

## Summary of Amendments

Delegation Title	Amendment
Authorised Persons under the Building Act 2011	Insertion of delegation as adopted by Council at its meeting held on 20 March 2012 (Item CJ027-03/12 refers).
Authority to Waive Fees	<p>The amendments proposed relate to granting delegated authority to the Manager Leisure and Cultural Services 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.</p> <p>This above authority is limited to the request for hire and use of a City facility and is limited to the amount of \$5,000.</p>
Certificates of Classification, Licences, Notices and Associated Functions under the Local Government (Miscellaneous Provisions) Act 1960	<p>Delegation deleted due to the introduction of the <i>Building Act 2011</i>. The following delegations are created in replacement:</p> <ul style="list-style-type: none"> <li>• Permit Applications, Certificate of Design Compliance, Certificate of Construction Compliance and Building Approval Certificates;</li> <li>• Occupancy Permits, Building Orders and Associated Functions under the Building Act 2011;</li> <li>• Authorised Persons under the Building Act 2011</li> </ul>
Choice of Tender	Increasing the tender value limit that can be accepted by the Chief Executive Officer from \$250,000 to \$300,000
Disposing of Property	Increasing the property value limit from \$500,000 to \$600,000.
Incurring Liability and Making Payments	<p>Executive Research Officer is removed from Category E.</p> <p>Executive Liaison Officer is added to Category D.</p>

## Summary of Amendments

Delegation Title	Amendment
	<p>Principal Building Surveyor replaced with Coordinator Building Approvals for Category E.</p> <p>Parks Coordinator replaced with Team Leader Projects for Category C.</p> <p>Coordinator Natural Areas replaced with Conservation Coordinator for Category D.</p> <p>Coordinator Traffic and Projects Engineering replaced with Coordinator Traffic Project Engineer for Category D.</p> <p>Coordinator Capital Works Program Services replaced with Coordinator Infrastructure Asset Management for Category D.</p> <p>Coordinator Building Capital Works removed from Category C and added to Category D.</p> <p>Coordinator Civil Projects is removed from Category D.</p> <p>Coordinator Library Operations removed from Category E and added to Category D.</p> <p>Library Service Coordinator removed from Category E and added to Category D.</p> <p>Principal Events Officer added to Category D.</p> <p>Administration Officer Leisure Services amended to Senior Leisure Officer for Category E.</p> <p>Program Administrator replaced with Senior Leisure Officer for Category E.</p>
Occupancy Permits, Building Orders and Associated Functions under the Building Act 2011	Insertion of delegation as adopted by Council at its meeting held on 20 March 2012 (Item CJ027-03/12 refers).
Permit Applications, Certificate of Design Compliance, Certificate of Construction Compliance and Building Approval Certificates	Insertion of delegation as adopted by Council at its meeting held on 20 March 2012 (Item CJ027-03/12 refers).
Town Planning Delegations - General	Insertion of revised delegations as adopted by Council at its meeting held on 15 May 2012 (Item CJ075-05/12 refers).



# **REGISTER OF DELEGATION OF AUTHORITY**

Review			
Reviewed By		Date Approved	Resolution / TRIM Number
Council		28 June 2011	(CJ107-06/11)
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 of delegations in accordance with the District Planning Scheme No 2

## INTRODUCTION

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

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

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

The Act allows for the Chief Executive Officer to delegate any of ~~his~~ **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 ~~he desires~~ **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.

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

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

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

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## ADMINISTER THE CITY'S LOCAL LAWS

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

**Delegated by:** Council

**Conditions:** Nil

**Delegation to:** Chief Executive Officer (00001)

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

*Animals Local Law 1999*

*Bushfire Prevention and Control Local Law 1998*

*Extractive Industries Local Law 1998*

*Health Local Law 1999*

*Local Government and Public Property Local Law 1999*

*Parking Local Law 1998*

*Private Property Local Law 1998*

*Signs Local Law 1999*

*Standing Orders Local Law 2005*

*Trading in Public Places Local Law 1999*

CJ175-10/10, CJ107-06/11,



## AMENDMENTS TO THE PARKING SCHEMES

**Function to be performed:** Authority to approve and implement amendments to parking schemes adopted by Council in relation to:

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

**Delegated by:** Council

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

**Delegation to:** Chief Executive Officer (00001)

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

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

*City of Joondalup Parking Local Law 1998*

CJ073-05/08, CJ183-08/09, CJ107-06/11,

## APPOINTMENT OF AUTHORISED OFFICERS

**Function to be performed:** The power:

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

**Delegated by:** Council

**Conditions:** Nil

**Delegation to:** Chief Executive Officer (00001)

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

Section 33 of the *Animal Welfare Act 2002*

Section 48 of the *Bush Fires Act 1954*

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

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

Sections 11 and 29 of the *Dog Act* 1976

Section 122 of the *Food Act* 2008

Sections 26 and 27 of the *Health Act* 1911

CJ107-06/11

## ART COLLECTION AND ADVISORY COMMITTEE

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

**Delegated by:** Council

**Conditions:**

- (1) Committee authority to be exercised in accordance with City Policy – The City's Art and Memorabilia Collections.
- (2) Chief Executive Officer authorised to approve acquisitions for artworks up to \$15,000, approval for which is to be based on the written advice of the City's Art Consultant.

**Delegation to:** The Art Collection and Advisory Committee  
Chief Executive Officer (00001)

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

**Reference:** Sections 5.16 and 5.42 of the *Local Government Act 1995*  
City Policy - The City's Art and Memorabilia Collections  
CJ107-06/11

## **ASSESSMENT – COMMUNITY FUNDING**

**Function to be performed:** Authority to approve community funding submissions, not exceeding an amount of \$10,000.

**Delegated by:** Council

**Conditions:** Authority to be exercised consistently with the provisions of City Policy – Community Funding.

**Delegation to:** Chief Executive Officer (00001)

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

**Reference:** City Policy – Community Funding

CJ107-06/11

## AUTHORISED PERSONS UNDER THE BUILDING ACT 2011

**Function to be performed:** Authority to appoint authorised persons for the purposes of the *Building Act 2011* and *Building Regulations 2011* in relation to buildings and incidental structures located, or proposed to be located in the City's district.

**Delegated by:** Council

**Conditions:** Nil

**Delegation to:** Chief Executive Officer (00001)

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

**Reference:** Section 96(3) of the *Building Act 2011*

Section 127 of the *Building Act 2011*

CJ027-03/12

## **AUTHORITY TO APPOINT AN ACTING CHIEF EXECUTIVE OFFICER**

**Function to be performed:** Authority to make appointments to the position of Acting Chief Executive Officer based on:

- (a) the City employee holding the substantive position of 'Director' and is designated a 'Senior Employee' as per Section 5.37 of the *Local Government Act 1995*;
- (b) Appointments being for no longer than 35 days, with all other appointments to the position of Acting Chief Executive Officer referred to the Council for determination.

**Delegated by:** Council

**Conditions:** Authority subject to the Chief Executive Officer ~~to~~ advising Elected Members when a senior employee is to be designated Acting Chief Executive Officer, when circumstances require, for the following three month period.

**Delegation to:** Chief Executive Officer (00001)

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

**Reference:** Section 5.42 of the *Local Government Act 1995*

CJ220-10/05, CJ107-06/11

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

<b>Function to be performed:</b>	Authority to determine future applications for renewal of the Home Business Category 2 (Music/Drum School) at 6 (Lot 397) Melrose Crest, Kinross.
<b>Delegated by:</b>	Council
<b>Conditions:</b>	Authority subject to no changes to the operation of the business being made.
<b>Delegation to:</b>	Manager Planning Services (00108)
<b>Chief Executive Officer delegates to:</b>	N/A
<b>Reference:</b>	Clause 8.6 of the District Planning Scheme No 2 CJ198-09/09, CJ107-06/11



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

**Function to be performed:** Authority to:

- (1) Enter into an agreement with Synergy for the provision of street lighting to the City.
- (2) Approve the annual extension to the existing agreement with Synergy for the provision of street lighting to the City.

**Delegated by:** Council

**Conditions:** Nil

**Delegation to:** Chief Executive Officer (00001)

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

**Reference:** Sections 3.57 and 5.42 of the *Local Government Act 1995*

CJ240-11/07, CJ107-06/11

## **AUTHORITY TO EXTEND CONTRACTS**

<b>Function to be performed:</b>	Authority to approve any contract extensions on tenders approved by the Council, within the original terms and conditions approved by the Council, subject to satisfactory performance.
<b>Delegated by:</b>	Council
<b>Conditions:</b>	Authority subject to the Chief Executive Officer reporting to the Audit Committee on a six monthly basis on the exercise of this delegation.
<b>Delegation to:</b>	Chief Executive Officer (00001)
<b>Chief Executive Officer delegates to:</b>	N/A
<b>Reference:</b>	Section 5.42 of the <i>Local Government Act 1995</i> CJ231-11/05, CJ107-06/11

## **AUTHORITY TO WAIVE FEES**

<b>Function to be performed:</b>	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.
<b>Delegated by:</b>	Council
<b>Conditions:</b>	Nil
<b>Delegation to:</b>	Chief Executive Officer (00001)
<b>Chief Executive Officer delegates to:</b>	All Directors (00063, 00648, 00184, 00105)  Manager Leisure and Cultural Services (00159) – individual items to \$5,000 and limited to the hire and use of City facilities.
<b>Reference:</b>	Section 6.12 of the <i>Local Government Act 1995</i>  Council Policy - Setting Fees and Charges  CJ107-06/11

## **AUTHORITY TO WRITE OFF OF MONIES**

<b>Function to be performed</b>	Authority to write off monies.
<b>Power or Duty Assigned:</b>	Local Government
<b>Power to Delegate:</b>	Yes
<b>Conditions:</b>	Subject to a report being provided to the Audit Committee on a six monthly basis on the exercise of this delegation
<b>Delegation to:</b>	Chief Executive Officer (00001) - individual items to \$20,000.
<b>Chief Executive Officer delegates to:</b>	Director Corporate Services (00063) - individual items to \$20,000  Manager Financial Services (00075) - individual items to \$5,000  Team Leader Rating Services (00079) - individual items to \$50
<b>Reference:</b>	Section 6.12 of the <i>Local Government Act 1995</i>  CJ78-03/99, CJ107-06/11

## **~~BUILDING LICENCE APPLICATIONS AND BUILDING APPROVAL CERTIFICATES~~**

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

**Delegated by:** Council

**Conditions:** ~~As described in the attached Schedule~~

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

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

~~*Local Government ( Building Surveyors) Regulations 2008*~~

CJ107-06/11

# **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960**

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

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

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

**Delegated by:** Council

**Conditions:** Nil

**Delegation to:** Manager Compliance and Regulatory Services (01093)

Coordinator Planning Approvals (00112)

~~Principal Building Surveyor~~ **Coordinator Building Approvals  
(00113)**

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

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

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

CJ107-06/11

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

<b><del>Function to be performed:</del></b>	<del>Authority to issue certificate of classification of building, make survey of dangerous building, inspect swimming pool enclosures, grant licences, issue directions and notices and perform associated functions of a local government pursuant to the <i>Local Government (Miscellaneous Provisions) Act 1960</i>.</del>
<b><del>Delegated by:</del></b>	<del>Council</del>
<b><del>Conditions:</del></b>	<del>Delegation is subject to the qualification requirements of the <i>Local Government (Building Surveyors) Regulations 2008</i></del>  <del>Advise Council upon issue of notices.</del>
<b><del>Delegation to:</del></b>	<del>Chief Executive Officer</del>
<b><del>Chief Executive Officer delegates to:</del></b>	<del>Manager Compliance and Regulatory Services</del>  <del>Principal Building Surveyor</del>  <del>Coordinator Compliance</del>
<b><del>Reference:</del></b>	<del><i>The Local Government (Miscellaneous Provisions) Act 1960</i> <i>Local Government (Building Surveyors) Regulations 2008</i> GJ107-06/11</del>



## CHOICE OF ACCEPTABLE TENDERS FROM AN EXPRESSION OF INTEREST

<b>Function to be performed:</b>	A local government is to choose acceptable tenderers from expressions of interest received.
<b>Delegated by:</b>	Council
<b>Conditions:</b>	Nil
<b>Delegation to:</b>	Chief Executive Officer (00001)
<b>Chief Executive Officer delegates to:</b>	N/A
<b>Reference:</b>	Regulation 23 of the <i>Local Government (Functions and General) Regulations 1996</i> CJ60-08/98, CJ107-06/11

## CHOICE OF TENDER

<b>Function to be performed:</b>	Valid tenders are to be assessed by the local government before deciding which tender to accept. A Local Government may decline to accept any tender.
<b>Delegated by:</b>	Council
<b>Conditions:</b>	Authority to accept tenders valued at less than \$ <del>250</del> 300,000 Authority to decline to accept any tender
<b>Delegation to:</b>	Chief Executive Officer (00001)
<b>Chief Executive Officer delegates to:</b>	N/A
<b>Reference:</b>	Sections 3.57 and 5.43 of the <i>Local Government Act 1995</i> Regulation 18 of the <i>Local Government (Functions and General) Regulations 1996</i> CJ107-06/11

## **CLOSING CERTAIN THOROUGHFARES TO VEHICLES**

**Function to be performed:** A local government may close any thoroughfare that it manages to the passage of vehicles wholly or partially.

**Delegated by:** Council

**Conditions:** Nil

**Delegation to:** Chief Executive Officer (00001)

**Chief Executive Officer delegates to:** Director Infrastructure Services (00184)

Manager Infrastructure Management Services (00186)

**Reference:** Sections 3.50 and 3.50A of the *Local Government Act 1995*

CJ107-06/11

## DISPOSING OF PROPERTY

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

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

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

**Delegated by:** Council

**Conditions:** Authority limited to property valued at less than \$~~500~~**600**,000.

**Delegation to:** Chief Executive Officer (00001)

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

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

CJ107-06/11

## **DISTRIBUTION OF COMMUNITY NEWSPAPER**

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

**Delegated by:** Council

**Conditions:** Nil

**Delegation to:** Chief Executive Officer (00001)

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

**Reference:** CJ174-08/09, CJ107-06/11

## INCURRING LIABILITY AND MAKING PAYMENTS

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

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

**Delegated by:** Chief Executive Officer (00001)

**Conditions:**

- (1) Authority to Chief Executive Officer is unlimited subject to annual budget limitations.
- (2) Authority which may be Delegated by the Chief Executive Officer to employees is subject to the following maximum individual amounts Authority subject to limits on payments defined by categories A, B, C, D and E as follows:
  - (i) Category A – unlimited amount subject to annual budget limitations:
  - (ii) Category B – limited to \$2 million
  - (iii) Category C – limited to \$250,000
  - (iv) Category D – limited to \$25,000
  - (v) Category E – limited to \$5,000

**Chief Executive Officer delegates to:**

### **Category A**

- 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 Services (00186)
- Manager Operations 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)
- ~~Coordinator Building Capital Works~~
- Team Leader Infrastructure Management Civil Projects Services (00490)
- Team Leader Landscaping and Conservation (00211)
- Operations Coordinator (Engineering) (00227)
- Operations Coordinator (Parks) (00806)
- ~~Parks Coordinator~~ Team Leader Projects (00224)
- Executive Officer (00006)

## Category D

- Manager Strategic and Organisational Development (000503)
- Manager Governance and Marketing (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)**
- ~~Coordinator Natural Areas~~ **Conservation Coordinator (00506)**
- Coordinator Rangers and City Watch (00607)
- ~~Coordinator, Traffic and Projects Engineering~~ **Coordinator Traffic Project Engineer (00203)**
- ~~Coordinator Capital Works Program Services~~ **Coordinator Infrastructure Asset Management (00205)**
- ~~Coordinator Civil Projects~~
- Waste and Recycling Policy Coordinator (00197)
- Coordinator Building Maintenance (00228)
- Coordinator Community Services (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 (00792)

### **Category E**

- ~~Executive Research Officer~~
- 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)
- ~~Administration Officer Leisure Services Program Administrator~~ **Senior Leisure Officer (00639, 00637, 00617, 00638)**
- Administration Officer Leisure and Cultural Services (00160)
- ~~Principal Building Surveyor~~ **Coordinator Building Approvals (00113)**
- ~~Library Service Coordinator~~
- ~~Coordinator Library Operations~~
- Senior Librarian – Joondalup (00519)
- Senior Librarian – Whitford (00520)
- Senior Librarian – Woodvale (00522)
- Senior Librarian – Duncraig / Sorrento (00521)
- Senior Ranger (00212)

- Recreation Development Officer (00172, 00173)

**Reference:**

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

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

CJ107-06/11

## OBJECTION TO THE RATE RECORD

<b>Function to be performed:</b>	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.
<b>Delegated by:</b>	Council
<b>Conditions:</b>	Nil
<b>Delegation to:</b>	Chief Executive Officer (00001)
<b>Chief Executive Officer delegates to:</b>	Director Corporate Services (00063) Manager Financial Services (00075) Team Leader Rating Services (00079)
<b>Reference:</b>	Section 6.76 of the <i>Local Government Act 1995</i> CJ107-06/11

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

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

**Delegated by:** Council

**Conditions:** N/A

**Delegation to:** Chief Executive Officer (00001)

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

<b>Cheques or EFT Payment Amounts</b>	<b>Combination of Signatories</b>
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
<b>Category A Signatories</b>	<b>Category B Signatories</b>
Chief Executive Officer (00001)	Senior Management Accountant (00083)
Director Planning and <b>Community</b> 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)

**Reference:**

Sections 6.7 and 6.9 of the *Local Government Act 1995*

Regulation 12 of the *Local Government (Financial Management) Regulations 1996*

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**PERMIT APPLICATIONS, CERTIFICATE OF DESIGN COMPLIANCE,  
CERTIFICATE OF CONSTRUCTION COMPLIANCE AND BUILDING APPROVAL  
CERTIFICATES**

<b>Function to be performed:</b>	Authority to approve or refuse permit applications, building approval certificates, design compliance certificates and certificates of construction compliance.
<b>Delegated by:</b>	Council
<b>Conditions:</b>	As described in the attached Schedule
<b>Delegation to:</b>	Persons as described in the attached Schedule who are qualified in accordance with the <i>Local Government (Building Surveyors) Regulations 2008</i> .
<b>Reference:</b>	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>  CJ027-03/12

## BUILDING ACT 2011

DELEGATION TO	DESCRIPTION OF AUTHORITY BEING DELEGATED	POWER BEING DELEGATED	CONDITIONS
<b>MANAGER COMPLIANCE AND REGULATORY SERVICES (01093)</b>  <b>COORDINATOR BUILDING APPROVALS (00113)</b>	PERMIT APPLICATIONS / CERTIFICATES OF BUILDING DESIGN, BUILDING APPROVAL CERTIFICATES AND CERTIFICATES OF CONSTRUCTION COMPLIANCE.  Approve (or refuse) permit applications or certificates	Division 2 of Part 2 of the Building Act 2011  Divisions 1, 2 and 3 of Part 4 of the Building Act 2011	Unrestricted assessment and certification.
<b>SENIOR BUILDING SURVEYOR (00153, 00148)</b>  <b>Level 1</b>	PERMIT APPLICATIONS / CERTIFICATES OF BUILDING DESIGN, BUILDING APPROVAL CERTIFICATES AND CERTIFICATES OF CONSTRUCTION COMPLIANCE.  Approve permit applications or certificates	Division 2 of Part 2 of the Building Act 2011  Divisions 1, 2 and 3 of Part 4 of the Building Act 2011	Unrestricted assessment and certification.
<b>BUILDING SURVEYOR (00149, 00150, 00151, 00154)</b>  <b>Level 2</b>	PERMIT APPLICATIONS / CERTIFICATES OF BUILDING DESIGN, BUILDING APPROVAL CERTIFICATES AND CERTIFICATES OF CONSTRUCTION COMPLIANCE.  Approve permit applications or certificates	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 assessing and certifying compliance of buildings that are no more than three storeys and 2,000m <sup>2</sup> in total floor area.
<b>ASSISTANT BUILDING SURVEYOR (01068)</b>	PERMIT APPLICATIONS / CERTIFICATES OF BUILDING DESIGN, BUILDING APPROVAL CERTIFICATES AND CERTIFICATES OF CONSTRUCTION COMPLIANCE.  Approve permit applications or certificates	Division 2 of Part 2 of the Building Act 2011  Divisions 1, 2 and 3 of Part 4 of the	Restricted to assessing and certifying compliance of buildings not greater than 500m <sup>2</sup> and not more than two storeys.

DELEGATION TO	DESCRIPTION OF AUTHORITY BEING DELEGATED	POWER BEING DELEGATED	CONDITIONS
		Building Act 2011	
<b>ASSISTANT BUILDING SURVEYOR (00615)</b>  <b>ADMINISTRATION OFFICER (00132, 00109, 00131, 00133)</b>	<b>BUILDING PERMIT APPLICATIONS</b>  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.



## POWER TO INVEST

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

**Delegated by:** Council

**Conditions:**

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

**Delegation to:** Chief Executive Officer (00001)

**Chief Executive Officer delegates to:**

- Director Corporate Services (00063)
- Manager Financial Services (00075)
- Senior Management Accountant (00083)
- Senior Financial Accountant (00078)

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

CJ107-06/11

## **OCCUPANCY PERMITS, BUILDING ORDERS AND ASSOCIATED FUNCTIONS UNDER THE BUILDING ACT 2011**

<b>Function to be performed:</b>	Authority to issue occupancy permits, certificates of construction compliance, grant permits, issue building orders and notices and perform associated functions of a permit authority pursuant to the <i>Building Act 2011</i> .
<b>Delegated by:</b>	Council
<b>Conditions:</b>	Delegation is subject to the qualification requirements of the <i>Local Government (Building Surveyors) Regulations 2008</i>  Advise Council upon issue of notices.
<b>Delegation to:</b>	Manager Compliance and Regulatory Services (01093)  Coordinator Building Approvals (00113)  Coordinator Compliance (01094)
<b>Chief Executive Officer delegates to:</b>	N/A
<b>Reference:</b>	<i>Building Act 2011</i> <i>Local Government (Building Surveyors) Regulations 2008</i> CJ027-03/12

## SEEKING EXPRESSIONS OF INTEREST

<b>Function to be performed:</b>	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.
<b>Delegated by:</b>	Council
<b>Conditions:</b>	Authority which may be Delegated by the Chief Executive Officer to employees is limited to the ability to seek expressions of interest only.
<b>Delegation to:</b>	Chief Executive Officer (00001)
<b>Chief Executive Officer delegates to:</b>	Director Corporate Services (00063) Manager Financial Services (00075)
<b>Reference:</b>	Regulation 21 of the <i>Local Government (Functions and General) Regulations 1996</i>  CJ107-06/11

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

<b>Function to be performed:</b>	Authority to object to or make recommendations in response to a plan of subdivision which, in the opinion of the Western Australian Planning Commission, may affect the functions of a local government, pursuant to Section 142 of the <i>Planning and Development Act 2005</i> .
<b>Delegated by:</b>	Council
<b>Conditions:</b>	The Chief Executive Officer is to prepare and present a report to the Council, on a monthly basis, where the exercise of powers and functions related to this delegation has been undertaken.
<b>Delegation to:</b>	Director Planning and Community Development (00105)  Manager Planning Services (00108)  Coordinator Urban Design and Policy (00111)  Coordinator Planning Approvals (00112)  Senior Planning Officer (01113)
<b>Reference:</b>	Section 142 of the <i>Planning and Development Act 2005</i>  CJ107-06/11

## **TOWN PLANNING DELEGATIONS - GENERAL**

### **1 MATTERS DELEGATED TO SENIOR URBAN PLANNER (00115, 00122, 00125, 00609) AND COORDINATOR PLANNING APPROVALS (00112)**

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

- (a) the approval of an application for approval of a development for the purpose of a single house, a grouped dwelling or a multiple dwelling where:
  - (i) the Acceptable Development Standards of the Residential Design Codes have been satisfied (where applicable), and the development satisfies any applicable standards and requirements of the City's District Planning Scheme and all applicable Policies; or
  - (ii) The application requires assessment against the performance criteria of the Residential Design Codes and:
    - (a) the open space of the proposed development is not less than the amount specified in Table 1 or Table 4 (as applicable) of the Residential Design Codes by more than 10% of that requirement; and/or
    - (b) 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; and/or
    - (c) the setbacks of the proposed development are not less than those specified under the Acceptable Development Standards of the Residential Design Codes by more than 1.5 metres; and/or
    - (d) the aggregate area, wall height, and/or ridge height of an outbuilding do not exceed the amount set out in the Acceptable Development Standards of the Residential Design Codes by more than 15% of those requirements; and/or
    - (e) the height and/or length of boundary wall(s) does not exceed the amounts set out in the Acceptable Development Criteria 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 retaining wall or fence within the front setback area does not exceed 1.2 metres as measured from natural ground level; and
    - (g) the proposed development is considered to satisfy all other applicable performance criteria; and
    - (h) there have not been any objections to the proposal received.

- (b) the approval of an application for approval of development for the purposes of a class of use listed in Table 1 (Zoning Table) of the Scheme) other than a single house, grouped dwelling, or multiple dwelling) where:
  - (i) the development satisfies the standards and requirements of the Scheme and all applicable Policies; or
  - (ii) the development relates only to patio, verandah, shade sail, portico or outbuilding additions to an existing development and a variation is proposed to the setback requirements for the development site, of up to 100% of that standard or requirement; and
  - (iii) the application is not required to be considered by the Joondalup Design Reference Panel; and
  - (iv) there have not been any objections to the proposal 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 positions 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:

- (a) In accordance with clause 6.9 of the District Planning Scheme No.2 to the determination of an application of approval of development for the determination for proposed 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 approval of development for the purpose of one or more single houses and/or up to 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) The minimum standards or requirements of the Scheme are varied by not more than 10% of that requirement with the following exceptions:
    - (a) building setbacks for buildings other than for those set out in 1(b)(ii) of these delegations, are not less than the required amount by more than 1.5 metres ; and/or
    - (b) the amount of car parking required, is not less than the standards and requirements of the Scheme by more than 10%, or is the same as, or less than an amount deemed to be appropriate under a previous approval; and
  - (ii) the development complies with Policy - Height of Buildings Within The Coastal Area (Non-Residential Zones);

- (d) the determination of an application for development approval where the development does not satisfy specific standards set out in any applicable Policy, but satisfies the objective(s) of all applicable Policies.
- (e) the determination of an application for approval for short stay accommodation except where abutting the 'Residential' zone.
- (f) 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;
- (g) a recommendation to the Western Australian Planning Commission under Clause 6.3 of the Scheme;
- (h) the determination under Clause 6.1.2 of the Scheme whether to require plans and other information to be submitted with an application;
- (i) the decision whether to consult with other authorities under Clause 6.4;
- (j) the issue of a direction/notice under Clauses 8.2, 8.3, 8.8 and 8.10 of the Scheme and Sections 214 and 215 of the *Planning and Development Act 2005*.

### 3 PERIOD OF DELEGATION

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

### 4 REPORTING TO COUNCIL

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

**Reference:** CJ229-12/11, CJ003-02/12, CJ075-05/12

## **TOWN PLANNING DELEGATIONS – GENERAL**

### **~~1 DELEGATIONS TO DIRECTOR AND MANAGER~~**

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

- ~~(b) In accordance with clause 6.9 of the District Planning Scheme No.2 to the determination of an application of approval of development for the determination for proposed Display Homes on proposed lots 316, 317, and 320-325 Grand Ocean Entrance, proposed Lots 1185-1189, and 1208-1210, Larvotto Turn, and proposed lots 1220-1227 Umina Way in Burns Beach;~~
- ~~(b) the determination of an application for approval of development for the purpose of one or more single houses;~~
- ~~(c) the determination of an application for approval of development for the purpose of not more than ten grouped dwellings or multiple dwellings;~~
- ~~(d) 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:~~
  - ~~(ii) the development complies with the standards and requirements of the Scheme; or~~
  - ~~(iii) 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~~
  - ~~(iv) for developments other than patios, shade sails and outbuilding additions to an existing development, the setbacks, the landscaping or the number of parking bays of the development are less than the minimum requirement of the Scheme by not more than 10% of that requirement; and~~
  - ~~(iv) the development complies with Policy Height of Buildings Within The Coastal Area (Non-Residential Zones);~~
- ~~(e) the determination of an application for approval for short stay accommodation except where abutting the 'Residential' zone.~~
- ~~(f) 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;~~
- ~~(g) a recommendation to the Western Australian Planning Commission under Clause 6.3 of the Scheme;~~
- ~~(h) the determination under Clause 6.1.2 of the Scheme whether to require plans and other information to be submitted with an application;~~



- ~~(i) the decision whether to consult under Clause 6.4;~~
- ~~(i) the issue of a direction/notice under Clauses 8.2, 8.3, 8.8 and 8.10 of the Scheme and Sections 214 and 215 of the *Planning and Development Act 2005*.~~

## ~~2 MATTERS DELEGATED TO COORDINATOR PLANNING APPROVALS AND SENIOR PLANNING OFFICER~~

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

- ~~(a) the determination of an application for approval of a single house under Clause 6.1.3 (b) of the Scheme or the determination of an application for approval of a grouped dwelling or multiple dwelling under Clause 6.1.1 of the Scheme where:~~
  - ~~(i) the open space of the proposed development is less than the applicable minimum requirement of Table 1 of the Residential Design Codes by more than 10% of that requirement; or~~
  - ~~(ii) the plot ratio of the proposed development exceeds the maximum requirement of Table 1 of the Residential Design Codes by more than 10% of that requirement; or~~
  - ~~(iii) any of the setbacks of the proposed development are less than the minimum requirements of Table 1 or Table 2 or Clause 6.2.3 A3.3 or A3.5 of the Residential Design Codes by more than 1.5 metres; or~~
  - ~~(iv) the site area per dwelling of the proposed development is less than the minimum requirement of Table 1 of the Residential Design Codes; or~~
  - ~~(v) the requirements of Clause 6.10.1 A1 (iii), (iv) or (v) of the Residential Design Codes are exceeded by more than 15% of those requirements;~~
  - ~~(vi) the requirements of Clause 6.3.2 A2 (ii) or (iii) of the Residential Design Codes are exceeded by more than 10% of those requirements; or~~
  - ~~(vii) the proposed development exceeds the Building Height Envelope set out in City Policy – Height and Scale of Buildings Within Residential Areas.~~
- ~~(b) the determination of an application for planning approval under Clause 6.1 of the Scheme where:~~
  - ~~(i) the setbacks of the proposed development; or~~
  - ~~(ii) the number of on-site car parking bays to be provided; or~~
  - ~~(iii) the area of the development site to be developed as landscaping;~~

~~do not satisfy the minimum requirement of the Scheme;~~
- ~~(c) the determination of an application for planning approval where:~~

- ~~(i) advertising and the giving of notice has occurred under Clause 6.7 of the Scheme; and~~
- ~~(ii) an objection has been received;~~
- ~~(d) the determination of an application for approval under Clause 6.1.3(b) of the Scheme or the determination of an application for approval of a grouped dwelling or multiple dwelling under Clause 6.1.1 of the Scheme where:~~
  - ~~(i) consultation under Clause 4.2.1 of the Residential Design Codes has occurred; and~~
  - ~~(ii) an objection has been received from a person notified under that clause;~~
- ~~(e) the refusal of any application for planning approval under Clause 6.1 of the Scheme and the refusal of any application for approval under Clause 6.1.3(b); and~~
- ~~(f) a recommendation to the Western Australian Planning Commission under Clause 6.3 of the Scheme.~~
- ~~(g) the issue of a direction/notice under Clauses 8.2, 8.3, 8.8 and 8.10 of the Scheme and Sections 214 and 215 of the *Planning and Development Act 2005*.~~

### ~~3 PERIOD OF DELEGATION~~

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

### ~~4 REPORTING TO COUNCIL~~

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

**Reference:** ~~—————~~ CJ107-06/11