

ANNUAL REVIEW OF DELEGATED AUTHORITY MANUAL

Page in Revised Manual	Delegation Title	Proposed Change	Reason for Proposed Change
5	Disposing of Property	Provision relating to exempt dispositions to be added	Exempt dispositions should be covered in the delegation as provided for under section 3.58 Local Government Act 1995
17-20	Town Planning Delegations	Minor amendments to various clauses	To improve efficiency and timeliness of processing developing applications
21	Determination of Development Applications	Delegation to be deleted	The building of the special care facility is well underway so the delegation is no longer required
27-29	Incurring of liability and making of payments	Position titles added Position titles deleted Position title amended	Change required addition of position titles Change required deletion of obsolete position titles Changes required amendment to position titles
30	Delegation of Authority – Modification to the Joondalup City Centre Development Plan and Manual	Delegation to be deleted.	The modifications to the Joondalup City Centre Development Plan and Manual were approved on 17 March 2008 and the delegation is no longer required.
31	Health Act 1911	Delegation to be deleted	Council 'acts through' the CEO to appoint authorised officers under this Act
32	Animals Local Law – Issuing of Licences, Approvals and Permits	Delegation to be deleted	The appointment of authorised officers for the purpose of the local law is sufficient – no delegation is required thereafter
33	Health Local Law – Issuing of Licences, Approvals and Permits	Delegation to be deleted	The appointment of authorised officers for the purpose of the local law is sufficient – no delegation is required thereafter
34	Trading in Public Places Local Law – Issuing of Licences, Approvals and Permits	Delegation to be deleted	The appointment of authorised officers for the purpose of the local law is sufficient – no delegation is required thereafter
35	Caravan Parks and Camping Grounds Act 1995	Delegation to be deleted	Council 'acts through' the CEO to appoint authorised officers under this Act

36	Authority for Chief Executive Officer to finalise negotiations	Delegation to be deleted	This tender has now been accepted and the delegation is no longer required.
38	Authority for Chief Executive Officer to execute agreement	Delegation to be deleted	The Agreement has been executed and the terms of the delegation carried out
39	Authority for Chief Executive Officer to appoint successful tender applicant	Delegation to be deleted	This tender has now been accepted and the delegation is no longer required
43-46	Authority for Chief Executive Officer to negotiate and settle minor revisions – Joondalup Health Campus	Delegation to be deleted	This delegation is no longer required as the conditions have been finalised and the matter before the State Administrative Tribunal has been concluded.

ATTACHMENT 2

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REGISTER OF DELEGATION OF AUTHORITY

Date of last review by Council:
Date of last review by CEO:
Date of last review in accordance with
District Planning Scheme No 2*

25 September 2007 (CJ186-09/07)
8 October 2007

17 July 2007 and 13 May 2008 – to remain
effective until 17 July 2009

The Local Government Act 1995 (the Act) allows for a local government to delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the Act. All delegations made by the Council must be by **absolute majority** decision.

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;
- any power or duty that requires the approval of the Minister or Governor; or
- 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.

The manual details the related document(s) where the power to delegate is derived from, which includes legislation and policies of the Council. This enables easier cross-referencing.

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.

CLOSING CERTAIN THOROUGHFARES TO VEHICLES

- (1) **Function to be performed:** A local government may close any thoroughfare that it manages for the passage of vehicles wholly or partially for a period not exceeding four weeks.

Power or Duty Assigned: Local Government

Power to Delegate: Yes

Delegation Recommended: Yes

Delegation to: Chief Executive Officer

Chief Executive Officer delegates to: Director Infrastructure Services
Manager Infrastructure Management -Services

Reference: Section 3.50(1) Local Government Act 1995

- (2) **Function to be performed:** A local government may order that a thoroughfare that it manages is wholly or partially closed to the passage of vehicles for a period exceeding four weeks.

Power or Duty Assigned: Local Government

Power to Delegate: Yes

Delegation Recommended: Yes

Delegation to: Chief Executive Officer

Chief Executive Officer delegates to: Director Infrastructure Services
Manager Infrastructure Management Services

Reference: Section 3.50(1a) Local Government Act 1995

DISPOSING OF PROPERTY

- (1) **Function to be performed:** A local government may dispose of property to the highest bidder at public auction.

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

Power or Duty Assigned: Local Government

Power to Delegate: Yes

Delegation Recommended: Yes, limit to \$500,000

Delegation to: Chief Executive Officer

Chief Executive Officer delegates to: N/A

Reference: Section 3.58(2)(a) Local Government Act 1995

- (2) **Function to be performed:** A local government may dispose of property by accepting the public tender of the person who makes, what is in the opinion of the local government, the most acceptable tender.

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

Power or Duty Assigned: Local Government

Power to Delegate: Yes

Delegation Recommended: Yes, limit to \$500,000

Delegation to: Chief Executive Officer

Chief Executive Officer delegates to: N/A

Reference: Section 3.58(2)(b) Local Government Act 1995

(3) **Function to be performed:** A local government may dispose of property by private treaty in accordance with Section 3.58 of the Local Government Act 1995.

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

Power or Duty Assigned: Local Government

Power to Delegate: Yes

Delegation Recommended: Yes, limit to \$500,000

Delegation to: Chief Executive Officer

Chief Executive Officer delegates to: N/A

Reference: Section 3.58 Local Government Act 1995

(4) **Function to be performed:** A local government may dispose of property that is classified as an exempt disposition under Regulation 30 of the Local Government (Functions and General) Regulations 1996.

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

Power or Duty Assigned: Local Government

Power to Delegate: Yes

Delegation Recommended: Yes, limit to \$500,000

Delegation to: Chief Executive Officer

Chief Executive Officer delegates to: N/A

Reference: Section 3.58(5)(d) Local Government Act 1995, Regulation 30 Local Government (Functions and General) Regulations 1996

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ACQUIRING OF LAND

Function to be performed: A local government may acquire land.

“Acquire” means to sell, lease or otherwise acquire of, whether absolutely or not.

“Land transaction” means an agreement, or several agreements for a common purpose, under which a local government is to –

- (a) acquire or dispose of an interest in land; or
- (b) develop land.

Power or duty assigned: Local government

Power to delegate: Yes

Delegation recommended: Yes. Limited to \$500,000

Delegation to: Chief Executive Officer

Chief executive officer delegates to: N/A

Reference: Section 3.59 Local Government Act 1995

AUTHORITY TO WAIVE FEES

Function to be performed:	Authority to waive fees for goods, services and charges. This authority does not extend to statutory charges, the municipal rate or service charges incorporated within the rate notice.
Power or duty assigned:	Chief Executive Officer
Power to delegate:	Yes
Delegation recommended:	Yes
Delegation to:	N/a
Chief executive officer delegates to:	All Directors
Reference:	Section- 6.12 (1) & (2) Local Government Act 1995 Policy 2.4.3

WRITE OFF OF MONIES

Function to be performed: Authority to write off monies.

Power or Duty Assigned: Local Government

Power to Delegate: Yes

Delegation Recommended: Yes

Delegation to: Chief Executive Officer - individual items to \$20,000 - subject to a report being provided to the Audit Committee on a six monthly basis on the exercise of this delegation.

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(1)(c) Local Government Act 1995
CJ78-03/99 refers

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.		
Power or Duty Assigned:	Local Government		
Power to Delegate:	Yes		
Delegation Recommended:	Yes		
Delegation to:	Chief Executive Officer		
Chief Executive Officer delegates to:	Up to \$1.5 million	Director Corporate Services Manager Financial Services Senior Management Accountant Senior Financial Accountant	
	\$1.5 to \$3 million	Director Corporate Services Manager Financial Services	
	Over \$3 million	Director Corporate Services	
Reference:	Section 6.14 Local Government Act 1995		

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.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Chief Executive Officer delegates to:	Director Corporate Services. Manager Financial Services Team Leader Rating Services
Reference:	Section 6.76(5) Local Government Act 1995

CHOICE OF TENDER

- (1) **Function to be performed:** Valid tenders are to be assessed by the local government before deciding which tender to accept.
- Power or Duty Assigned:** Local Government
- Power to Delegate:** Yes
- Delegation Recommended:** Yes, limit to \$250,000
- Delegation to:** Chief Executive Officer
- Chief Executive Officer delegates to:** N/A
- Reference:** Regulation 18(1) to 18(7) Local Government (Functions & General) Regulations 1996
- (2) **Function to be performed:** A local government may decline to accept any tender.
- Power or Duty Assigned:** Local Government
- Power to Delegate:** Yes
- Delegation Recommended:** Yes, limit to \$250,000
- Delegation to:** Chief Executive Officer
- Chief Executive Officer delegates to:** N/A
- Reference:** Regulation 18(5) Local Government (Functions & General) Regulations 1996

LIMITATION MAY BE PLACED ON WHO CAN TENDER

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
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Chief Executive Officer delegates to:	Director Corporate Services Manager Financial Services
Reference:	Regulation 21 Local Government (Functions & General) Regulations 1996

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.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Chief Executive Officer delegates to:	N/A
Reference:	Regulation 23 Local Government (Functions & General) Regulations 1996 CJ60-08/98 refers

PAYMENTS FROM THE MUNICIPAL FUND AND TRUST FUND

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 exercising of its power to make payments from those funds.
Power or Duty Assigned:	Chief Executive Officer
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	N/A
Chief Executive Officer delegates to:	All Directors Manager Financial Services Senior Financial Accountant Senior Management Accountant Manager Human Resources
Reference:	Regulation 12 Local Government (Financial Management) Regulations 1996 Delegation "Payment of Accounts - Signatories to Bank Accounts"

PAYMENTS OF ACCOUNTS – SIGNATORIES TO BANK ACCOUNTS

The following levels of Delegation apply in relation to those officers to whom there has been a delegation granted under delegation "Payments from the Municipal Fund and Trust Account".

Category A Signatories	Category B Signatories
Chief Executive Officer	Senior Management Accountant
Director Planning and Community Development	Senior Financial Accountant
Director Corporate Services	Manager Human Resources
Director Infrastructure Services	Manager Strategic Development
Director Governance and Strategy	
Manager Financial Services	

Approval of payments require signatures as follows:

Cheques or EFT Payment Amounts	Combination of Signatories
Payments under \$10,000	Any 1 of Category A or B signatories
Payments of \$10,000 and over to payments under \$250,000	Any two Category A or B signatories
Payments of \$250,000 and over	Any 1 of Category A and 1 of B signatories; or any 2 Category A signatories

ASSESSMENT – COMMUNITY FUNDING

Function to be performed:	Authority to approve community funding submissions, not exceeding an amount of \$10,000.
Power or Duty Assigned:	Chief Executive Officer
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	N/A
Chief Executive Officer delegates to:	Director Planning and Community Development (Limit to \$10,000)
Reference:	Policy 5.2

ACQUISITION FOR THE CITY'S ART COLLECTION

Function to be performed:	Authority to purchase artworks, not exceeding \$7,500 that meet the collection profile on the recommendation of the City's Art Consultant.
Power or Duty Assigned:	Chief Executive Officer
Power to Delegate:	Yes
Delegation Recommended:	No
Delegation to:	N/A
Chief Executive Officer delegates to:	N/A
Reference:	Policy 5.3

TOWN PLANNING DELEGATIONS

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 from time to time the positions of Director Planning and Community Development, and the Manager Approvals Planning, 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 10 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) ~~(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
for developments other than patios, shade sails and outbuilding additions to an existing development,
 - (iii) ~~(ii)~~ 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 3-4 Height of Buildings Within The Coastal Area (Non-Residential Zones);
- (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;
- (f) the determination under clause 6.1.2 of the Scheme whether to require plans and other information to be submitted with an application;

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- (g) the decision whether to consult under clause 6.4;
- (h) 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 NOT DELEGATED TO COORDINATOR PLANNING APPROVALS AND SENIOR PLANNING OFFICERS

Pursuant to clause 8.6 of the Scheme, the Council delegates to the employees of the City who occupy from time to time 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 10% of those requirements; ~~or~~
 - (vi) the requirements of clause 6.3.2 A2 (ii) or (iii) of the Residential Design Codes are exceeded by more than ~~150~~159% of those requirements; or
 - (vii) the proposed development exceeds the Building Height Envelope set out in City Policy 3.2.
- (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 is less than the applicable minimum requirement under the Scheme by more than 10% of that requirement;~~

- (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 SUBDIVISION FUNCTIONS

The Council specifies the following functions:

- (a) the local government's functions under Section 142 of the Planning and Development Act 2005; and
- (b) where any subdivision is approved by the Western Australian Planning Commission subject to a condition to be carried out to the satisfaction of the local government – the determination as to whether the local government is so satisfied;

as functions to be performed by the persons who occupy, from time to time, the following positions:

- (i) the Director Planning and Community Development;
- (ii) the Manager ~~Approvals, Planning, Approvals~~ and Environmental Services;
- (iii) the Coordinator Urban Design and Policy;
- (iv) the Senior Planning Officers (Urban Design and Policy);

5 REPORTING TO COUNCIL

The CEO is to cause a report of the exercise of powers and functions referred to in paragraph 1, 2 and 4 above, to be prepared and presented to an ordinary meeting of the Council.

DETERMINATION OF DEVELOPMENT APPLICATIONS

~~At its Meeting held on 22 February 2005, Council delegated authority to the Manager Approvals, Planning & Environmental Services under Clause 8.6 of the District Planning Scheme No 2 to determine development applications for the proposed purpose-built special care facility on the Reserve 35844 (15) Chessell Drive, Duncraig that are generally in accordance with the plans attached to Report CJ018-02/05.~~

~~Item CJ018-02/05 refers.~~

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT

DELEGATE TO	DESCRIPTION OF AUTHORITY BEING DELEGATED	LEGISLATIVE POWER BEING DELEGATED	AUTHORITY TO DELEGATE	DELEGATION SUBJECT TO
BUILDING SURVEYOR	BUILDING LICENCE APPLICATION approve building licence applications which conform to Council policy, and the building Code of Australia	Section 374(1), Section 374(1a)	Section 374(1b) Section 157A.	Building Code of Australia Residential Planning Codes Building Regulations 1989 Policy Manual - Building
BUILDING SURVEYOR	RETAINING WALLS (Refer Policy 3.1.7) (a) approval for retaining walls up to 2m in height above ground level where it is necessary to protect buildings or adjoining properties and the ground contours warrant the concession in the Building Surveyor's opinion. Retaining walls in excess of 2m in height above ground level are to be referred to Council for approval.	Section 374(1), Section 374(1a)	Section 374(1b), Section 157A	Building Code of Australia Part B1 Policy Manual - Building
PRINCIPAL BUILDING SURVEYOR	All relevant sections relating to Part XV of the Local Government (Miscellaneous Provisions) Act 1960.			Council being advised following action that required the service of a notice.

DELEGATE TO	DESCRIPTION OF AUTHORITY BEING DELEGATED	LEGISLATIVE POWER BEING DELEGATED	AUTHORITY TO DELEGATE	DELEGATION SUBJECT TO
BUILDING SURVEYOR	CERTIFICATE OF CLASSIFICATION Issue Certificate of Classification upon completion of buildings	Section 374	Section 157A	Building Regulations 1989 Part 5-20
BUILDING SURVEYOR	DEMOLITION LICENCE Approve a demolition licence other than for buildings classified by the National Trust and Council's Heritage Register	Section 374A	Section 157A	Building Regulations 1989 Form 7-13(2) & 30

AUTHORITY TO MAKE COMMENT TO THE MEDIA

Function to be performed: Authority to make comment to the media or act as spokesperson on matters relating to:

- 1 the day to day operations of the City, and
- 2 matters relating to the 2005 Panel Inquiry."

Power or Duty Assigned: Council

Power to Delegate: Yes

Delegation Recommended: Yes

Delegation to: Chief Executive Officer

Chief Executive Officer delegates to: N/A

Reference: Notice issued by Chairman of Commissioners, Cmr John Paterson to the Chief Executive Officer on 16 August 2005.

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 required by the Local Government Act 1995;
- (b) Appointments being for no longer than thirty-five (35) days, with all other appointments to the position of Acting Chief Executive Officer referred to the Council for determination;

NOTE: The Chief Executive Officer will advise Elected Members when a senior employee is to be designated Acting CEO, when circumstances require, for the following three (3) month period.

Power or Duty Assigned: Council

Power to Delegate: Yes

Delegation Recommended: Yes

Delegation to: Chief Executive Officer

Chief Executive Officer delegates to: N/A

Reference: Council meeting – 11 October 2005 - Item CJ220 - 10/05 refers.

AUTHORITY FOR CHIEF EXECUTIVE OFFICER TO EXTEND CONTRACTS

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

A condition of this delegation is that the Chief Executive Officer reports to the Audit Committee on a six monthly basis on the exercising of this delegation.

Power or Duty Assigned: Council

Power to Delegate: Yes

**Delegation
Recommended:** Yes

Delegation to: Chief Executive Officer

**Chief Executive Officer
delegates to:** N/A

Reference: Council meeting – 1 November 2005 – Item CJ231-11/05 refers.

INCURRING OF LIABILITY AND MAKING OF 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.

Power or Duty Assigned: Chief Executive Officer

Power to Delegate: Yes

Delegation Recommended: Yes

Delegation to: N/A

Chief Executive Officer delegates to: **Category A** – unlimited amount subject to annual budget limitations

- Chief Executive Officer
- Director Corporate Services

Category B – limited to \$2 million

- City Projects Administrator
- Director Infrastructure Services
- Director Planning and Community Development
- Director Governance and Strategy

Category C – limited to \$250,000

- Manager Financial Services
- Manager Information Management Technology
- Manager Infrastructure Management Services
- Manager Operations Services
- Manager, Asset Management
- Manager Rangers Parking and Community Safety
- Coordinator, Building Services
- Team Leader Civil Projects Services
- Operations Coordinator – Engineering
- Operations Coordinator – Natural Areas and Parks
- Technical Officer- Horticulture
- Executive Officer, Office of the CEO
- Executive Research Officer

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Category D – limited to \$25,000

- Manager Strategic & Sustainable Development
- Manager ~~Marketing, Communication & Council Support Governance and Marketing~~
- Manager Leisure and Cultural Services
- Manager Human Resources
- Manager ~~Approvals~~ Planning, Approvals and Environmental Services
- Manager Community Development and Library Services
- ~~Manager, Organisation~~ al Development
- ~~Fleet Coordinator~~ Asset Controller
- Coordinator Business Systems
- Coordinator Network Services
- Administration Coordinator, Infrastructure ~~Management~~ Services
- Conservation Coordinator
- Coordinator Rangers & City Watch
- Coordinator, Projects & Traffic Engineering
- ~~Senior Engineering Projects Officer~~
- Coordinator Infrastructure Asset Management
- Coordinator Parks & Landscaping ~~ing~~ Services
- Coordinator Civil Projects
- Coordinator Waste Management and Environmental Services
- ~~Building Maintenance Supervising Coordinator – Operations~~
- Coordinator Community Services
- Coordinator Leisure Centre
- Coordinator Recreation Services
- Coordinator Cultural Services
- Coordinator Urban Design
- Principal Environmental Health Officer
- Principal Legal and Compliance Officer
- Coordinator Parking Services
- Coordinator Community Safety
- Property Coordinator

Category E – limited to \$5,000

- Executive Assistant to the Mayor
- ~~Executive Assistant to the CEO~~
- Executive Research Officer
- ~~Executive Research Officer~~
- Senior Financial Accountant
- Senior Management Accountant
- Team Leader Rating Services
- Contracts and Purchasing Coordinator
- Team Leader – IM Service Desk
- Administration ~~Officer~~ Co-ordinator Leisure and

Cultural ServicesCentres

- Administration Officer Leisure CentresSenior Administration Officer, Community Development
- Principal Building Surveyor
- Coordinator Library Services
- Coordinator Library Operations
- Senior Librarian – Joondalup
- Senior Librarian – Whitford
- Senior Librarian – Woodvale
- Senior Librarian – Duncraig / Sorrento
- Senior Ranger

Reference:

Section 6.10 Local Government Act 1995
Regulations 5, 8, 11 and 12 Local Government (Finance)
Regulations 1996

~~DELEGATION OF AUTHORITY – MODIFICATION TO THE JOONDALUP CITY CENTRE DEVELOPMENT PLAN AND MANUAL~~

At its meeting held on 17 July 2007, Council resolved as follows:

~~MOVED Cr Hollywood, SECONDED Cr Jacob that Council:~~

- ~~1~~ pursuant to Clause 9.7 of the City of Joondalup's District Planning Scheme No 2, ~~SUPPORTS~~ the proposed modification of the Joondalup City Centre Development Plan and Manual to delete the current wording of Clause A1.3 Residential/Mixed Use in the Central Business District and replace it as outlined below, and ~~INITIATES~~ public advertising for a period of 21 days:

~~A1.3 Residential/Mixed Use~~

~~— The provisions of the A1.1 General City Uses shall apply;~~

- ~~2~~ ~~NOTES~~ that clause 9.7 of District Planning Scheme No 2 allows Council to adopt a modified process for the consideration of amendments to Structure Plans;

- ~~3~~ in the case of no submissions of objection being received, ~~DELEGATES~~ authority to the Director, Planning and Community Development to progress the amendment towards final approval, in accordance with clause 9.6 of District Planning Scheme No 2.

~~— The Motion was Put and~~ ~~CARRIED BY AN~~
~~ABSOLUTE MAJORITY (8/3)~~

~~Item CJ136-07/07 refers~~

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HEALTH ACT 1911

~~SECTION 26 OF THE HEALTH ACT 1911 PROVIDES THAT A LOCAL AUTHORITY MAY APPOINT AND authorise A PERSON TO BE ITS DEPUTY TO EXERCISE AND DISCHARGE ALL OR ANY OF THE POWERS AND FUNCTIONS OF THE LOCAL AUTHORITY FOR SUCH TIME AND SUBJECT TO SUCH CONDITIONS AND LIMITATIONS (IF ANY) AS THE LOCAL AUTHORITY SHALL SEE FIT. SUCH APPOINTMENT SHALL NOT AFFECT THE EXERCISE OR DISCHARGE BY THE LOCAL AUTHORITY ITSELF OF ANY POWER OR FUNCTION.~~

~~IN ACCORDANCE WITH SECTION 26 OF THE HEALTH ACT 1911, THE FOLLOWING PERSONS ARE APPOINTED TO ADMINISTER THE PROVISIONS OF THE HEALTH ACT 1911 AND REGULATIONS MADE THERE UNDER:~~

- ~~• MANAGER APPROVALS PLANNING AND ENVIRONMENTAL SERVICES~~
- ~~• PRINCIPAL ENVIRONMENTAL HEALTH OFFICER~~
- ~~• ALL ENVIRONMENTAL HEALTH OFFICERS (EXCEPT THE SIGNING OF NOTICES AND PROSECUTIONS)~~

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ANIMALS LOCAL LAW—ISSUING OF LICENCES, APPROVALS AND PERMITS

Function to be performed:	A local government may appoint persons or classes of persons to be authorised for the purpose of issuing licences, approvals and permits relating to the animals local law.
Power or duty assigned:	Local government
Power to delegate:	Yes
Delegation recommended:	Yes
Delegation to:	Chief Executive Officer
Chief executive officer delegates to:	<ul style="list-style-type: none">• Senior Ranger• Manager Rangers, Parking and Community Safety• Coordinator Rangers and City Watch• Administration Officer, Rangers Parking and Community Safety• Manager Approvals, Planning and Environmental Services• Principal Environmental Health Officer• Senior Environmental Health Officer• Environmental Health Officers
Reference:	Section 9.10 Local Government Act 1995

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HEALTH LOCAL LAW – ISSUING OF LICENCES, APPROVALS AND PERMITS

Function to be performed:	A local government may appoint persons or classes of persons to be authorised for the purpose of issuing licences, approvals and permits relating to the health local law.
Power or duty assigned:	Local government
Power to delegate:	Yes
Delegation recommended:	Yes
Delegation to:	Chief Executive Officer
Chief executive officer delegates to:	<ul style="list-style-type: none">• Manager Approvals, Planning and Environmental Services• Principal Environmental Health Officer• Senior Environmental Health Officer• Environmental Health Officers
Reference:	Section 9.10 Local Government Act 1995

TRADING IN PUBLIC PLACES LOCAL LAW – ISSUING OF LICENCES, APPROVALS AND PERMITS

Function to be performed:	A local government may appoint persons or classes of persons to be authorised for the purpose of issuing licences, approvals and permits relating to trading in public places local law.
Power or duty assigned:	Local government
Power to delegate:	Yes
Delegation recommended:	Yes
Delegation to:	Chief Executive Officer
Chief executive officer delegates to:	<ul style="list-style-type: none">• Manager Approvals, Planning and Environmental Services• Coordinator Planning Approvals• Principal Environmental Health Officer• Manager Leisure and Cultural Services
Reference:	Section 9.10 Local Government Act 1995

~~CARAVAN PARKS AND CAMPING GROUNDS ACT 1995~~

~~Section 17 of the Caravan Parks and Camping Grounds Act 1995 provides for a local government to appoint such persons as authorised persons as it considers necessary.~~

~~In accordance with Section 17 of the Caravan Parks and Camping Grounds Act 1995, the following persons are appointed as “authorised persons”:~~

~~Principal Building Surveyor
Principal Environmental Health Officer
Senior Environmental Health Officer
Environmental Health Officers
Building Surveyors~~

AUTHORITY FOR CHIEF EXECUTIVE OFFICER TO FINALISE NEGOTIATIONS

At its meeting held on 25 September 2007, Council resolved as follows:

~~MOVED Cr Fishwick, SECONDED Cr Currie that:~~

~~1 Council DELEGATES authority to the Chief Executive Officer to finalise negotiations with Graffiti Systems Australia for a widened scope of requirements for the final year extension of Contract 008-05/06 under the current terms and conditions;~~

~~2 Subject to 1, AUTHORISES the final extension of Contract 008-05/06 with Graffiti Systems Australia from 1 September 2007 to 31 August 2008;~~

~~3 CONSIDERATION be given in the preparation of future contract specifications for the removal of graffiti to include the provision for an annual lump sum payment paid to the contractor in 12 monthly installments which are reduced by an agreed amount for each verified report of graffiti being made to the City.~~

~~The Motion was Put and CARRIED BY AN~~

~~ABSOLUTE MAJORITY (7/2)~~

~~Item CJ201-09/07 refers~~

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AUTHORITY FOR CHIEF EXECUTIVE OFFICER TO ENTER INTO AN AGREEMENT

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- (1) **Function to be performed:** Authority to enter into an agreement with Synergy for the provision of street lighting to the City.

Power or Duty Assigned: Council

Power to Delegate: Yes

Delegation Recommended: Yes

Delegation to: Chief Executive Officer

Chief Executive Officer delegates to: N/A

Reference: Council meeting – 20 November 2007 – Item CJ240-11/07 refers

- (2) **Function to be performed:** Authority to approve an extension to an existing agreement with Synergy for the provision of street lighting to the City.

Power or Duty Assigned: Council

Power to Delegate: Yes

Delegation Recommended: Yes

Delegation to: Chief Executive Officer

Chief Executive Officer delegates to: N/A

Reference: Council meeting – 20 November 2007 – Item CJ240-11/07 refers

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AUTHORITY FOR CHIEF EXECUTIVE OFFICER TO EXECUTE AGREEMENT

At its meeting held on 20 November 2007, Council resolved as follows:

MOVED CR MCLEAN SECONDED CR HOLLYWOOD THAT COUNCIL:

- 1 **NOTES** the current status of Arena Community Sport and Recreation Association's agreement between the Western Australian Sports Centre Trust and the City;
- 2 **ENDORSES** the following principles to be incorporated in the agreement:
 - (a) **The City commits to making a 50% contribution toward the agreed renewal for playing fields;**
 - (b) **The City commits to making a 50% contribution to the agreed renewal of the clubrooms less any amount that has been accumulated in the Arena Community Sport and Recreation Association's clubroom sinking fund, provided the Western Australian Sports Centre Trust gives a minimum of 12 months notice of such works;**
 - (c) **The City commits to a 50% contribution to the maintenance costs of the actual playing fields on an annual basis, subject to the Western Australian Sports Centre Trust providing a detailed statement of expenditure prior to 30 June each year and that the contribution is based on 50% of the expenditure up to the agreed level of service for maintenance;**
 - (d) **The City and the WA Sports Centre Trust review the conditions of the agreement every 5 years to ensure the contribution principles remain in line with the initial intent of the agreement.**
- 3 **DELEGATES** to the Chief Executive Officer the authority to execute the agreement once finalised on the basis of the principles in 2 above.

The Motion was Put and **CARRIED BY AN**
ABSOLUTE MAJORITY
(12/0)

Item CJ257-11/07 refers.

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**~~AUTHORITY FOR CHIEF EXECUTIVE OFFICER TO APPOINT
SUCCESSFUL TENDER APPLICANT~~**

~~At its meeting held on 18 December 2007, Council resolved as follows:~~

~~MOVED CR MCLEAN, SECONDED CR HOLLYWOOD THAT COUNCIL:~~

- ~~1 Pursuant to section 3.59(5) of the Local Government Act 1995, PROCEEDS with the major trading undertaking of paid parking within the Joondalup City Centre;~~
- ~~2 In accordance with section 5.42 of the Local Government Act 1995, DELEGATES to the Chief Executive Officer authority to appoint a successful tender applicant for the supply, delivery, installation, commissioning and maintenance of parking ticket machines;~~
- ~~3 ADOPTS the Schedule of Parking Fees as detailed in Attachment 3 to Report CJ273-12/07;~~
- ~~4 NOTES that parking fees will be progressively applied throughout the Joondalup CBD as Ticket Machines are commissioned.~~

~~The Motion was Put and _____ CARRIED BY AN
_____ ABSOLUTE MAJORITY (12/0)~~

~~Item CJ273-12/07 refers~~

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**DELEGATION OF AUTHORITY TO
ART COLLECTION AND ADVISORY COMMITTEE
AND CHIEF EXECUTIVE OFFICER**

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- (1) **Function to be performed:** Authority to approve acquisitions for artworks within the available adopted budget funds.

Power or Duty Assigned: Council

Power to Delegate: Yes

Delegation Recommended: Yes

Delegation to: The Art Collection and Advisory Committee

Chief Executive Officer delegates to: N/A

Reference: Council meeting – 15 April 2008 – Item CJ052-04/08 refers

- (2) **Function to be performed:** Authority to approve acquisitions for artworks up to \$7,500 within the available adopted budget funds.

Power or Duty Assigned: Council

Power to Delegate: Yes

Delegation Recommended: Yes

Delegation to: Chief Executive Officer

Chief Executive Officer delegates to: N/A

Reference: Council meeting – 15 April 2008 – Item CJ052-04/08 refers

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.
Power or Duty Assigned:	Council
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Chief Executive Officer delegates to:	N/A
Reference:	Council meeting – 13 May 2008 – Item CJ073-05/08 refers.

**AUTHORITY FOR CHIEF EXECUTIVE OFFICER
TO ALTER SUBURBS - DISTRIBUTION OF COMMUNITY
NEWSPAPER**

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Function to be performed:	Authority to add or subtract suburbs upon written request by the Community Newspaper Group in accordance with the approval.
Power or Duty Assigned:	Council
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Chief Executive Officer delegates to:	N/A
Reference:	Council meeting – 15 July 2008 – Item CJ116-07/08 refers

**AUTHORITY FOR CHIEF EXECUTIVE OFFICER
TO NEGOTIATE AND SETTLE MINOR REVISIONS—JOONDALUP HEALTH CAMPUS**

At its meeting held on 30 September 2008, Council resolved as follows:

~~MOVED Cr McLean, SECONDED Cr Hollywood that Council:~~

- ~~1 ADVISES the SAT and the applicant that the City supports the approval of the amended plans received on the 10 and 12 September 2008 subject to the following conditions being applied:~~
 - ~~(a) An onsite storm water drainage system with the capacity to contain a 1:100 year storm of a 24-hour duration is to be provided prior to the development first being occupied and thereafter maintained to the satisfaction of the City. The drainage sumps shall be treated with a combination of landscaping, screening and contouring in a manner that complements the surrounding landscape, to be detailed and submitted to the City for approval prior to their installation.~~
 - ~~(b) Retaining walls being of a clean finish and made good to the satisfaction of the Manager Approvals, Planning and Environmental Services;~~
 - ~~(c) Pedestrian and vehicular access ways shall be aligned to provide clear sightlines, together with the provision of adequate lighting, to ensure vehicular and pedestrian safety;~~
 - ~~(d) Submission of a construction management plan detailing phasing of construction, access, storage of materials, protection of pedestrians, footpaths and other infrastructure to the satisfaction of the Manager Approvals, Planning & Environmental Services;~~
 - ~~(e) All building finishes and materials used on the exterior of the building shall be robust, durable and resistant to vandalism to the satisfaction of the Manager Approvals, Planning & Environmental Services. Such details are to be submitted prior to commencement of any site works.~~
 - ~~(f) Disabled car parking bays to be in compliance with the Building Code of Australia. Provision must also be made for disabled access and facilities in accordance with the Australian Standard for Design for Access and Mobility (AS 1428.1);~~
 - ~~(g) The parking bay/s, driveway/s and points of ingress and egress to be designed in accordance with the Australian Standard for off street car parking (AS/NZS2890.1-2004) unless otherwise specified by this approval. Such areas are to be constructed, drained, sealed and thereafter maintained to the satisfaction of the Manager Approvals, Planning and Environmental Services prior to the development first being occupied;~~

- ~~(h) The lodging of detailed landscaping plans, to the satisfaction of the Manager Approvals, Planning and Environmental Services, for the development site prior to commencement of any site works. All details relating to paving and treatment of verges, including the provision of public seating, public art, roundabout entry statement, pathways and other non vegetation related landscaping elements, shall be shown on the landscaping plan. A vegetation survey of the site is also required and shall form part of the landscaping plans;~~
- ~~(i) Landscaping, reticulation and all verge treatment is to be established in accordance with the approved landscaping plans prior to the development first being occupied and thereafter maintained to the satisfaction of the Manager Approvals, Planning and Environmental Services;~~
- ~~(j) All external car parking areas shall be provided with one shade tree for every four 4 bays prior to the development first being occupied. The trees shall be protected from damage by vehicles and maintained to the satisfaction of the Manager Approvals, Planning and Environmental Services;~~
- ~~(k) Any signage associated with the proposed development (excluding internal directional signage) shall be the subject of a separate development application;~~
- ~~(l) The developer shall ensure that all proposed pedestrian pathway routes for both visitors and staff leading to the main entries of the building are clearly identifiable by the use of signage;~~
- ~~(m) The developer shall provide a pedestrian crossing facility for the traffic control signals at the intersection of Grand Boulevard and Shenton Avenue in accordance with MRWA Standards and Guidelines and approved by Main Roads WA;~~
- ~~(n) The developer shall provide channelisation for the southern access to the site on Lakeside Drive, including a right turn slip lane, to the specification and satisfaction of the City of Joondalup;~~
- ~~(o) A barrier access card reader is to be installed on the proposed southern Lakeside Drive Access road at an appropriate location to the satisfaction of the City of Joondalup;~~
- ~~(p) The developer shall also provide secure, long term undercover motor cycle, scooter and bicycle parking facilities for staff and multi modal commuters and visitors. Such details are to be shown on plans lodged with the City of Joondalup prior to commencement of any site works;~~
- ~~(q) All existing verge vegetation, particularly vegetation along Lakeside Drive, shall be retained and protected during construction of the development;~~
- ~~(r) The developer shall liaise with the City of Joondalup to develop and implement a master plan for the JHC site in order to coordinate its ultimate future development, prior to any further large scale development stages being considered by the City of Joondalup. The master plan shall be to the satisfaction of the City of Joondalup;~~

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- ~~(s) The developer shall ensure that the Western Australian Planning Commission's 'Designing Out Crime Planning Guidelines' dated June 2006 is taken into consideration in the preparation of all detailed plans (including landscaping plans). A report shall be submitted with a copy of the plans to be used in the construction of the proposed development which outlines compliance with the performance criteria of this document, to the satisfaction of the City of Joondalup;~~
- ~~(t) On completion of the installation of any Mechanical Services, the applicant /builder shall provide a Mechanical Services Plan signed by a suitably qualified Mechanical Services Engineering or Air Conditioning Contractor;~~
- ~~(u) The use of Western Australian indigenous and water wise shrubs and groundcovers is encouraged. Existing trees and verge treatments are to be acknowledged and incorporated into the landscape design. The developer's landscaping consultant shall first liaise with the City's Landscape Architect to ensure all landscaping concepts and elements are addressed and shown on the landscaping plans prior to it being lodged with the City for its approval, with the retention of the large tuart tree in the south eastern corner of the site;~~
- ~~(v) The Mechanical Services Engineering or Air Conditioning Contractor shall certify that the mechanical ventilation complies with and is installed in accordance with Australian Standard 1668.2 1991, Australian Standard 3666-2002 and the Health (Air Handling and Water Systems) Regulations 1994;~~
- ~~(w) The applicant shall have due regard to the following:~~
- ~~(i) Ausroads guide to Traffic Engineering Practice Part 14 – Bicycles;~~
- ~~(ii) Provision of clusters of bicycle 'U' rails located at appropriate entry/exit points;~~
- ~~(x) An Arboriculturist shall be engaged by the applicant, at their cost, in order to oversee the protection and health of the existing tuart tree referred to in condition (u), during and just after the completion of the construction works around the tree;~~
- ~~(y) The applicant shall submit a waste management plan to the satisfaction and approval of the City;~~
- ~~(z) The unallocated space within the proposed development shall not be used until such time as Planning Approval has been granted for the use of that space.~~
- ~~2 DELEGATES to the Chief Executive Officer authority to negotiate and settle any minor revision to any of the conditions supported in Part 1 above;~~
- ~~3 AUTHORISES the City's solicitors to execute a Minute of Consent Orders in SAT matter DR 120 of 2008 providing for the approval by the SAT of the modified proposal in terms consistent with Item 1 and Item 2 above;~~

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~~4 REQUESTS Ramsay Health Care to continue to give consideration to the development and implementation of a Travel Smart Plan which should assist in any future stages of development of the Joondalup Health Campus.~~

~~The Motion was Put and CARRIED (8/1)~~

~~Item CJ216-09/08 refers~~

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AUTHORISATION TO SIGN COURT CERTIFICATES

- (1) **Function to be performed:** Evidence as to whether anything:
- (a) is within a local government's district;
 - (b) belongs to a local government; or
 - (c) is vested in, or is under the care, control or management of, a local government;
- may be given by tendering a certificate signed by the CEO of the local government, or an employee of the local government who purports to be authorized by the CEO to so sign, and containing a statement as to the matter about which evidence is sought to be given.
- Power or Duty Assigned:** Local Government
- Power to Delegate:** Yes
- Delegation Recommended:** Yes
- Delegation to:** Chief Executive Officer
- Chief Executive Officer delegates to:** Director Planning and Community Development
Manager Planning Approvals and Environmental Services
- Reference:** Section 9.41(3) Local Government Act 1995