discharge the duties of the local government under the <i>Dog Act 1976</i> including the authority to delegate the powers and duties of a local government to other persons.
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Nil.
Chief Executive Officer delegates to:	Not applicable.
Additional sub-delegation conditions:	Not applicable.
Legislation:	Section 10AA of the <i>Dog Act 1976</i> .
Policy:	Not applicable.
Adoption / Revision reference:	CJ180-10/14

FOOD ACT 2008 – FUNCTIONS OF AN ENFORCEMENT AGENCY

Function delegated:	Authority to exercise the powers or discharge the duties of the local government, as an enforcement agency under the <i>Food Act 2008</i> .
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Nil.
Chief Executive Officer delegates to:	Not applicable.
Additional sub-delegation conditions:	Not applicable.
Legislation:	Section 422-118(2)(b) of the <i>Food Act 2008</i> .
Policy:	Not applicable.
Adoption / Revision reference:	CJ180-10/14

HEALTH ACT 1911 – APPOINTMENT OF DEPUTY

Function delegated:	Authority to exercise all the powers and functions of the local government, as the local government's deputy, under the <i>Health Act 1911</i> .
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Nil.
Chief Executive Officer delegates to:	Not applicable.
Additional sub-delegation conditions:	Not applicable.
Legislation:	Section 26 of the <i>Health Act 1911</i> .
Policy:	Not applicable.
Adoption / Revision reference:	CJ180-10/14

PLANNING AND DEVELOPMENT ACT 2005 – POWERS AS TO ILLEGAL DEVELOPMENT

Function delegated:	Authority to exercise all the powers and functions of the local government under sections 214(2), (3) and (5) of the <i>Planning and Development Act 2005</i> .
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Nil.
Chief Executive Officer delegates to:	Not applicable.
Additional sub-delegation conditions:	Not applicable.
Legislation:	Section 5.42(1)(b) of the <i>Local Government Act 1995</i> .
Policy:	Not applicable.
Adoption / Revision reference:	CJ180-10/14