



REGISTER

OF

DELEGATION OF AUTHORITY

Review		
Reviewed By	Date Approved	Resolution / TRIM Number
Council	28 June 2011	(CJ107-06/11)
Council	26 June 2012	CJ108-06/12 / 07032
Chief Executive Officer	30 May 2013	INT13/9868
Council	25 June 2013	CJ094-06/13
Council	24 June 2014	CJ091-06/14
Chief Executive Officer	30 June 2014	INT14/15493
Council	21 October 2014	CJ180-10/14
Chief Executive Officer	13 May 2015	INT15/11342
Council	23 June 2015	CJ095-06/15
Chief Executive Officer	1 June 2016	INT16/19021
Council	28 June 2016	CJ091-06/16
Chief Executive Officer	29 May 2017	INT17/24978
Council	27 June 2017	CJ091-06/17
Chief Executive Officer	4 June 2018	INT18/21364
Council	26 June 2018	CJ101-06/18
Council	21 August 2018	CJ133-08/18
Chief Executive Officer	7 May 2019	INT19/21782
<u>Council</u>	<u>XXXX</u>	<u>CJXXX-06/19</u>

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 under the Act must be by **absolute majority** decision.

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

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

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

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

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

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

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

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

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

This delegated authority manual will be reviewed in accordance with the Act on an annual basis.

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PART 1 – DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995

ACKNOWLEDGE RECEIPT OF PRIMARY AND ANNUAL RETURNS

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

ACTIVITIES ON PRIVATE LAND

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

ADMINISTER THE CITY'S LOCAL LAWS

Function delegated:	Authority to administer the City's local laws and to do all other things that are necessary or convenient to be done for, or in connection with, performing the functions of the City under the City's local laws.
Delegated by:	Council.
Delegated to:	Chief Executive Officer (00001).
Conditions:	Nil.
Chief Executive Officer delegates to:	Not applicable.
Additional sub-delegation conditions:	Nil.
Legislation:	Sections 3.18 and 5.42 of the <i>Local Government Act 1995</i> <i>Animals Local Law 1999</i> <i>Health Local Law 1999</i> <i>Local Government and Public Property Local Law 2014</i> <i>Parking Local Law 2013</i> <i>Pest Plant Local Law 2012</i> <i>Waste Local Law 2017</i>
Policy:	Nil.
Adoption / Revision reference:	CJ175-10/10, CJ107-06/11, CJ232-11/12; INT13/9868 (30 May 2013); CJ091-06/16.

AGREEMENT FOR PAYMENT OF RATES AND SERVICE CHARGES

<u>Function delegated:</u>	<u>Authority to accept payment of a rate or service charge due and payable by a person in accordance with an agreement made with the person.</u>
<u>Delegated by:</u>	<u>Council.</u>
<u>Delegated to:</u>	<u>Chief Executive Officer (00001).</u>
<u>Conditions:</u>	<u>Nil.</u>
<u>Chief Executive Officer delegates to:</u>	<u>Not applicable.</u>
<u>Additional sub-delegation conditions:</u>	<u>Nil.</u>
<u>Legislation:</u>	<u>Section 6.49 of the <i>Local Government Act 1995</i>.</u>
<u>Policy:</u>	<u>Nil.</u>
<u>Adoption / Revision reference:</u>	<u>CJXXX-06/19</u>

AMENDMENT TO THE RATE RECORD

<u>Function delegated:</u>	<u>Authority to amend the rate record for the five years preceding the current financial year.</u>
<u>Delegated by:</u>	<u>Council.</u>
<u>Delegated to:</u>	<u>Chief Executive Officer (00001).</u>
<u>Conditions:</u>	<u>Nil.</u>
<u>Chief Executive Officer delegates to:</u>	<u>Not applicable.</u>
<u>Additional sub-delegation conditions:</u>	<u>Nil.</u>
<u>Legislation:</u>	<u>Section 6.39(2)(a) of the <i>Local Government Act 1995</i>.</u>
<u>Policy:</u>	<u>Nil.</u>
<u>Adoption / Revision reference:</u>	<u>CJXXX-06/19</u>

APPOINTMENT OF AN ACTING CHIEF EXECUTIVE OFFICER

Function delegated:	Authority to make appointments to the position of Acting Chief Executive Officer.
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Authority subject to: <ol style="list-style-type: none">1 the City employee holding the substantive position of 'Director' and is designated a 'Senior Employee' as per Section 5.37 of the <i>Local Government Act 1995</i>;2 appointments being for no longer than 35 days, with all other appointments to the position of Acting Chief Executive Officer referred to the Council for determination;3 the Chief Executive Officer advising Elected Members when a senior employee is to be designated Acting Chief Executive Officer, when circumstances require, during the following three month period.
Chief Executive Officer delegates to:	Not applicable.
Additional sub-delegation conditions:	Nil.
Legislation:	Section 5.39(1a)(a) of the <i>Local Government Act 1995</i> .
Policy:	Not applicable.
Adoption / Revision reference:	CJ220-10/05, CJ107-06/11.

APPOINTMENT OF AUTHORISED PERSONS

Function delegated:	<p>Authority:</p> <ol style="list-style-type: none"> 1 To appoint and authorise persons to exercise the powers and duties of an authorised person as set out in the <i>Local Government Act 1995</i> and listed hereunder: <ol style="list-style-type: none"> 1.1 Section 3.25 – Notices requiring certain things to be done by owner or occupier of land; 1.2 <u>Section 3.26 – Additional powers when notices are given;</u> 1.3 <u>Section 3.27 – Particular things local government can do on land that is not local government property;</u> 1.24 Section 3.31 – Power to enter property; 1.35 Sections 3.39 to 3.48 – Power to remove, impound and disposal; 1.46 Section 9.10 – Power to appoint authorised persons to perform particular functions; 1.57 Section 9.11 – Persons committing breach of Act to give name, address and date of birth; 1.68 Section 9.13 – Onus of proof in vehicle offences; 1.79 Section 9.16 – Issue infringement notices; 1.810 Section 9.17 – Receive payment of modified penalties; 1.911 Section 9.24 – Commencing prosecutions. 2 To appoint and authorise persons to exercise the powers and duties of an authorised person under the City's local laws.
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Nil.
Chief Executive Officer delegates to:	Manager Leisure and Cultural Services (00159).
Additional sub-delegation conditions:	Authority extended to appoint members of a surf life saving club as authorised persons for the purposes of clause 5.3 of the <i>City of Joondalup Local Government and Public Property Local Law 2014</i> (patrol, close beaches).
Legislation:	Sections 3.24 and 9.10 of the <i>Local Government Act 1995</i> .
Policy:	Not applicable.
Adoption / Revision reference:	CJ107-06/11; CJ027-03/12; CJ232-11/12; INT13/9868 (30 May 2013); CJ102-06/13; CJ091-06/14; CJ180-10/14, INT18/56; INT18/15225; <u>CJXXX-06/19</u>

CHOICE OF ACCEPTABLE TENDERS FROM AN EXPRESSION OF INTEREST

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

CHOICE OF TENDER

Function delegated:	Authority to decide which tender to accept. Authority to decline to accept any tender.
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Authority to accept tenders valued at less than \$350,000 <u>\$500,000.</u>
Chief Executive Officer delegates to:	Not applicable.
Additional sub-delegation conditions:	Nil.
Legislation:	Section 3.57 and 5.43 of the <i>Local Government Act 1995</i> . Regulation 18 of the <i>Local Government (Functions and General) Regulations 1996</i> .
Policy:	Not applicable.
Adoption / Revision reference:	CJ107-06/11; CJ095-06/15

CHOICE OF TENDER – WORKS OPERATIONS CENTRE

Function delegated:	Authority to accept tenders for the proposed construction works at the City Works Operations Centre in Craigie.
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Authority to accept tenders valued at less than \$1,100,000.
Chief Executive Officer delegates to:	Not applicable.
Additional sub-delegation conditions:	Nil.
Legislation:	Section 3.57 and 5.42 of the <i>Local Government Act 1995</i> . Regulation 18 of the <i>Local Government (Functions and General) Regulations 1996</i> .
Policy:	Not applicable.
Adoption / Revision reference:	CJ228-12/18

**~~CHOICE OF TENDER – SMART MONITORING AND MANAGEMENT –
YELLAGONGA WETLANDS PROJECT~~**

Function delegated:	Authority to accept tenders for the Smart Monitoring and Management of Yellagonga Wetlands Project.
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Authority to accept tenders valued at less than \$1,491,500, inclusive of a contingency of 15%.
Chief Executive Officer delegates to:	Not applicable.
Additional sub-delegation conditions:	Nil.
Legislation:	Section 3.57 and 5.42 of the <i>Local Government Act 1995</i>. Regulation 18 of the <i>Local Government (Functions and General) Regulations 1996</i>.
Policy:	Not applicable.
Adoption / Revision reference:	CJ219-12/18

CLOSING CERTAIN THOROUGHFARES TO VEHICLES

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

DISPOSING OF PROPERTY

Function delegated:	Authority to dispose of property – (1) at public auction; (2) by public tender; (3) by private treaty.
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Authority limited to property valued at less than \$600,000 <u>\$900,000</u> . “Property” includes the whole or any part of the interest of a local government in property, but does not include money. <u>“Dispose” includes to sell, lease or otherwise dispose of, whether absolutely or not.</u>
Chief Executive Officer delegates to:	Not applicable.
Additional sub-delegation conditions:	Nil.
Legislation:	Section 3.58 of the <i>Local Government Act 1995</i> .
Policy:	Not applicable.
Adoption / Revision reference:	CJ107-06/11; <u>CJ108-06/12, CJXXX-06/19</u>

ENTRY IN AN EMERGENCY

<u>Function delegated:</u>	<u>Authority to lawfully enter any land, premises or thing immediately and without notice and perform any functions as is considered appropriate to deal with an emergency.</u>
<u>Delegated by:</u>	<u>Council.</u>
<u>Delegation to:</u>	<u>Chief Executive Officer (00001).</u>
<u>Conditions:</u>	<u>An emergency exists where the City or the Chief Executive Officer is of the opinion that the circumstances are such that compliance with the requirements for obtaining entry other than under section 3.34 of the <i>Local Government Act 1995</i> would be impractical or unreasonable because of, or because of the imminent risk of:</u> <u>(a) injury or illness to any person</u> <u>(b) a natural or other disaster or emergency</u> <u>or</u> <u>(c) such other occurrence as is prescribed under the <i>Local Government (Functions and General) Regulations 1996</i> for the purposes of section 3.34 of the <i>Local Government Act 1995</i>.</u>
<u>Chief Executive Officer delegates to:</u>	<u>Not applicable.</u>
<u>Additional sub-delegation conditions:</u>	<u>Nil.</u>
<u>Legislation:</u>	<u>Section 3.34(1) of the <i>Local Government Act 1995</i>.</u>
<u>Policy:</u>	<u>Not applicable.</u>
<u>Adoption / Revision reference:</u>	<u>CJXXX-06/19</u>

ESTABLISHING PANELS OF PRE-QUALIFIED SUPPLIERS

Function delegated:	Authority to decide which applications to accept for inclusion on a panel of pre-qualified suppliers. Authority to decline to accept any application for inclusion on a panel of pre-qualified suppliers. Authority to enter into a contract or contracts, for the supply of goods or services with a pre-qualified supplier.
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Authority extends to the supply of goods/services valued at less than \$350,000.
Chief Executive Officer delegates to:	Not applicable.
Additional sub-delegation conditions:	Nil.
Legislation:	<i>Local Government Act 1995.</i> <i>Regulations 24AB, 24AH and 24AJ of the Local Government (Functions and General) Regulations 1996.</i>
Policy:	<i>Purchasing Policy.</i>
Adoption / Revision reference:	CJ091-06/16

EXTENSION OF EXISTING CONTRACTS

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

INFRINGEMENTS – EXTENSION OF TIME TO PAY AND WITHDRAWAL OF NOTICES

Function delegated:	Authority to extend the period within which a modified penalty may be paid or withdraw an infringement notice.
Delegated by:	Chief Executive Officer (00001).
Delegation to:	Director Corporate Services (00063). Manger Rangers, Parking and Community Safety (00912). Coordinator Parking Services (00853). Coordinator City Rangers (00607).
Conditions:	Nil.
Legislation:	Sections 9.19 and 9.20 of the <i>Local Government Act 1995</i> .
Policy:	Not applicable.
Adoption / Revision reference:	INT18/15225

OBJECTION TO THE RATE RECORD

Function delegated:	Authority to: <ul style="list-style-type: none">• consider any objection to the rate record and either disallow it or allow it, wholly or in part;• <u>extend the time for making an objection to the rate record for such period as is deemed fit.</u>
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Nil.
Chief Executive Officer delegates to:	Director Corporate Services (00063). Manager Financial Services (00075). Team Leader Rating Services (00079).
Additional sub-delegation conditions:	Not applicable.
Legislation:	Section 6.76 of the <i>Local Government Act 1995</i> .
Policy:	Not applicable.
Adoption / Revision reference:	CJ107-06/11; <u>CJXXX-06/19</u>

OPENING OF FENCES

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

PAYMENTS FROM MUNICIPAL FUND - INCURRING LIABILITIES AND MAKING PAYMENTS

- Function delegated:** Authority to incur liabilities and make payments from the municipal fund.
- Delegated by:** Council.
- Delegation to:** Chief Executive Officer (00001).
- Conditions:**
- (1) Authority subject to funds being provided in the Annual Budget.
 - (2) Authority to Chief Executive Officer is unlimited.
 - (3) Incurring liabilities and making payments to be undertaken in accordance with the City's procedures and systems for incurring liabilities and making payments.
 - (4) Authority which may be Delegated by the Chief Executive Officer to employees is subject to the maximum individual amount limits on payments defined by categories A, B, C, D and E as follows:
 - (i) Category A – unlimited individual amounts subject to annual budget limitations.
 - (ii) Category B – limited to \$2 million.
 - (iii) Category C – limited to \$250,000.
 - (iv) Category D – limited to \$100,000.
 - (v) Category ~~D~~ E – limited to \$25,000.
 - (vi) Category ~~E~~ F – 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 (00186).

- Manager Operation Services (00220).
- Manager Asset Management (00065).
- Manager Rangers Parking and Community Safety (00912).
- Manager Leisure and Cultural Services (00159).
- Manager Community Development and Library Services (00390).
- Senior Development Engineer (00490).
- Senior Landscape Architect / Team Leader Landscaping and Conservation (00211).
- Coordinator Engineering Operations (00227).
- Coordinator Park Operations (00806).
- Team Leader Projects (00224).
- Coordinator Natural Areas and Capital Works Projects (01120).
- Coordinator Civil Design and Construction (01119).
- Manager Audit and Risk Services (01193).
- Executive Officer (00007).
- Coordinator Waste Services (00762).
- Senior Projects Officer (00937).

Category D

Category ~~D~~ E

- Manager Strategic and Organisational Development (000503).
- Manager Governance (00010).
- Manager Human Resources (00054).
- Manager Planning Services (00108).
- Manager Compliance and Regulatory Services (01093).
- Coordinator Fleet Management (00069).
- Coordinator Building Capital Works (00195).
- Coordinator Business Systems (00095).
- Coordinator Network Services (00770).
- Administration Coordinator (00187).
- Library Service Coordinator (00516).

- Coordinator Library Resources and Development (00517).
- Team Leader Natural Areas (00506).
- Coordinator City Rangers (00607).
- Coordinator Transport Engineering (00203).
- Coordinator Infrastructure Asset Management (00205).
- Waste Design and Contract Officer (00197).
- Coordinator Building Maintenance (00228).
- Coordinator Community Development (00175).
- Coordinator Leisure Centre (00612).
- Coordinator Recreation Services (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).
- Special Projects Officer, Analytics (01200).
- Manager Marketing and Communications (01162).
- Senior Projects Officer (00005).
- Senior Civil Projects Officer (00208).
- Senior Civil Projects Officer (00210).
- Electrical Project Engineer (01244).
- Coordinator Leisure Planning (00849).
- Project Engineer (01405).

Category E

- Executive Assistant to the Mayor (00003).
- Executive Assistant to the CEO (00002).
- Senior Financial Accountant (00078).
- Senior Management Accountant (00083).
- Team Leader Rating Services (00079).
- Coordinator Contracts and Purchasing (00068).
- Service Desk Team Leader (00101).
- Administration Officer Leisure and Cultural Services (00160).

- Coordinator Building Approvals (00113).
- Branch Librarian – Joondalup (00519).
- Branch Librarian – Whitford (00520).
- Branch Librarian – Woodvale (00522).
- Branch Librarian – Duncraig (00521).
- Local History Team Leader (00526, 01516).
- Senior Ranger (00212, 00219).
- Collection Management Team Leader (00528).
- Team Leader Youth Services (00182).
- Team Leader Community Development (01224).
- Team Leader Marketing and Customer Service (01432).
- Team Leader Leisure and Aqua Programs (01434).
- Team Leader Aqua and Facility Programs (01435).
- Systems Administrator (01436).
- Team Leader Health and Fitness (01433).
- Coordinator Organisational Development (00789).
- Strategic Policy Development Coordinator (00843).
- Environment Development Coordinator (00783).
- Economic Development Advisor (00502).
- Team Leader – Community Facilities (00173).
- Senior Sport and Recreation Officer (00172).

Additional sub-delegation conditions: Nil.

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

Policy: Not applicable.

Adoption / Revision reference: CJ107-06/11; INT12/13286 (15 June 2012); INT12/20354 (31 August 2012); INT12/24858 (19 October 2012); EMI12/6002; INT12/29775 (22 November 2012); INT13/9868 (30 May 2013); INT14/18637; CJ091-06/14; INT15/5981; INT15/11342; CJ095-06/15; INT15/25509; EMI16/1160; INT16/3378; INT17/40500; EMI17/9582; INT17/59664; INT18/5995;

AUTHORISING PAYMENT FROM THE TRUST FUND

Function delegated:	Authority to make payments from the trust fund.
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Making payments to be undertaken in accordance with the City's procedures and systems for making payments from the trust fund.

Chief Executive Officer delegates to:	<ul style="list-style-type: none"> • Director Corporate Services (00063). • Director Infrastructure Services (00184). • Director Planning and Community Development (00105). • Director Governance and Strategy (00648). • Manager Financial Services (00075). • Manager Infrastructure Management (00186). • Manager Operation Services (00220). • Manager Asset Management (00065). • Manager Leisure and Cultural Services (00159). • Manager Governance (00010). • Manager Compliance and Regulatory Services (01093). • Administration Coordinator (00187). • Coordinator Leisure Centre (00612) – to a maximum of \$25,000. • Coordinator Recreation Services (00611) – to a maximum of \$25,000. • Team Leader Marketing and Customer Service (01432) – to a maximum of \$5,000. • Team Leader Leisure and Aqua Programs (01434) – to a maximum of \$5,000. • Team Leader Aqua and Facility Programs (01435) – to a maximum of \$5,000. • Systems Administrator (01436) – to a maximum of \$5,000. • Team Leader Health and Fitness (01433). • Team Leader Community Facilities (00173).
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Additional sub-delegation conditions: Nil.

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

Policy: Not applicable.

Adoption / Revision reference: CJ107-06/11; INT12/13286 (15 June 2012); INT12/20354 (31 August 2012); INT12/24858 (19 October 2012); EMI12/6002; INT12/29775 (22 November 2012); INT13/9868 (30 May 2013); INT14/18637; CJ091-06/14; INT15/5981; CJ095-06/15; INT15/25855; INT15/25509; EMI17/9582; INT17/59664; EMI19/685; EMI19/686; INT19/21782; INT19/22398

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

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

Delegated by: Council.

Delegation to: Chief Executive Officer (00001).

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

Cheques or EFT Payment Amounts	Combination of Signatories
Payments under \$10,000	Any one signatory
Payments of \$10,000 and over to payments under \$250,000	Any two signatories
Payments of \$250,000 and over	Any 1 of Category A and 1 of B signatories; or any 2 Category A signatories
Category A Signatories	Category B Signatories
Chief Executive Officer (00001)	Senior Management Accountant (00083)
Director Planning and Community Development (00105)	Senior Financial Accountant (00078)
Director Corporate Services (00063)	
Director Infrastructure Services (00184)	
Director Governance and Strategy (00648)	
Manager Financial Services (00075)	

Chief Executive Officer delegates to: All Directors (00063, 000648, 00184, 00105).
 Manager Financial Services (00075).
 Senior Financial Accountant (00078).

Senior Management Accountant (00083).

Additional sub-delegation conditions: Not applicable.

Legislation: Sections 6.7 and 6.9 of the *Local Government Act 1995*.
Regulation 5, 11 and 12 of the *Local Government (Financial Management) Regulations 1996*.

Policy: Not applicable.

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

POWER TO INVEST

Function delegated:	Authority to invest funds held in the municipal fund or the trust fund of the local government that is not, for the time being, required by the local government for any other purpose, in accordance with Part III of the <i>Trustees Act 1962</i> .
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Authority to Chief Executive Officer is unlimited.
Chief Executive Officer delegates to:	<ol style="list-style-type: none">1 Director Corporate Services (00063).2 Manager Financial Services (00075).3 Senior Management Accountant (00083) and Senior Financial Accountant (00078).
Additional sub-delegation conditions:	Authority subject to the following maximum individual amounts: <ol style="list-style-type: none">1 Unlimited - Director Corporate Services.2 Up to \$3 million - Manager Financial Services.3 Up to \$1.5 million - Senior Management Accountant and Senior Financial Accountant.
Legislation:	Section 6.14 of the <i>Local Government Act 1995</i> .
Policy:	<i>Investment Policy</i> .
Adoption / Revision reference:	CJ107-06/11

RECOVERY OF RATES AND SERVICE CHARGES

<u>Function delegated:</u>	<u>Authority to recover rates and service charges, as well as the costs of court proceedings, if any for that recovery, in a court of competent jurisdiction.</u>
<u>Delegated by:</u>	<u>Council.</u>
<u>Delegated to:</u>	<u>Chief Executive Officer (00001).</u>
<u>Conditions:</u>	<u>Nil.</u>
<u>Chief Executive Officer delegates to:</u>	<u>Not applicable.</u>
<u>Additional sub-delegation conditions:</u>	<u>Nil.</u>
<u>Legislation:</u>	<u>Section 6.56 of the <i>Local Government Act 1995</i>.</u>
<u>Policy:</u>	<u>Nil.</u>
<u>Adoption / Revision reference:</u>	<u>CJXXX-06/19</u>

RECOVERY OF RATES AND SERVICE CHARGES FROM LESSEE**Function delegated:****Authority to:**

- give notice to the lessee of land requiring the lessee to pay to the City any rent as it falls due, in satisfaction of the imposed rate or service charge on the land;
- recover the amount of the rate or service charge as a debt from the lessee if rent is not paid in accordance with a notice.

Delegated by:Council.**Delegated to:**Chief Executive Officer (00001).**Conditions:**Nil.**Chief Executive Officer delegates to:**Not applicable.**Additional sub-delegation conditions:**Nil.**Legislation:**Section 6.60(2) and (4) of the *Local Government Act 1995*.**Policy:**Nil.**Adoption / Revision reference:**CJXXX-06/19

SEEKING EXPRESSIONS OF INTEREST

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

WAIVER OF FEES AND GRANTING OF CONCESSIONS

Function delegated:	Authority to waive or grant a concession in relation to any amount of money which is owed to the City other than rates and service charges.		
Delegated by:	Council.		
Delegation to:	Chief Executive Officer (00001).		
Conditions:	Additional subsidies and waiver of hire fees under the <i>Facility Hire Subsidy Policy</i> limited to \$5,000 per request.		
Chief Executive Officer delegates to:	1	All Directors (00063, 00648, 00184, 00105).	
	2	Manager Leisure and Cultural Services (00159).	
	3	Librarian – Duncraig (00575), Librarians – Joondalup (00558), (00559), (00560), Librarian – Whitford (00539), Librarians – Woodvale (00549) (x2), Reference and Local History Librarian (00527); Adult and Seniors Services Officer (00525); Youth and Children’s Services Officer (00524); Youth and Children’s Services Officer (01231); Cataloguer (00532); Cataloguer (00531).	
	4	Coordinator Library Resources and Development (00517), Library Service Coordinator (00516), Branch Librarian – Joondalup (00519), Branch Librarian – Whitford (00520), Branch Librarian – Woodvale (00522), Branch Librarian – Duncraig (00521), Digital Services Officer (01126); Reference and Local History Team Leader (00526, 01516); Collection Management Team Leader (00528).	
	5	Manager Community Development and Library Services (00390).	
	6	Manager Compliance and Regulatory Services (01093).	
Additional sub-delegation conditions:	1	Not applicable.	
	2	Limited to individual items to \$5,000 and limited to the hire and use of City facilities.	
	3	Limited to waiving fines to the value of \$50 and under and waiving fines up to any value when a lost or damaged item is paid for by the customer, SUBJECT TO a quarterly report on fines and fees that have been waived being submitted to the Manager Financial Services.	
	4	Limited to waiving fines to the value of \$50 and under; waiving fines up to any value when a lost or damaged item is paid for by the customer; waiving the \$12.80 debt collection fee in special circumstances; waiving accounts up to \$150 for lost or damaged items in special circumstances, SUBJECT TO a quarterly report on fines	

and fees that have been waived being submitted to the Manager Financial Services.

- 5
 - (a) Limited to waiving fines and accounts to the value of \$50 and over; waiving the \$12.80 debt collection fee in special circumstances, **SUBJECT TO** a quarterly report on fines and fees that have been waived being submitted to the Manager Financial Services.
 - (b) Limited to waiver of hire fees for use of library facilities to a maximum of \$1,000.
 - (c) Limited to waiver of fees for community transport hire up to \$500 per group per year.
 - (d) Limited to the waiver of fees or grant concessions for the Youth Holiday Programs.
- 6 Limited to waiving the City's Building Permit Application fee for applications submitted by not-for-profit charitable organisations.

Legislation:

Section 6.12 of the *Local Government Act 1995*.

Policy:

Facility Hire Subsidy Policy.

**Adoption / Revision
reference:**

CJ107-06/11; INT12/17389; INT13/13646; INT13/16607; INT13/16608; INT13/16265; INT13/16587; INT13/16588; INT13/16589; INT13/16590; INT13/16592; INT13/16595; INT13/16597; INT13/16598; CJ243-12/14; INT14/18637; INT15/5981; INT15/11342; INT17/24978

WRITE OFF OF MONIES

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

PART 2 – DELEGATIONS TO COMMITTEES

At its meeting held on 3 November 2017 (Item JSC03-11/17 refers) Council has determined there be no delegation of authority to Committees ~~at its meeting held on 28 June 2016.~~

PART 3 – DELEGATIONS UNDER OTHER LEGISLATION

AMENDMENTS TO THE PARKING SCHEMES

Function delegated:	Authority to approve and implement amendments to parking schemes adopted by Council in relation to: <ul style="list-style-type: none">• time limits, conditions and prohibitions in streets and parking stations;• the designation of visitor and authorised vehicle parking.
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Authority to be exercised consistently with the provisions of the <i>City of Joondalup Parking Local Law 2013</i> .
Chief Executive Officer delegates to:	Director Corporate Service (00063).
Additional sub-delegation conditions:	Not applicable.
Legislation:	<i>City of Joondalup Parking Local Law 2013</i> .
Policy:	<i>Dedicated Car Parking for Seniors and Parents with Prams Policy.</i> <i>Joondalup City Centre Car Parking for Commercial Development Policy.</i> <i>Parking Schemes Policy.</i>
Adoption / Revision Reference:	CJ073-05/08, CJ183-08/09, CJ107-06/11, INT18/33324

AUTHORISED PERSONS UNDER THE BUILDING ACT 2011

Function delegated:	Authority to appoint authorised persons for the purposes of the <i>Building Act 2011</i> and <i>Building Regulations 2012</i> in relation to buildings and incidental structures located, or proposed to be located in the City's district.
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Nil.
Chief Executive Officer delegates to:	Not applicable.
Additional sub-delegation conditions:	Not applicable.
Legislation:	Section 96(3) of the <i>Building Act 2011</i> . Section 127 of the <i>Building Act 2011</i> .
Policy:	Not applicable.
Adoption / Revision Reference:	CJ027-03/12; CJ095-06/15

**BUILDING ACT 2011 – ISSUING CERTIFICATES OF BUILDING COMPLIANCE,
CONSTRUCTION COMPLIANCE AND DESIGN COMPLIANCE**

Function delegated:	Authority to issue certificates of building compliance, construction compliance and design compliance.
Delegated by:	Council.
Delegation to:	Director Planning and Community Development (00105). Manager Compliance and Regulatory Services (01093). Coordinator Building Approvals (00113). Senior Building Surveyor (00153, 00148). Building Surveyor (00150). Assistant Building Surveyor (00154, 00615, 01068, 00151).
Conditions:	Subject to meeting the qualification requirements in accordance with <i>Building Services (Registration) Regulations 2011</i> .
Legislation:	Division 2 of Part 2 of the <i>Building Act 2011</i> . Divisions 1, 2 and 3 of Part 4 of the <i>Building Act 2011</i> . Section 127 of the <i>Building Act 2011</i> . <i>Building Services (Registration) Regulations 2011</i> .
Policy:	Not applicable.
Adoption / Revision reference:	CJ027-03/12; INT12/23123 (2 October 2012); CJ180-10/14; EMI15/1629

**BUILDING ACT 2011 – GRANTING BUILDING AND DEMOLITION PERMIT
APPLICATIONS, BUILDING APPROVAL CERTIFICATES, BUILDING APPROVAL
CERTIFICATE STRATA, OCCUPANCY PERMITS**

Function delegated:	Authority to grant building and demolition permit applications, building approval certificates, building approval certificate strata and occupancy permits.
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Nil.
Officers sub-delegate to:	Director Planning and Community Development (00105). Manager Compliance and Regulatory Services (01093). Coordinator Building Approvals (00113). Senior Building Surveyor (00148, 00153). Building Surveyor (00150). Assistant Building Surveyor (00154, 00615, 01068, 00151). Development Compliance Officer (00119, 00120, 00155, 00614). Administration Officer (00110, 00131, 00132, 00133, 00109). Personal Assistant – Director Planning and Community Development (00106).
Legislation:	Section 127 of the <i>Building Act 2011</i> .
Policy:	Not applicable.
Adoption / Revision reference:	CJ027-03/12; CJ180-10/14; CJ095-06/15

BUILDING ACT 2011 – REFUSING BUILDING AND DEMOLITION PERMIT APPLICATIONS, BUILDING APPROVAL CERTIFICATES, BUILDING APPROVAL CERTIFICATE STRATA, OCCUPANCY PERMITS

Function delegated:	Authority to refuse building and demolition permit applications, building approval certificates, building approval certificate strata and occupancy permits.
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Nil.
Officers sub-delegate to:	Director Planning and Community Development (00105). Manager Compliance and Regulatory Services (01093). Coordinator Building Approvals (00113). Senior Building Surveyor (00148, 00153).
Legislation:	Section 60 of the <i>Building Act 2011</i> . Section 127 of the <i>Building Act 2011</i> .
Policy:	Not applicable.
Adoption / Revision reference:	CJ027-03/12; CJ180-10/14; CJ095-06/15

BUILDING ACT 2011 – BUILDING ORDERS

Function delegated:	Authority to serve a building order.
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Nil.
Officers sub-delegate to:	Director Planning and Community Development (00105). Manager Compliance and Regulatory Services (01093). Coordinator Compliance (01094).
Legislation:	Division 5 of Part 8 of the <i>Building Act 2011</i> . Section 127 of the <i>Building Act 2011</i> .
Policy:	Not applicable.
Adoption / Revision reference:	CJ027-03/12; CJ180-10/14; CJ095-06/15

BUSH FIRES ACT 1954 – FUNCTIONS OF A LOCAL GOVERNMENT

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

CAT ACT 2011 – POWERS AND DUTIES OF A LOCAL GOVERNMENT

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

DOG ACT 1976 – POWERS AND DUTIES OF A LOCAL GOVERNMENT

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

FOOD ACT 2008 – FUNCTIONS OF AN ENFORCEMENT AGENCY

Function delegated:	Authority to exercise the powers or discharge the duties of the local government, as an enforcement agency under the <i>Food Act 2008</i> .
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Nil.
Chief Executive Officer delegates to:	Not applicable.
Additional sub-delegation conditions:	Not applicable.
Legislation:	Section 118(2)(b) of the <i>Food Act 2008</i> .
Policy:	Not applicable.
Adoption / Revision reference:	CJ180-10/14; CJ095-06/15

GRAFFITI VANDALISM ACT 2016 – POWERS AND DUTIES OF A LOCAL GOVERNMENT

Function delegated:	Authority to exercise the powers or discharge the duties of the local government under the <i>Graffiti Vandalism Act 2016</i> including the authority to delegate the powers and duties of a local government to other persons.
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Nil.
Chief Executive Officer delegates to:	Not applicable.
Additional sub-delegation conditions:	Not applicable.
Legislation:	Section 16 and 17 of the <i>Graffiti Vandalism Act 2016</i> .
Policy:	Not applicable.
Adoption / Revision reference:	CJ192-11/16

LOCAL PLANNING SCHEME NO. 3 – DELEGATIONS - GENERAL

- (1) **Function delegated:** The following powers conferred or imposed on Council or the local government under the Scheme:
- (a) the approval of an application for development approval for the purpose of a 'single house', or up to 10 'grouped dwellings', ~~'multiple dwellings'~~, or any associated, ancillary or incidental development to a 'Single House', 'Grouped Dwelling' or 'Multiple Dwelling' where:
 - (i) there have not been any objections to the application received; and
 - (ii) the application is not required to be considered by the Joondalup Design Reference Panel; and
 - (iii) in the case of applications for development approval that require a Bushfire Attack Level assessment in accordance with State Planning Policy 3.7 – *Planning in Bushfire Prone Areas* (SPP 3.7) the development:
 - (a) has a Bushfire Attack Level of less than 40; and
 - (b) where the Bushfire Attack Level is 12.5, 19 or 29:
 - (i) is not a vulnerable land use as defined under SPP 3.7; and
 - (ii) complies with clause 6.5 of SPP 3.7; and
 - (iv) the Deemed-to-Comply requirements or Element Objectives of the Residential Design Codes and/or replacement Deemed-to-Comply requirements of the *Residential Development Local Planning Policy* have been satisfied (where applicable), and the development satisfies any applicable standards and requirements of the Scheme, any applicable structure plan, activity centre plan or local development plan and all other applicable local planning policies; or
 - (v) the Local Housing Objectives of the *Residential Development Local Planning Policy* have been satisfied; or
 - (vi) in the case of applications for development approval where the development does not meet the Deemed-to-Comply requirements of the *Residential Design Codes* or the requirements of any applicable standards or requirements of the Scheme, any applicable structure plan, activity

centre plan, local development plan, or local planning policy, provided:

- (a) the plot ratio of the development does not exceed the ~~maximum~~ requirement of Table [2.14](#) of the Residential Design Codes ~~by more than 10% of that requirement~~;
 - (b) the building setbacks of development are not less than those specified under the Deemed-to-Comply requirements of the Residential Design Codes, or any applicable structure plan, activity centre plan, local development plan or local planning policy by more than 1.5 metres;
 - (c) any outbuilding is not in the primary or secondary setback area stipulated in Table 1 or Table [2.1](#) 4 of the Residential Design Codes or any applicable structure plan, activity centre plan, local development plan or local planning policy;
 - (d) the height and/or length of boundary wall(s) does not exceed the amounts set out in the Deemed-to-Comply Requirements ~~or Table~~ [2.1](#) of the Residential Design Codes or any applicable structure plan, activity centre plan, local development plan or local planning policy by more than 10% of those requirements, and where there are boundary walls to no more than two (2) separate boundaries;
 - (e) the height of the proposed fill or retaining wall within the primary street setback area does not exceed 1.2 metres above natural ground level; and
 - (f) the height of non visually permeable fencing within the primary street setback area does not exceed 1.2 metres above natural ground level (as measured from the midpoint of the verge) for more than 25% of the frontage of the lot.
- (b) the approval of an application for development approval for the purposes of a class of use listed in Table 3 Zoning Table, Table 3a Whitford Activity Centre Zoning Table and Table 3b Joondalup Activity Centre Zoning Table of the Scheme other than a 'single house', 'grouped dwelling', 'multiple dwelling', or any associated, ancillary or incidental development where:

- (i) there have not been any objections to the application received; and
- (ii) the application is not required to be considered by the Joondalup Design Reference Panel; and
- (iii) in the case of applications for development approval that require a Bushfire Attack Level assessment in accordance with State Planning Policy 3.7 – *Planning in Bushfire Prone Areas* (SPP 3.7) the development:
 - (a) has a Bushfire Attack Level of less than 40; and
 - (b) where the Bushfire Attack Level is 12.5, 19 or 29:
 - (i) is not a vulnerable land use as defined under SPP 3.7; and
 - (ii) complies with clause 6.5 of SPP 3.7; and
- (iv) the development satisfies any applicable standards and requirements of the Scheme, any applicable structure plan, activity centre plan or local development plan and all applicable local planning policies; with the exception of the following:
- (v) an application proposes a variation to the applicable setback requirements of up to 100% for patio(s), verandah(s), shade sail(s), portico(s), retaining wall(s) not greater than 1.2 metres above natural ground level in height or outbuilding(s); or
- (vi) the amount of car parking provided is not less than a car parking shortfall for that site previously approved; or
- (vii) the application is for a class of sign under the *Signs Local Planning Policy* and the development does not exceed the applicable requirements by greater than 10%; or
- (viii) the application is for the renewal of a Home Occupation or Home Business, where no complaints or objections have been received since the previous approval was issued.

Delegated by:

Council.

Delegation to:

Chief Executive Officer (00001).

Conditions:	1 The Chief Executive Officer is to cause a report of the exercise of powers and functions to be prepared and presented to each ordinary meeting of Council.
Chief Executive Officer delegates to:	Senior Urban Planner (00115, 00609, 00778, 00122, 00125, 01479). Coordinator Planning Approvals (00112, 01313). Coordinator Urban Design and Policy (00111).
Additional sub-delegation conditions:	Not applicable.
Legislation:	Clause 82 of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Section 5.42 of the <i>Local Government Act 1995</i> .
Policy:	Not applicable.
Adoption / Revision Reference:	CJ229-12/11, CJ003-02/12, CJ075-05/12; CJ094-06/13; CJ123-07/13; CJ180-10/14; CJ167-10/15; INT15/36323; CJ133-08/18, CJXXX-06/19
(2) Function delegated:	<p>The following powers conferred or imposed on the Council or the local government under the Scheme and the <i>Planning and Development Act 2005</i>:</p> <ul style="list-style-type: none"> (a) the determination of an application for development approval for the purpose of a 'single house', and/or up to 10 'grouped dwellings', 'multiple dwellings', or any associated, ancillary or incidental development; (b) the determination of an application for development approval for the purpose of a class of use listed in Table 3 Zoning Table, Table 3a Whitford Activity Centre Zoning Table and Table 3b Joondalup Activity Centre Zoning Table of the Scheme or any associated, ancillary or incidental development (other than a 'single house', 'grouped dwelling' or 'multiple dwelling') provided: <ul style="list-style-type: none"> (i) building setbacks for buildings other than for those set out in 1(b)(v) of these delegations, as set out in the Scheme or any applicable structure plan, activity centre plan or local development plan, are not less than the required amount by more than 1.5 metres; (ii) the amount of car parking provided is not less than the standards and requirements set out in the Scheme, applicable local planning policy or any

- applicable structure plan, activity centre plan or local development plan by more than 10%;
- (iii) the landscaping between a car parking area and the street as set out under the Scheme, applicable local planning policy or an applicable structure plan, activity centre plan or local development plan achieves an average width of not less than 1.0 metre;
 - (iv) the overall amount of landscaping provided for the site does not vary the standards and requirements set out in the Scheme, applicable local planning policy or any applicable structure plan, activity centre plan or local development plan by more than 10% of that requirement; and
 - (v) the development complies with the coastal area building height in the *Commercial, Mixed Use and Service Commercial Zone Local Planning Policy*.
- (c) the direction under clause 64(3) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* to advertise an application for development approval.
 - (d) the determination under clause 64(2) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* whether a departure from the requirements of the Scheme is of a minor nature and whether to waive the requirement for the advertising of the application, providing it is not an application that would otherwise require advertising under the Scheme.
 - (e) the determination under clause 63(2) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* whether to waive or vary the requirement for plans and other information to be submitted with an application.
 - (f) the determination under clause 61(1)(f) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* whether works are temporary for the purposes of the Scheme and the length of time that such 'development' is permitted to remain in the requested location.
 - (g) the decision whether an application for development approval may affect any other statutory, public or planning authority, and shall therefore require them to be provided a copy of the application for objections and recommendations under clause 66(1) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	1 The Chief Executive Officer is to cause a report of the exercise of powers and functions to be prepared and presented to each ordinary meeting of Council.
Chief Executive Officer delegates to:	Manager Planning Services (0108). Director Planning and Community Development (00105).
Additional sub-delegation conditions:	Not applicable.
Legislation:	Clause 82 of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> . Section 5.42 of the <i>Local Government Act 1995</i> .
Policy:	Not applicable.
Adoption / Revision Reference:	CJ229-12/11, CJ003-02/12, CJ075-05/12; CJ094-06/13; CJ123-07/13; CJ180-10/14; CJ167-10/15; INT15/36323; CJ133-08/18

**~~LOCAL PLANNING SCHEME NO. 3 – DETERMINE FUTURE APPLICATIONS
FOR RENEWAL OF HOME OCCUPATION~~**

Function delegated:	Authority to determine future applications for renewal of the Home Occupation (Music/Drum School) at 6 (Lot 397) Melrose Crest, Kinross.
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Authority subject to no changes to the operation of the business being made.
Chief Executive Officer delegates to:	Manager Planning Services (00108).
Additional sub-delegation conditions:	Not applicable.
Legislation:	Clause 82 of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.
Policy:	<i>Home-based Business Local Planning Policy.</i>
Adoption / Revision reference:	CJ198-09/09; CJ107-06/11; CJ091-06/14; CJ180-10/14; CJ167-10/15; INT15/36323; CJ133-08/18

PLANNING AND DEVELOPMENT ACT 2005 – POWERS AS TO ILLEGAL DEVELOPMENT

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

**PLANNING AND DEVELOPMENT (LOCAL PLANNING SCHEMES)
REGULATIONS 2015 – DETERMINE DEVELOPMENT APPLICATIONS FOR
'UNLISTED USE (BICYCLE HIRE)'**

Function delegated:	Authority to determine development applications for 'Unlisted Use (Bicycle Hire)'.
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Nil.
Chief Executive Officer delegates to:	Director Planning and Community Development (00105). Manager Planning Services (00108)
Additional sub-delegation conditions:	Not applicable.
Legislation:	Section 5.42 of the <i>Local Government Act 1995</i> . Clause 82 of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .
Policy:	Not applicable.
Adoption / Revision reference:	CJ135-09/16

PUBLIC HEALTH ACT 2016 – FUNCTIONS OF AN ENFORCEMENT AGENCY

Function delegated:	Authority to exercise all of the powers and duties conferred or imposed on a local government, as an enforcement agency, under the <i>Public Health Act 2016</i> .
Delegated by:	Council.
Delegation to:	Chief Executive Officer (00001).
Conditions:	Nil.
Chief Executive Officer delegates to:	Not applicable.
Additional sub-delegation conditions:	Not applicable.
Legislation:	Section 21 of the <i>Public Health Act 2016</i> .
Policy:	Not applicable.
Adoption / Revision reference:	CJ012-02/17

APPENDIX 1 – LIST OF AMENDMENTS

This appendix reflects those changes made during the course of the year, other than at the time of the annual review of the register.

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

Amendments			
Delegation	Date Approved	Resolution / TRIM Number	Amendment
Certificates of Construction Compliance			advice from HR and Coordinator Building Approvals.
Incurring Liability and Making Payments	19 October 2012	INT12/24858	Add to Category D (up to \$25,000) the position of Internal Auditor.
Approve alterations and additions to City premises by a lessee, where cost is less than \$50,000	20 November 2012	CJ260-11/12	Insertion of delegation to CEO as a result of Council resolution.
Incurring Liability and Making Payments	22 November 2012	EMI12/6002	Change title of 'Manager Governance and Marketing' to 'Manager Governance', following restructure.
Incurring Liability and Making Payments	22 November 2012	EMI12/6002 INT12/29775	Add 'Acting Manager Marketing and Communications', following restructure.
Administer the City's Local Laws AND Appointing Authorised Officers	20 November 2012	CJ232-11/12 RGS00813	Add <i>Pest Plant Local Law 2012</i> to list of local laws; Add ability for CEO to appoint authorised persons to enforce the provisions of the <i>City of Joondalup Pest Plant Local Law 2012</i> .
Acknowledge Receipt of Primary and Annual Returns	8 April 2013	INT13/7349	Addition of new delegation from CEO to Director Governance and Strategy
Choice of Tender – Admiral Park Clubroom redevelopment	27 May 2013	CJ084-05/13 INT13/10876	Insertion of new delegation from Council to Chief Executive Officer – to accept tenders for the Admiral Park Clubroom redevelopment project subject to the price of tenders not exceeding \$858,990.
Administer the City's Local Laws.	30 May 2013	INT13/9868	Replacing " <i>Agriculture and Related Resources Protection Act 1976</i> " with " <i>Pest Plant Local Law 2012</i> " within the reference list.
Appointment of Authorised Officers.	30 May 2013	INT13/9868	Replacing " <i>Agriculture and Related Resources Protection Act 1976</i> " with " <i>Pest Plant Local Law 2012</i> " within the reference list.

Amendments			
Delegation	Date Approved	Resolution / TRIM Number	Amendment
Incurring Liability and Making Payments.	30 May 2013	INT13/9868	<ul style="list-style-type: none"> Amending the title of "Senior Librarian – Duncraig/Sorrento" to "Senior Librarian Duncraig". Amending various position titles within the Infrastructure Services Directorate. Inclusion of "Design Engineer / Coordinator (01119)" to Category C. Inclusion of "Executive Project Officer (00937)" to Category D.
Authority to Approve of Alterations and Additions to City Premises.	30 May 2013	INT13/9868	Inclusion of Director Infrastructure Services.
Certificate of local government required by <i>Strata Titles Act 1985</i> .	25 June 2013	CJ094-06/13	<ul style="list-style-type: none"> Amend description of function to be performed. Add "Coordinator Urban Design and Policy (00111)". Amend legislative references.
Subdivision and Development Control: Part 10 – <i>Planning and Development Act 2005</i> .	25 June 2013	CJ094-06/13	<ul style="list-style-type: none"> Amend position numbers. Add "Senior Urban Planner (00115, 00609)".
Town Planning Delegations – General.	25 June 2013	CJ094-06/13	<ul style="list-style-type: none"> Add "Coordinator Urban Design and Policy (00111)" Amend "Senior Urban Planner 00122, 00125)" to "Senior Planning Officer (00122, 00125)". Various typographical and wording amendments.
Appointment of Authorised Officers	25 June 2013	CJ102-06/13	CEO appointed as an authorised person to undertake all the powers and duties of the local government under the <i>Cat Act 2011</i> .
Town Planning Delegations – General	16 July 2013	CJ123-07/13	Inclusion of new paragraph (b) to Part 2 enabling DPCD and MPS to determine applications for planning approval for the unlisted use of "Ancillary Dwelling", where the subject land is zoned 'Residential'.

Amendments			
Delegation	Date Approved	Resolution / TRIM Number	Amendment
Authority to Waive Fees	25 July 2013	INT13/16608 INT13/16607 INT13/16265 INT13/16587 INT13/16588 INT13/16589 INT13/16590 INT13/16592 INT13/16595 INT13/16597 INT13/16598	Insertion of new delegation to various library officers to waive fees and accounts within specified parameters.
Authority to Write off Monies	25 July 2013	INT13/16608	Insertion of new delegation to Manager Community Development and Library Services to write off bad debts up to \$500.
Incurring Liability and Making Payments	16 August 2013	INT13/16228	Inclusion of "Manager Executive and Risk" (1193) to Category C.
Choice of Tender – Bramston Park development project	19 August 2014	CJ145-08/14	Insertion of new delegation from Council to Chief Executive Officer – to accept tenders for the <ul style="list-style-type: none"> • Bramston Park floodlighting works subject to the price of tenders not exceeding \$387,712; and • Bramston Park development project (minus the floodlighting works) subject to the price of tenders not exceeding \$1,949,238.
Waiver of Fees and Granting of Concessions	9 December 2014	CJ243-12/14	Insertion of new conditions, limiting CEO to \$5,000.
Waiver of Fees and Granting of Concessions	16 February 2015	INT15/5981	<ul style="list-style-type: none"> • Inclusion of various library staff with differing limits of authority. • Change of title from Senior Librarian to Branch Librarian (throughout document). • Added new additional condition from CEO to library staff, requiring quarterly reporting of waivers.

Amendments			
Delegation	Date Approved	Resolution / TRIM Number	Amendment
Incurring Liability and Making Payments	17 March 2015	INT14/18637	Inclusion of the following staff to Category D: <ul style="list-style-type: none"> • Co-ordinator Civil Projects (Peter Ross – 00208) • Co-ordinator Civil Projects (Jeff Giles – 00210) • Co-ordinator Electrical Projects (Tony Rowan – 01244)
Building and Demolition Permit Applications	23 March 2015	EMI15/1629	Title of position number 00110 changed from “Administration Team Leader” to “Administration Officer”.
Authorising Payment from the Trust Fund	29 July 2015	INT15/25509	Inclusion of: <ul style="list-style-type: none"> • Coordinator Leisure Centre (00612) – up to a maximum of \$25,000 • Coordinator Recreation Services (00611) – up to a maximum of \$25,000 • Recreation Development Officer (00172, 00173) – up to a maximum of \$5,000 • Senior Leisure Officer (00617, 00637, 00638, 00639) – up to a maximum of \$5,000.
Authorising Payment from the Trust Fund	4 August 2015	INT15/25855	Inclusion of Administration Coordinator - position number 00187 (Infrastructure Services) to authorise payments from the trust fund.
District Planning Scheme No. 2 – Delegations – General	6 October 2015 (to take effect from 19 October 2015)	CJ167-10/15	Revocation of delegations to: <ul style="list-style-type: none"> • Senior Urban Planners (position numbers 00115, 00609, 00778, 00122, 00125) • Coordinator Planning Approvals (00112) • Coordinator Urban Design and Policy (00111) • Manager Planning Services (00108) • Director Planning and Community Development (00105).
District Planning Scheme No. 2 – Determine Future	6 October 2015	CJ167-10/15	Revocation of delegation to Manager Planning Services.

Amendments			
Delegation	Date Approved	Resolution / TRIM Number	Amendment
Applications for Renewal of Home Business	(to take effect from 19 October 2015)		
District Planning Scheme No. 2 – Delegations – General	6 October 2015 (to take effect from 19 October 2015)	CJ167-10/15	Delegation to Chief Executive Officer in accordance with clause 82 of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .
District Planning Scheme No. 2 – Determine Future Applications for Renewal of Home Business	6 October 2015 (to take effect from 19 October 2015)	CJ167-10/15	Delegation to Chief Executive Officer in accordance with clause 82 of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .
District Planning Scheme No. 2 – Delegations – General	19 October 2015	INT15/36323	Sub-delegation from Chief Executive Officer to: <ul style="list-style-type: none"> • Senior Urban Planners (position numbers 00115, 00609, 00778, 00122, 00125) • Coordinator Planning Approvals (00112, 01313) • Coordinator Urban Design and Policy (00111) • Manager Planning Services (00108) • Director Planning and Community Development (00105).
District Planning Scheme No. 2 – Determine Future Applications for Renewal of Home Business	19 October 2015	INT15/36323	Sub-delegation from Chief Executive Officer to: <ul style="list-style-type: none"> • Senior Urban Planners (position numbers 00115, 00609, 00778, 00122, 00125) • Coordinator Planning Approvals (00112, 01313) • Coordinator Urban Design and Policy (00111) • Manager Planning Services (00108) • Director Planning and Community Development (00105).
Clause 85 of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> – Determine development	Effective from 15 December 2015	CJ206-12/15	New delegation.

Amendments			
Delegation	Date Approved	Resolution / TRIM Number	Amendment
applications for 'Display Homes' on Lots 2004-2008, 2010-2012, 2017-2020, and 2022-2024 Venice Entrance, Iluka.			
Clause 85 of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> – Determine development applications for 'Display Homes' on Lots 2004-2008, 2010-2012, 2017-2020, and 2022-2024 Venice Entrance, Iluka.	8 January 2016	INT16/1626	Sub-delegation from Acting Chief Executive Officer to: <ul style="list-style-type: none"> • Director Planning and Community Development (00105) • Manager Planning Services (00108).
Payments from Municipal Fund – Incurring Liabilities and Making Payments	2/2/2016	EMI16/1160 INT16/3378	Executive Officer title changed and increase in Delegation limit from \$25,000 to \$250,000.
<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> – Determine Development Applications for 'Unlisted Use (Bicycle Hire)'	20 September 2016	CJ135-09/16 INT16/36170	Delegate function to Chief Executive Officer to determine development applications for 'Unlisted Use (Bicycle Hire)'
<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> – Determine Development Applications for 'Unlisted Use (Bicycle Hire)'	21 September 2016	INT16/36191	CEO sub-delegates function to Director Planning and Community Development and Manager Planning Services to determine development applications for 'Unlisted Use (Bicycle Hire)'
Accepting Tenders – Refurbishment of Sorrento Football (Soccer) Clubrooms	18 October 2016	CJ177-10/16	New delegation to accept tenders for the Sorrento Football (Soccer) Clubrooms refurbishment project subject to the price of tenders not exceeding \$583,000.
Accepting Tenders – Refurbishment of Sorrento Tennis Clubrooms	18 October 2016	CJ177-10/16	New delegation to accept tenders for the Sorrento Tennis Clubrooms refurbishment project subject to the price of tenders not exceeding \$532,000.

Amendments			
Delegation	Date Approved	Resolution / TRIM Number	Amendment
<i>Building Act 2011</i> – Building and Demolition permit applications, building approval certificates, certificates of building compliance, construction compliance and design compliance	31 October 2016	EMI16/10097	Removal of position number 00149 as the position was re-classified from 'Building Surveyor' to "Planning/Building Officer" and is unable to undertake the delegated duties of a Building Surveyor.
Payments from Municipal Fund – Incurring Liabilities and Making Payments	6 December 2016	EMI16/11313	Re-titling of position from 'Waste and Recycle Policy Coordinator' to "Waste Design and Contract Officer".
Health Act 1911 – Appointment of Deputy	21 February 2017	CJ012-02/17	Deletion of delegation in accordance with legislative changes to the <i>Health Act 1911</i> .
Public Health Act 2016 – Functions of an Enforcement Agency	21 February 2017	CJ012-02/17	New delegation in accordance with <i>Public Health Act 2016</i> .
Payments from Municipal Fund – Incurring Liabilities and Making Payments	2 May 2017	EMI17/4516	Changes to titles of various positions within Infrastructure Management Services.
Payments from Municipal Fund – Incurring Liabilities and Making Payments	2 May 2017		Change to title of position from 'Executive Project Officer' to "Senior Projects Officer".
Authority to determine development applications for 'Display Homes' on Lots 2004 – 2008, 2010 – 2012, 2017 – 2020, and 2022 – 2024 Venice Entrance, Iluka	27 June 2017	CJ091-06/17	Extended delegation for a further 2 years ending from 28 June 2017
The authority to approve, grant or modify building demolition permit applications, building approval certificates, certificates of building compliance, construction compliance and design compliance in accordance	27 June 2017	CJ091-06/17	Change of delegation to the Building Surveyor (position number 00150)

Amendments			
Delegation	Date Approved	Resolution / TRIM Number	Amendment
with the conditions associated with a Level 2 Building Surveyor			
Various	9 August 2017	Primary Returns List 7 August 2017	Change of various position titles.
Payments from Municipal Fund – Incurring Liabilities and Making Payments	14 August 2017	INT17/40500	Reclassify Waste Services Coordinator (00762) from Category D to Category C (\$250,000 limit).
Payments from Municipal Fund – Incurring Liabilities and Making Payments	September/November 2017	EMI17/9582	Amended various titles and position numbers resulting from CLC restructure.
Authorising Payments from Trust Fund	September/November 2017	EMI17/9582	Amended various titles and position numbers resulting from CLC restructure.
Appointment of Authorised Persons	January 2018	INT18/56	MLCS delegated authority to appoint SLSC members as authorised persons to patrol and close beaches.
Payments from Municipal Fund – Incurring Liabilities and Making Payments	February 2018	INT18/5995	New role created – Acting Verge Coordinator and authorised to expend funds up to \$5,000 (Category E). Also added additional Senior Ranger (00219) to Category E.
Infringements – Extension of Time to Pay and Withdrawal of Notices	April 2018	INT18/15225	New delegation arising from change to sections 9.19 and 9.20 of the <i>Local Government Act 1995</i> .
Amendments to the Parking Schemes	16 August 2018	INT18/33324	Sub-delegated to Director Corporate Services.
Payments from Municipal Fund – Incurring Liabilities and Making Payments	September 2018	Primary Returns list 10 September 2018	Add Project Engineer (01405) to approval category D (\$25,000).
Choice of Tender – Works Operations Centre	11 December 2018	CJ228-12/18	New delegation.
Choice of Tender – Smart Monitoring and Management – Yellagonga Wetlands Project	11 December 2018	CJ219-12/18	New delegation.
Payments from Municipal Fund – Incurring Liabilities and Making Payments	25 January 2019	EMI19/685 EMI19/686	Amend category of Senior Projects Officer (00937) from \$25,000 to \$250,000; AND

Amendments			
Delegation	Date Approved	Resolution / TRIM Number	Amendment
			Add Senior Projects Officer (00005) to Category D (\$25,000).
Payments from Municipal Fund – Incurring Liabilities and Making Payments	9 May 2019	INT19/22398	Change title of Business Performance Analyst (1200) to Special Projects Officer, Analytics (1200)