



City of Joondalup  
REGISTER OF DELEGATION OF AUTHORITY

CJ118-05/24

## REVIEW

<b>Reviewed by</b>	<b>Date approved</b>	<b>References</b>
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## INTRODUCTION

### Register of Delegation of Authority

The Delegations of Authority contained within 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 delegated by the Chief Executive Officer to City of Joondalup employees pursuant to Section 5.44 of the Act. All delegations made by the Council must be by an **absolute majority** decision.

Section 5.43 of 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 of the Council.
- Accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph.
- Appointing an auditor.
- Acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph.
- Any of the local government's powers under sections 5.98, 5.98A, 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 register 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 register will be reviewed in accordance with the Act on an annual basis.

## DELEGATIONS

## PART 1. LOCAL GOVERNMENT ACT 1995

## 1.1 COUNCIL TO CEO

<b>Delegation</b>	<b>1.1.1 ACTIVITIES ON PRIVATE LAND</b>
<b>Head of power</b>	PART 1. LOCAL GOVERNMENT ACT 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s. 3.27 Particular things local governments can do on land that is not local government property.
<b>Function</b>	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.
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	Limited to those activities as listed in Schedule 3.2 of the <i>Local Government Act 1995</i> .
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	24 June 2014
<b>Adoption references</b>	CJ091-06/14
<b>Last reviewed</b>	28 May 2024



<b>Delegation</b>	<b>1.1.2 ADMINISTER THE CITY'S LOCAL LAWS</b>
<b>Head of power</b>	PART 1. LOCAL GOVERNMENT ACT 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO. s.5.43 Limitations on delegations to the CEO.
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.3.18 Performing Executive Functions
<b>Function</b>	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.
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	Nil
<b>Statutory framework</b>	<i>Animals Local Law 1999</i> <i>Fencing Local Law 2014</i> <i>Health Local Law 1999</i> <i>Local Government and Public Property Local Law 2014</i> <i>Meeting Procedures Local Law 2013</i> <i>Parking Local Law 2013</i> <i>Pest Plant Local Law 2012</i> <i>Waste Local Law 2017</i>
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	19 October 2010
<b>Adoption references</b>	CJ175-10/10
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>1.1.3 AGREEMENT FOR PAYMENT OF RATES AND SERVICE CHARGES</b>
<b>Head of power</b>	PART 1. LOCAL GOVERNMENT ACT 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO. s.5.43 Limitations on delegations to the CEO.
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.6.49 Agreement as to payment of rates and service charges.
<b>Function</b>	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.
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	Nil.
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees.
<b>Subdelegates</b>	Coordinator Rating Services (00079) Director Corporate Services (00063) Manager Financial Services (00075)
<b>Subdelegate conditions</b>	Nil.
<b>Policy</b>	<a href="#">Payments of Rates and Charges Policy.</a> <a href="#">Rates Hardship Policy.</a>
<b>Date adopted</b>	25 June 2019
<b>Adoption references</b>	CJ078-06/19
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>1.1.4 AMENDMENT TO THE RATE RECORD</b>
<b>Category</b>	PART 1 – DELEGATIONS UNDER THE LOCAL GOVERNMENT ACT 1995
<b>Head of power</b>	PART 1. LOCAL GOVERNMENT ACT 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO. s.5.43 Limitations on delegations to the CEO.
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s. 6.39(2)(b) Rate record.
<b>Function</b>	Authority to amend the rate record for the five years preceding the current financial year.
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	Nil.
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees.
<b>Subdelegates</b>	Coordinator Rating Services (00079) Director Corporate Services (00063) Manager Financial Services (00075)
<b>Subdelegate conditions</b>	Nil.
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	25 June 2019
<b>Adoption references</b>	CJ078-06/19
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>1.1.5 CHOICE OF ACCEPTABLE TENDERS FROM AN EXPRESSION OF INTEREST</b>
<b>Head of power</b>	PART 1. LOCAL GOVERNMENT ACT 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO. s.5.43 Limitations on delegations to the CEO.
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services  <i>Local Government (Functions and General) Regulations 1996:</i> r.21(3) Limiting who can tender, procedure for r.23 Rejecting and accepting expressions of interest to be acceptable tenderer
<b>Function</b>	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.
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	Nil.
<b>Subdelegate conditions</b>	Nil.
<b>Policy</b>	<a href="#">Purchasing Policy</a> .
<b>Date adopted</b>	18 August 1998
<b>Adoption references</b>	CJ60-08/98
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>1.1.6 CHOICE OF TENDER</b>
<b>Head of power</b>	PART 1. LOCAL GOVERNMENT ACT 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO. s.5.43 Limitations on delegations to the CEO.
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services.  <i>Local Government (Functions and General) Regulations 1996:</i> r.18(2), (4), (4a), (5), (6) and (7) Rejecting and accepting tenders.
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to decide which tender to accept.</li> <li>2. Authority to decline to accept any tender.</li> </ol>
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	Authority to accept tenders valued up to \$500,000 (excluding GST).
<b>Policy</b>	<a href="#">Purchasing Policy</a> .
<b>Date adopted</b>	21 November 2006
<b>Adoption references</b>	CJ208-11/06
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>1.1.7 CLOSING CERTAIN THOROUGHFARE TO VEHICLES</b>
<b>Head of power</b>	PART 1. LOCAL GOVERNMENT ACT 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO. s.5.43 Limitations on delegations to the CEO.
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.3.50 Closing certain thoroughfares to vehicles. s.3.50A Partial closure of thoroughfare for repairs or maintenance. s.3.51 Affected owners to be notified of certain proposals.
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles for a period not exceeding 4 weeks [s.3.50(1)].</li> <li>2. Authority to determine to close a thoroughfare for a period exceeding 4 weeks and before doing so, to: <ul style="list-style-type: none"> <li>• give, public notice, written notice to the Commissioner of Main Roads and written notice to prescribed persons and persons that own prescribed land; and</li> <li>• consider submissions relevant to the road closure/s proposed [s.3.50 (1a), (2) and (4)].</li> </ul> </li> <li>3. Authority to revoke an order to close a thoroughfare [s.3.50 (6)].</li> <li>4. Authority to partially and temporarily close a thoroughfare without public notice for repairs or maintenance, where it is unlikely to have significant adverse effect on users of the thoroughfare [s.3.50A]</li> <li>5. Before doing anything to which section 3.51 applies, take action to notify affected owners and give public notice that allows reasonable time for submissions to be made and consider any submissions made before determining to fix or alter the level or alignment of a thoroughfare or draining water from a thoroughfare to private land [s.3.51].</li> </ol>
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	<ol style="list-style-type: none"> <li>1. If, under s.3.50(1), a thoroughfare is closed without giving local public notice, local public notice is to be given as soon as practicable after the thoroughfare is closed [s.3.50(8)].</li> <li>2. Maintain access to adjoining land [s.3.52(3)].</li> </ol>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees.
<b>Subdelegates</b>	Director Infrastructure Services (00184) Manager Engineering Services (00186)
<b>Subdelegate conditions</b>	Nil.
<b>Policy</b>	Not applicable.

<b>Date adopted</b>	21 November 2006
<b>Adoption references</b>	CJ208-11/06
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>1.1.8 COMPLAINTS - MODEL CODE OF CONDUCT</b>
<b>Head of power</b>	PART 1. LOCAL GOVERNMENT ACT 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO. s.5.43 Limitations on delegations to the CEO.
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s. 5.104 Adoption of model code of conduct.  <i>Local Government (Model Code of Conduct) Regulations 2021:</i> Clause 12 Dealing with a complaint. Clause 13 Dismissal of complaint.
<b>Function</b>	Authority to:  1 deal with a complaint; 2 dismiss a complaint; and 3 establish procedures for dealing with complaints;  under clauses 12, 13 and 15(2) of Schedule 1 of the <i>Local Government (Model Code of Conduct) Regulations 2021</i> .
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	Authority includes the relevant powers and duties within the same clauses specified in the <i>Code of Conduct for the Council Members, Committee Members and Candidates</i> adopted by Council in accordance with section 5.104(1) of the <i>Local Government Act 1995</i> .
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees.
<b>Subdelegates</b>	Director Governance and Strategy (00648) General Counsel (00640) Integrity Officer (01580) Manager Governance (00010)
<b>Subdelegate conditions</b>	1. Authority includes the relevant powers and duties within the same clauses specified in the <i>Code of Conduct for the Council Members, Committee Members and Candidates</i> adopted by Council in accordance with section 5.104(1) of the <i>Local Government Act 1995</i> .  2. Authority only extends to complaints lodged by the Chief Executive Officer.
<b>Policy</b>	<a href="#">Complaints Investigation Policy</a> .
<b>Date adopted</b>	18 May 2021
<b>Adoption references</b>	CJ071-05/21



<b>Last reviewed</b>	28 May 2024
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<b>Delegation</b>	<b>1.1.9 DISPOSING OF PROPERTY</b>
<b>Head of power</b>	PART 1. LOCAL GOVERNMENT ACT 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO. s.5.43 Limitations on delegations to the CEO.
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.3.58(2) & (3) Disposing of Property.
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to dispose of property to: <ol style="list-style-type: none"> <li>a. the highest bidder at public auction [s.3.58(2)(a)].</li> <li>b. the person who at public tender called by the local government makes what is considered by the delegate to be, the most acceptable tender, whether or not it is the highest tender [s.3.58(2)(b)].</li> </ol> </li> <li>2. Authority to dispose of property by private treaty only in accordance with section 3.58 (3) and prior to the disposal, to consider any submissions received following the giving of public notice [s.3.58(3)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. In accordance with s. 5.43, disposal of property for any single project, or where not part of a project but part of a single transaction, is limited to a maximum value of \$500,000 or less.</li> <li>b. When determining the method of disposal: <ul style="list-style-type: none"> <li>• Where a public auction is determined as the method of disposal: <ul style="list-style-type: none"> <li>◦ Reserve price has been set by independent valuation.</li> <li>◦ Where the reserve price is not achieved at auction, negotiation may be undertaken to achieve the sale at up to a 10% variation on the set reserve price.</li> </ul> </li> <li>• Where a public tender is determined as the method of disposal and the tender does not achieve a reasonable price for the disposal of the property, then the CEO is to determine if better value could be achieved through another disposal method and if so, must determine not to accept any tender and use an alternative disposal method.</li> <li>• Where a private treaty is determined [s.3.58(3)] as the method of disposal, authority to: <ul style="list-style-type: none"> <li>◦ Negotiate the sale of the property up to a 10% variance on the valuation; and</li> <li>◦ Consider any public submissions received and determine if to proceed with the disposal, ensuring reasons for the decision are recorded.</li> </ul> </li> </ul> </li> </ol> <p>Following the disposal of City property, the detail of the disposal is to be reported to a relevant Committee of the Council for its information.</p>
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	21 November 2006
<b>Adoption references</b>	CJ208-11/06

<b>Last reviewed</b>	28 May 2024
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<b>Delegation</b>	<b>1.1.10 ACQUISITION OF INTEREST IN LAND BY LEASE OR OTHER SHORT TERM INSTRUMENT</b>
<b>Head of power</b>	PART 1. LOCAL GOVERNMENT ACT 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO. s.5.43 Limitations on delegations to the CEO.
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s. 3.59. Commercial enterprises by local governments. s. 9.49A. Execution of documents. s. 6.2 Local government to prepare annual budget.  <i>Local Government (Functions and General) Regulations 1995:</i> r. 8A Amount prescribed for major land transactions; exempt land transactions prescribed (Act s. 3.59). r. 8. Exempt land transactions prescribed (Act s. 3.59).
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to acquire an interest in land (includes buildings), by lease or other short term instrument ONLY, where the total value of the consideration and anything done by the City is less than the threshold amount for a major land transaction [s.3.59(1), r.8A(1)].</li> <li>2. Authority to acquire an interest in land by lease or other short term instrument ONLY through an exempt land transaction [s.3.59(1), r8(1)]: <ol style="list-style-type: none"> <li>a. Without intending to produce a profit to the Local Government; and</li> <li>b. Without intending that another person will be sold, or given joint or exclusive use of, all or any of the land involved in the transaction.</li> </ol> </li> </ol>
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Delegation excludes authority to purchase in fee simple land or buildings and is therefore limited to leases, rental or other short term acquisition instruments that do not commit the Local Government for a period greater than five years.</li> <li>b. In accordance with s.5.43, this delegation is limited to acquisitions that have a total consideration value of \$500,000 or less.</li> <li>c. Documents that give effect to an acquisition under this delegation, must be executed by a person duly authorised under s. 9.49A.</li> </ol>
<b>Express power to subdelegate</b>	Nil.
<b>Subdelegate conditions</b>	Nil.
<b>Statutory framework</b>	<i>Residential Tenancy Act 1987.</i> <i>Commercial Tenancy (Retail Shops) Agreements Act 1985.</i>
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	28 June 2022

<b>Adoption references</b>	CJ092-06/22
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>1.1.11 POWER OF ENTRY</b>
<b>Head of power</b>	PART 1. LOCAL GOVERNMENT ACT 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO. s.5.43 Limitations on delegations to the CEO.
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s. 3.28 When this Subdivision applies. s. 3.32 Notice of entry. s. 3.33 Entry under warrant. s. 3.34 Entry in emergency. s.3.36 Opening fences.
<b>Function</b>	Authority to lawfully enter any land, premises or thing immediately and without notice and perform any functions as is considered appropriate.
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	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: <ul style="list-style-type: none"> <li>a. injury or illness to any person</li> <li>b. a natural or other disaster or emergency</li> <li>or</li> <li>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>.</li> </ul> <p>Delegation under section 3.36 is limited to those activities that expressly states such authority under Schedule 3.2 of the <i>Local Government Act 1995</i>.</p>
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	25 June 2019
<b>Adoption references</b>	CJ078-06/19
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>1.1.12 ESTABLISHING PANELS OF PRE-QUALIFIED SUPPLIERS</b>
<b>Head of power</b>	PART 1. LOCAL GOVERNMENT ACT 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO. s.5.43 Limitations on delegations to the CEO.
<b>Express power or duty delegated</b>	<i>Local Government (Functions and General) Regulation 1996:</i> r.24AB Local government may establish panels of pre-qualified suppliers. r.24AH Rejecting and accepting applications to join panel of pre-qualified suppliers. r.24AJ Contract with pre-qualified suppliers.
<b>Function</b>	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.
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	Authority extends to the supply of goods/services valued up to \$500,000.
<b>Policy</b>	<a href="#">Purchasing Policy</a> .
<b>Date adopted</b>	28 June 2016
<b>Adoption references</b>	CJ091-06/16
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>1.1.13 EXTENSION OF EXISTING CONTRACTS</b>
<b>Head of power</b>	PART 1. LOCAL GOVERNMENT ACT 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO. s.5.43 Limitations on delegations to the CEO.
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services.
<b>Function</b>	Authority to approve any contract extensions on tenders approved by the Council.
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	Authority subject to:  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 and Risk Committee on a six monthly basis on the exercise of this delegation.
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees.
<b>Subdelegates</b>	Director Corporate Services (00063)
<b>Subdelegate conditions</b>	Only in the event when the Chief Executive Officer declares a conflict of interest in extending a contract.
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	1 November 2005
<b>Adoption references</b>	CJ231-11/05
<b>Last reviewed</b>	28 May 2024



<b>Delegation</b>	<b>1.1.14 OBJECTION TO THE RATE RECORD</b>
<b>Head of power</b>	PART 1. LOCAL GOVERNMENT ACT 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO. s.5.43 Limitations on delegations to the CEO.
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.6.76 Grounds of objection.
<b>Function</b>	Authority to: <ul style="list-style-type: none"> <li>• consider any objection to the rate record and either disallow it or allow it, wholly or in part;</li> <li>• extend the time for making an objection to the rate record for such period as is deemed fit.</li> </ul>
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	Nil.
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees.
<b>Subdelegates</b>	Coordinator Rating Services (00079) Director Corporate Services (00063) Manager Financial Services (00075)
<b>Subdelegate conditions</b>	Nil.
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	21 November 2006
<b>Adoption references</b>	CJ208-11/06
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>1.1.15 PAYMENTS FROM MUNICIPAL FUND - INCURRING LIABILITIES AND MAKING PAYMENTS</b>
<b>Head of power</b>	PART 1. LOCAL GOVERNMENT ACT 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO. s.5.43 Limitations on delegations to the CEO.
<b>Express power or duty delegated</b>	<i>Local Government (Financial Management) Regulations 1996:</i> r. 5 CEO's duties as to financial management. r. 11 Payments, procedures for making. r. 12 Payments from municipal fund or trust fund, restrictions on making.
<b>Function</b>	Authority to incur liabilities and make payments from the municipal fund.
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	<ol style="list-style-type: none"> <li>1. Authority subject to funds being provided in the Annual Budget.</li> <li>2. Authority to Chief Executive Officer is unlimited.</li> <li>3. Incurring liabilities and making payments to be undertaken in accordance with the City's procedures and systems for incurring liabilities and making payments.</li> <li>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, BB, C, D, DD, E, EE and F as follows: <ol style="list-style-type: none"> <li>i. Category A – unlimited individual amounts subject to annual budget limitations.</li> <li>ii. Category B – limited to \$2 million. (\$2.2 million including GST).</li> <li>iii. Category BB – limited to \$500,000. (\$550,000 including GST).</li> <li>iv. Category C – limited to \$250,000. (\$275,000 including GST).</li> <li>v. Category D – limited to \$100,000. (\$110,000 including GST).</li> <li>vi. Category DD – limited to \$50,000. (\$55,000 including GST).</li> <li>vii. Category E – limited to \$25,000. (\$27,500 including GST).</li> <li>viii. Category EE – limited to \$10,000. (\$11,000 including GST).</li> <li>ix. Category F – limited to \$5,000. (\$5,500 including GST).</li> </ol> </li> </ol>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees.
<b>Subdelegates</b>	Administration Officer Leisure and Cultural Services (00160) Branch Librarian - Duncraig (00521) Branch Librarian - Joondalup (00519) Branch Librarian - Whitford (00520)

Branch Librarian - Woodvale (00522)  
 Collection Management Team Leader (00528)  
 Contracts and Finance Officer (00906)  
 Coordinator Building Approvals (00113)  
 Coordinator Building Design and Construction (00195)  
 Coordinator Building Maintenance (00228)  
 Coordinator Business Support (01656)  
 Coordinator Business Systems (00095)  
 Coordinator Civil Design and Construction (01119)  
 Coordinator Community and Youth Development (01617)  
 Coordinator Community Safety Systems and Compliance (00948)  
 Coordinator Compliance and Regulatory Performance (01094)  
 Coordinator Contract Administration and Purchasing Services (00068)  
 Coordinator Craigie Leisure Centre (00612)  
 Coordinator Cultural Services (00166)  
 Coordinator Economic Development (01342)  
 Coordinator Engineering Operations (00227)  
 Coordinator Field Services (00607)  
 Coordinator Fleet Management and Mechanic Workshop (00069)  
 Coordinator Infrastructure Asset Management (00205)  
 Coordinator IT Infrastructure (00770)  
 Coordinator Joondalup Libraries (01653)  
 Coordinator Landscape Design Services (01120)  
 Coordinator Leisure Planning (00849)  
 Coordinator Natural Environment (00506)  
 Coordinator Organisational Development (00789)  
 Coordinator Park Services (00806)  
 Coordinator Property Management (00497)  
 Coordinator Rating Services (00079)  
 Coordinator Recreation Services (00611)  
 Coordinator Transport Engineering (00203)  
 Coordinator Urban Design and Policy (00111)  
 Coordinator Waste Services (00762)  
 Customer Experience Lead (01545)  
 Director Corporate Services (00063)  
 Director Governance and Strategy (00648)  
 Director Infrastructure Services (00184)  
 Director Planning and Community Development (00105)  
 Economic Development Support Officer (01525)  
 Environmental Development Coordinator (00783)  
 Executive Assistant to the Mayor (00003)  
 Executive Officer (00002)  
 Finance Analyst - Casual (01749)  
 Finance Analyst (01660)  
 General Counsel (00640)  
 Governance Coordinator (00011)  
 Grants and Awards Officer (00051)  
 Inventory Controller (00945)  
 Library Systems and Administration Officer (00514)  
 Local History and Reference Team Leader (00526)  
 Manager Asset Management (00065)  
 Manager Audit, Risk and Executive Services (01193)  
 Manager City Projects (00859)  
 Manager Communications and Stakeholder Relations (01162)  
 Manager Community Development and Library Services (00390)  
 Manager Community Safety (00912)  
 Manager Economic Development and Advocacy (00502)  
 Manager Engineering Services (00186)  
 Manager Financial Services (00075)  
 Manager Governance (00010)

	<p> Manager Human Resource (00054)  Manager Information Technology (00094)  Manager Leisure and Cultural Services (00159)  Manager Parks and Natural Environment (00220)  Manager Planning Services (00108)  Manager Regulatory Services (01093)  Manager Strategic and Organisational Development (00503)  Manager Waste Services (01684)  Network and Systems Analyst (00800)  Principal Electrical Projects Engineer (01244)  Principal Electrical Projects Engineer (01390)  Principal Environmental Health Officer (00114)  Principal Landscape Architect (00211)  Principal Landscape Architect (00883)  Principal Projects Officer Landscaping (00224)  Road Network Engineer (01405)  Senior Civil Projects Officer (00208)  Senior Development Engineer (00490)  Senior Financial Accountant (00078)  Senior Management Accountant (00083)  Senior Project Engineer (00210)  Senior Projects Development Officer (00937)  Senior Projects Officer (00005)  Senior Projects Officer (01154)  Senior Projects Officer Casual (01563)  Senior Team Leader Customer Care (00027)  Service Desk Team Leader (00101)  Strategic Planning and Engagement Coordinator (00843)  Systems Accountant (01692)  Systems Administrator (01436)  Team Leader Aquatic and Facility Operations (01435)  Team Leader Community Development (01224)  Team Leader Community Venues (00173)  Team Leader Events (00168)  Team Leader Health and Fitness (01433)  Team Leader Leisure and Aquatic Programs (01434)  Team Leader Library Program and Events (01652)  Team Leader Marketing and Customer Experience (01432)  Team Leader Sport and Recreation (00172)  Team Leader Youth Development (00182)  Visual Arts Officer (00167)  Waste Design and Contract Officer (00197) </p>
<b>Subdelegate conditions</b>	<p> <b>Category A</b>  • Director Corporate Services (00063). </p> <p> <b>Category B</b>  • Manager City Projects (00859).  • Director Infrastructure Services (00184).  • Director Planning and Community Development (00105).  • Director Governance and Strategy (00648).  • Manager Waste Services (01684). </p> <p> <b>Category BB</b> </p> <p> <b>Category C</b>  • Manager Financial Services (00075).  • Manager Information Technology (00094).  • Manager Engineering Services (00186).  • Manager Parks and Natural Environment (00220). </p>

- Manager Asset Management (00065).
- Manager Community Safety (00912).
- Manager Leisure and Cultural Services (00159).
- Manager Community Development and Library Services (00390).
- Manager Engineering Services (00186).
- Coordinator Engineering Operations (00227).
- Coordinator Park Services (00806).
- Coordinator Landscape Design Services (01120).
- Coordinator Civil Design and Construction (01119).
- Coordinator Waste Services (00762).

#### **Category D**

- Manager Audit, Risk and Executive Services (01193).
- Coordinator Building Design and Construction (00195).
- Coordinator Building Maintenance (00228).
- Principal Landscape Architect (00211).
- Principal Landscape Architect (00883).
- Principal Project Officer Landscaping (00224).
- Coordinator Fleet Management and Mechanic Workshop (00069).
- Senior Development Engineer (00490).
- Senior Projects Development Officer (00937).
- Senior Projects Officer Casual (01563).
- Principal Electrical Projects Engineer (01244, 01390).
- Finance Analyst (01660).
- Finance Analyst Casual (01749).
- General Counsel (00640).
- Coordinator Natural Environment (00506).
- Manager Human Resources (00054).
- Senior Projects Officer (00005).

#### **Category DD**

#### **Category E**

- Manager Strategic and Organisational Development (00503).
- Manager Governance (00010).
- Manager Planning Services (00108).
- Manager Regulatory Services (01093).
- Coordinator Business Systems (00095).
- Coordinator IT Infrastructure (00770).
- Team Leader Library Program and Events (01652).
- Coordinator Joondalup Libraries (01653).
- Coordinator Field Services (00607).
- Coordinator Transport Engineering (00203).
- Coordinator Infrastructure Asset Management (00205).
- Waste Design and Contract Officer (00197).
- Coordinator Community and Youth Development (01617).
- Coordinator Craigie Leisure Centre (00612).
- Coordinator Recreation Services (00611).
- Coordinator Cultural Services (00166).
- Coordinator Urban Design and Policy (00111).
- Principal Environmental Health Officer (00114).
- Team Leader Events (00168).
- Coordinator Property Management (00497).
- Manager Communications and Stakeholder Relations (01162).
- Senior Projects Officer (01154).
- Senior Civil Projects Officer (00208).
- Senior Project Engineer (00210).
- Coordinator Leisure Planning (00849).
- Network Asset Engineer Roads (01405).
- Inventory Controller (00945).

	<ul style="list-style-type: none"> <li>• Manager Economic Development and Advocacy (00502).</li> <li>• Customer Experience Lead (01545).</li> <li>• Contracts and Finance Officer (00906).</li> <li>• Executive Officer (00002).</li> <li>• Coordinator Business Support (01656).</li> <li>• Visual Arts Officer (00167).</li> <li>• Coordinator Safety Systems and Compliance (00948).</li> </ul> <p><b>Category EE</b></p> <p><b>Category F</b></p> <ul style="list-style-type: none"> <li>• Executive Assistant to the Mayor (00003).</li> <li>• Senior Financial Accountant (00078).</li> <li>• Senior Management Accountant (00083).</li> <li>• Coordinator Rating Services (00079).</li> <li>• Coordinator Contract Administration and Purchasing Services (00068).</li> <li>• Service Desk Team Leader (00101).</li> <li>• Administration Officer Leisure and Cultural Services (00160).</li> <li>• Coordinator Building Approvals (00113).</li> <li>• Branch Librarian – Joondalup (00519).</li> <li>• Branch Librarian – Whitford (00520).</li> <li>• Branch Librarian – Woodvale (00522).</li> <li>• Branch Librarian – Duncraig (00521).</li> <li>• Local History and Reference Team Leader (00526).</li> <li>• Collection Management Team Leader (00528).</li> <li>• Team Leader Youth Development (00182).</li> <li>• Team Leader Community Development (01224).</li> <li>• Team Leader Marketing and Customer Experience (01432)</li> <li>• Team Leader Leisure and Aquatic Programs (01434).</li> <li>• Team Leader Aquatic and Facility Operations (01435).</li> <li>• Systems Administrator (01436).</li> <li>• Team Leader Health and Fitness (01433).</li> <li>• Coordinator Organisational Development (00789).</li> <li>• Strategic Policy Development Coordinator (00843).</li> <li>• Environmental Development Coordinator (00783).</li> <li>• Team Leader – Community Venues (00173).</li> <li>• Team Leader Sport and Recreation (00172).</li> <li>• Economic Development Support Officer (01525).</li> <li>• Coordinator Compliance and Regulatory Performance (01094).</li> <li>• Library Systems and Administration Officer (00514).</li> <li>• Senior Team Leader Customer Care (00027).</li> <li>• Systems Accountant (01692).</li> <li>• Coordinator Economic Development (01342).</li> <li>• Network and Systems Analyst (00800).</li> <li>• Governance Coordinator (00011).</li> <li>• Grants and Awards Officer (00051).</li> </ul>
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	21 November 2006
<b>Adoption references</b>	CJ208-11/06
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>1.1.16 AUTHORISING PAYMENT FROM THE TRUST FUND</b>
<b>Head of power</b>	PART 1. LOCAL GOVERNMENT ACT 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO. s.5.43 Limitations on delegations to the CEO.
<b>Express power or duty delegated</b>	<i>Local Government (Financial Management) Regulations 1996:</i> r. 5 CEO's duties as to financial management. r. 11 Payments, procedures for making. r. 12 Payments from municipal fund or trust fund, restrictions on making.
<b>Function</b>	Authority to make payments from the Trust Fund.
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	Making payments to be undertaken in accordance with the City's procedures and systems for making payments from the trust fund.
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees.
<b>Subdelegates</b>	Director Corporate Services (00063) Director Governance and Strategy (00648) Director Infrastructure Services (00184) Director Planning and Community Development (00105) Manager Asset Management (00065) Manager Engineering Services (00186) Manager Financial Services (00075) Manager Governance (00010) Manager Leisure and Cultural Services (00159) Manager Parks and Natural Environment (00220) Manager Regulatory Services (01093) Manager Waste Services (01684)
<b>Subdelegate conditions</b>	Nil.
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	23 June 2015
<b>Adoption references</b>	CJ095-06/15
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>1.1.17 PAYMENTS FROM MUNICIPAL FUND AND TRUST FUND - SIGNATORIES TO BANK ACCOUNTS</b>
<b>Head of power</b>	PART 1. LOCAL GOVERNMENT ACT 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO. s.5.43 Limitations on delegations to the CEO.
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s. 6.7 Municipal fund. s. 6.9 Trust fund.  <i>Local Government (Financial Management) Regulations 1996:</i> r. 5 CEO's duties as to financial management. r. 11 Payments, procedures for making. r. 12 Payments from municipal fund or trust fund, restrictions on making.
<b>Function</b>	Authority to make payments from the Municipal Fund or the Trust Fund.
<b>Delegates</b>	Chief Executive Officer (00001)



<b>Conditions</b>	<p>Authority is subject to payments being made strictly in accordance with the signatory requirements set out in the following:</p> <p><b>Cheque Payments (only)</b></p> <ul style="list-style-type: none"> <li>• Payments up to \$10,000 - Any one Category A or Category B signatory.</li> <li>• Payments of \$10,001 and over to payments up to \$250,000 - Any two Category A or Category B signatories.</li> <li>• Payments of \$250,001 and over - Any 1 of Category A and 1 of Category B signatories; or any 2 Category A signatories.</li> </ul> <p><b>Electronic Funds Transfer (EFT) Payments (only)</b></p> <ul style="list-style-type: none"> <li>• Payments up to \$10,000 – Any 2 Category A or Category B Signatories; or Any 1 of Category A or Category B signatories and Any 1 of Category C signatories.</li> <li>• Payments of \$10,001 and over to payments up to \$250,000 – Any two Category A or Category B signatories.</li> <li>• Payments of \$250,001 and over – Any 1 Category A and 1 of Category B signatories; or any 2 Category A signatories.</li> </ul> <p><b>Category A Signatories</b>  Chief Executive Officer (00001).  Director Planning and Community Development (00105).  Director Corporate Services (00063).  Director Infrastructure Services (00184).  Director Governance and Strategy (00648).  Manager Financial Services (00075).</p> <p><b>Category B Signatories</b>  Senior Management Accountant (00083).  Senior Financial Accountant (00078).</p> <p><b>Category C Signatories</b>  Financial Accountant (00084)  Management Accountant (00087)</p>
<b>Express power to subdelegate</b>	<p><i>Local Government Act 1995:</i>  s.5.44 CEO may delegate some powers and duties to other employees.</p>
<b>Subdelegates</b>	<p>Director Corporate Services (00063)  Director Governance and Strategy (00648)  Director Infrastructure Services (00184)  Director Planning and Community Development (00105)  Financial Accountant (00084)  Management Accountant (00087)  Manager Financial Services (00075)  Senior Financial Accountant (00078)  Senior Management Accountant (00083)</p>
<b>Subdelegate conditions</b>	<p>Nil.</p>
<b>Policy</b>	<p>Not applicable.</p>
<b>Date adopted</b>	<p>21 November 2006</p>
<b>Adoption references</b>	<p>CJ208-11/06</p>

<b>Last reviewed</b>	28 May 2024
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<b>Delegation</b>	<b>1.1.18 POWER TO INVEST</b>
<b>Head of power</b>	PART 1. LOCAL GOVERNMENT ACT 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO. s.5.43 Limitations on delegations to the CEO.
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.6.14 Power to invest.
<b>Function</b>	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> .
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	Authority is unlimited.
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees.
<b>Subdelegates</b>	Director Corporate Services (00063) Manager Financial Services (00075) Senior Financial Accountant (00078) Senior Management Accountant (00083)
<b>Subdelegate conditions</b>	<b>Director Corporate Services (00063).</b> Unlimited  <b>Manager Financial Services (00075).</b> Up to \$4.5 million  <b>Senior Management Accountant (00083) and Senior Financial Accountant (00078).</b> Up to \$3 million
<b>Policy</b>	<a href="#"><i>Investment of Available Funds Policy.</i></a>
<b>Date adopted</b>	21 November 2006
<b>Adoption references</b>	CJ208-11/06
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>1.1.19 RECOVERY OF RATES AND SERVICE CHARGES</b>
<b>Head of power</b>	PART 1. LOCAL GOVERNMENT ACT 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO. s.5.43 Limitations on delegations to the CEO.
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.6.56 Rates or service charges recoverable in court. s. 6.64(3) Action to be taken.
<b>Function</b>	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.  Authority to lodge (and withdraw) a caveat to preclude dealings in respect of land where payment of rates or service charges imposed on that land is in arrears.
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	Nil.
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees.
<b>Subdelegates</b>	Coordinator Rating Services (00079) Director Corporate Services (00063) Manager Financial Services (00075)
<b>Subdelegate conditions</b>	<b>Authority in respect to section 6.56:</b>  Coordinator Rating Services (00079) Director Corporate Services (00063) Manager Financial Services (00075)  <b>Authority in respect to section 6.64(3):</b>  Director Corporate Services (00063)
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	25 June 2019
<b>Adoption references</b>	CJ078-06/19
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>1.1.20 RECOVERY OF RATES AND SERVICE CHARGES FROM LESSEE</b>
<b>Head of power</b>	PART 1. LOCAL GOVERNMENT ACT 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO. s.5.43 Limitations on delegations to the CEO. .
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.6.60 (2) and (4) Local government may require lessee to pay rent.
<b>Function</b>	Authority to: <ul style="list-style-type: none"> <li>• 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;</li> <li>• 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.</li> </ul>
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	Nil.
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees.
<b>Subdelegates</b>	Coordinator Rating Services (00079) Director Corporate Services (00063) Manager Financial Services (00075)
<b>Subdelegate conditions</b>	Nil.
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	25 June 2019
<b>Adoption references</b>	CJ078-06/19
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>1.1.21 PAYMENTS FROM MUNICIPAL FUND – INCURRING LIABILITIES AND MAKING PAYMENTS FOR COURT FEES IN RESPECT OF LODGEMENTS OF RATES CLAIMS (WA MAGISTRATES’ COURT)</b>
<b>Head of power</b>	PART 1. LOCAL GOVERNMENT ACT 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO. s.5.43 Limitations on delegations to the CEO.
<b>Express power or duty delegated</b>	<i>Local Government (Financial Management) Regulations 1996:</i> r. 5 CEO's duties as to financial management. r. 11 Payments, procedures for making. r. 12 Payments from municipal fund or trust fund, restrictions on making.
<b>Function</b>	Authority to incur liabilities and make payments from the municipal fund for court fees in respect of lodgements of rates claims only (WA Magistrates’ Court).
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	Making payments to be undertaken in accordance with the City’s procedures and systems for making payments from the municipal fund.
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees.
<b>Subdelegates</b>	Coordinator Rating Services (00079) Director Corporate Services (00063) Manager Financial Services (00075) Senior Management Accountant (00083)
<b>Subdelegate conditions</b>	<b>1. Director Corporate Services (00063) Payment limit over \$50,000 (excluding GST)</b>  <b>2. Manager Financial Services (00075) Payment limit over \$10,000 (excluding GST) up to \$50,000 (excluding GST).</b>  <b>3. Senior Management Accountant (00083) and Coordinator Rating Services (00079). Payment limit up to \$10,000 (excluding GST).</b>
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	28 June 2022
<b>Adoption references</b>	CJ092-06/22
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>1.1.22 SEEKING EXPRESSIONS OF INTEREST</b>
<b>Head of power</b>	PART 1. LOCAL GOVERNMENT ACT 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO. s.5.43 Limitations on delegations to the CEO.
<b>Express power or duty delegated</b>	<i>Local Government (Functions and General) Regulation 1996:</i> r.21 Limiting who can tender, procedure for.
<b>Function</b>	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.
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	Nil.
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees.
<b>Subdelegates</b>	Director Corporate Services (00063) Manager Financial Services (00075)
<b>Subdelegate conditions</b>	Limited to the ability to seek expressions of interest only.
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	26 June 2012
<b>Adoption references</b>	CJ108-06/12
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>1.1.23 WAIVER OF FEES AND GRANTING OF CONCESSIONS</b>
<b>Head of power</b>	PART 1. LOCAL GOVERNMENT ACT 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO. s.5.43 Limitations on delegations to the CEO.
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.6.12 Power to defer, grant discounts, waive or write off debts.
<b>Function</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>Delegates</b>	Chief Executive Officer (00001)
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees.
<b>Subdelegates</b>	Branch Librarian - Duncraig (00521) Branch Librarian - Joondalup (00519) Branch Librarian - Whitford (00520) Branch Librarian - Woodvale (00522) Cataloguer (00531) Cataloguer (00532) Collection Management Team Leader (00528) Coordinator Business Support (01656) Coordinator Field Services (00607) Coordinator Joondalup Libraries (01653) Digital Services Officer (01126) Director Corporate Services (00063) Director Governance and Strategy (00648) Director Infrastructure Services (00184) Director Planning and Community Development (00105) Librarian (00539) Librarian (00549) Librarian (00558) Librarian (00559) Librarian (00560) Librarian (00575) Librarian (01635) Library and Community Programs Officer (01231, 00524, 00523) Local History and Reference Team Leader (00526) Manager Community Development and Library Services (00390) Manager Community Safety (00912) Manager Leisure and Cultural Services (00159) Manager Regulatory Services (01093) Reference and Local History Librarian (00527) Team Leader Library Program and Events (01652)
<b>Subdelegate conditions</b>	<b>1. Director Planning and Community Development (00105), Director Corporate Services, Director (00063), Infrastructure Services (00184) and Director Governance and Strategy (00648).</b> Not applicable.  <b>2. Manager Leisure and Cultural Services (00159).</b>



	<p>Limited to individual items to \$5,000 and limited to the hire and use of City facilities.</p> <p><b>3. Librarian – Duncraig (00575), Librarians – Joondalup (00558), (00559), (00560), Librarians – Whitford (00539, 01635), Librarians – Woodvale (00549) (x2), Reference and Local History Librarian (00527); Library and Community Programs Officer (01231, 00524, 00523); Cataloguer (00532); Cataloguer (00531).</b></p> <p>a. 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, <b>SUBJECT TO</b> a quarterly report on fines and fees that have been waived being submitted to the Manager Financial Services.</p> <p>b. Limited to the waiving of printing fees so that request from members of the public at libraries for City Minutes and Agendas can be provided at no cost from 1 July 2023.</p> <p><b>4. Coordinator Joondalup Libraries (01653), Team Leader Library Program and Events (01652), Branch Librarian – Joondalup (00519), Branch Librarian – Whitford (00520), Branch Librarian – Woodvale (00522), Branch Librarian – Duncraig (00521), Digital Services Officer (01126); Local History and Reference Team Leader (00526); Collection Management Team Leader (00528).</b></p> <p>a. Limited to waiving fines to the value of \$100 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, <b>SUBJECT TO</b> a quarterly report on fines and fees that have been waived being submitted to the Manager Financial Services.</p> <p>b. Limited to the waiving of printing fees so that request from members of the public at libraries for City Minutes and Agendas can be provided at no cost from 1 July 2023.</p> <p><b>5. Manager Community Development and Library Services (00390).</b></p> <p>a. Limited to waiving fines and accounts to the value of \$50 and over; waiving the \$12.80 debt collection fee in special circumstances, <b>SUBJECT TO</b> a quarterly report on fines and fees that have been waived being submitted to the Manager Financial Services.</p> <p>b. Limited to waiver of hire fees for use of library facilities to a maximum of \$1,000.</p> <p>c. Limited to waiver of fees for community transport hire up to \$500 per group per year.</p> <p>d. Limited to the waiver of fees or grant concessions for the Youth Holiday Programs.</p> <p><b>6. Manager Regulatory Services (01093).</b> Limited to waiving the City’s Building Permit Application fee for applications submitted by not-for-profit charitable organisations.</p> <p><b>7. Manager Community Safety (00912) and Coordinator Field Services (00607)</b> Limited to waiving of fees to the value of the fee for release of an impounded animal from the RSPCA. <b>SUBJECT TO</b> approval of an application by the Manager or Coordinator following a review of the persons financial inability to pay the release fee and a quarterly report on fees.</p> <p><b>8. Manager Community Safety (00912) and Coordinator Business Support (01656)</b> Limited to waiving of parking fees and abandoned vehicle fees, to allow fee waiver request to be managed efficiently by Community Safety.</p>
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	7 September 2007

<b>Adoption references</b>	CJ186-09/07
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>1.1.24 WRITE OFF OF MONIES</b>
<b>Head of power</b>	PART 1. LOCAL GOVERNMENT ACT 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO. s.5.43 Limitations on delegations to the CEO.
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.6.12 Power to defer, grant discounts, waive or write off debts.
<b>Function</b>	Authority to write off monies.
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	Subject to:  a. individual debtor amounts to \$20,000 at time of write-off; b. a report being provided to the Audit and Risk Committee on a six monthly basis on the exercise of this delegation.
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees.
<b>Subdelegates</b>	Coordinator Rating Services (00079) Director Corporate Services (00063) Manager Community Development and Library Services (00390) Manager Financial Services (00075)
<b>Subdelegate conditions</b>	Additional sub-delegation conditions:  <b>1. Director Corporate Services (00063).</b> Not applicable.  <b>2. Manager Financial Services (00075).</b> Individual debtor amounts to \$5,000 at time of write-off.  <b>3. Manager Community Development and Library Services (00390).</b> Individual debtor amounts to \$500 at time of write-off.  <b>4. Coordinator Rating Services (00079).</b> Individual debtor amounts to \$100 at time of write-off.
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	15 March 1999
<b>Adoption references</b>	CJ78-03/99
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>1.1.25 CONTROL RESERVES AND CERTAIN UNVESTED FACILITIES</b>
<b>Head of power</b>	PART 1. LOCAL GOVERNMENT ACT 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO. s.5.43 Limitations on delegations to the CEO.
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.3.53(3) Control of certain unvested facilities. s.3.54(1) Reserves under control of local government.
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to agree to the method for control and management of an unvested facility which is partially within two (2) or more local government districts [s. 3.53(3)].</li> <li>2. Authority to do anything for the purpose of controlling and managing land under the control and management of the City of Joondalup that the City could do under s. 5 of the Parks and Reserves Act 1895 [s. 3.54(1)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	1. Limited to matters where the financial implications do not exceed a relevant and current budget allocation and which do not create a financial liability in future budgets.
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	27 June 2023
<b>Adoption references</b>	CJ096-06/23
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>1.1.26 OBSTRUCTION OF FOOTPATHS AND THOROUGHFARES</b>
<b>Head of power</b>	PART 1. LOCAL GOVERNMENT ACT 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO. s.5.43 Limitations on delegations to the CEO.
<b>Express power or duty delegated</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.5(2) Interfering with, or taking from, local government land. r.6 Obstruction of public thoroughfare by things placed and left - Sch. 9.1 cl. 3(1)(a). r.7A Obstruction of public thoroughfare by fallen things – Sch.9.1 cl.3(1)(b). r.7 Encroaching on public thoroughfare – Sch.9.1. cl.3(2).
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to determine, by written notice served on a person who is carrying out plastering, painting or decorating operations (the work) over or near a footpath on land that is local government property, to require the person to cover the footpath during the period specified in the notice so as to: <ol style="list-style-type: none"> <li>a. prevent damage to the footpath; or</li> <li>b. prevent inconvenience to the public or danger from falling materials [ULP r.5(2)].</li> </ol> </li> <li>2. Authority to provide permission including imposing appropriate conditions or to refuse to provide permission, for a person to place on a specified part of a public thoroughfare one or more specified things that may obstruct the public thoroughfare. [ULP r. 6(2) and (4)].</li> <li>3. Authority to renew permission to obstruct a thoroughfare and to vary any condition imposed on the permission effective at the time written notice is given to the person to whom permission is granted [ULP r.6(6)].</li> <li>4. Authority to require an owner or occupier of land to remove any thing that has fallen from the land or from anything on the land, which is obstructing a public thoroughfare [ULP r.7A].</li> <li>5. Authority to require an owner occupier of land to remove any part of a structure, tree or plant that is encroaching, without lawful authority on a public thoroughfare [ULP r.7].</li> </ol>
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>.</li> <li>b. Permission may only be granted where, the proponent has: <ol style="list-style-type: none"> <li>i. Where appropriate, obtained written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction.</li> <li>ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good public assets damaged by the obstruction at the completion of works.</li> <li>iii. Provided evidence of sufficient Public Liability Insurance.</li> <li>iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</li> </ol> </li> </ol>
<b>Policy</b>	Not applicable.

<b>Date adopted</b>	27 June 2023
<b>Adoption references</b>	CJ096-06/23
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>1.1.27 CROSSING - CONSTRUCTION, REPAIR AND REMOVAL</b>
<b>Head of power</b>	PART 1. LOCAL GOVERNMENT ACT 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO. s.5.43 Limitations on delegations to the CEO.
<b>Express power or duty delegated</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.12(1) Crossing from public thoroughfare to private land or private thoroughfare – Sch.9.1 cl.7(2). r.13(1) Requirement to construct or repair crossing – Sch.9.1 cl.7(3).
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to approve or refuse to approve, applications for the construction of a crossing giving access from a public thoroughfare to land or private thoroughfare servicing land [ULP r.12(1)].</li> <li>2. Authority to determine the specifications for construction of crossings to the satisfaction of the Local Government [ULP r.12(1) (a)].</li> <li>3. Authority to give notice to an owner or occupier of land requiring the person to construct or repair a crossing [ULP r.13(1)].</li> <li>4. Authority to initiate works to construct a crossing where the person fails to comply with a notice requiring them to construct or repair the crossing and recover 50% of the cost of doing so as a debt due from the person [ULP r.13(2)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	a. Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> .
<b>Subdelegates</b>	Director Infrastructure Services (00184) Manager Engineering Services (00186)
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	27 June 2023
<b>Adoption references</b>	CJ096-06/23
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>1.1.28 PRIVATE WORKS ON, OVER OR UNDER PUBLIC PLACES</b>
<b>Head of power</b>	PART 1. LOCAL GOVERNMENT ACT 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO. s.5.43 Limitations on delegations to the CEO.
<b>Express power or duty delegated</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.17 Private works on, over, or under public places - Sch. 9.1.
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to grant permission or refuse permission to construct a specified thing, on over, or under a specified public thoroughfare or public place that is local government property [ULP r. 17(3)].</li> <li>2. Authority to impose conditions on permission including those prescribed in r.17(5) and (6) [ULP r.17(5)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>.</li> <li>b. Permission may only be granted where, the proponent has: <ol style="list-style-type: none"> <li>i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed private works.</li> <li>ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good public place at the completion of works.</li> <li>iii. Provided evidence of sufficient Public Liability Insurance.</li> <li>iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</li> </ol> </li> </ol>
<b>Subdelegates</b>	Director Infrastructure Services (00184) Manager Engineering Services (00186)
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	27 June 2023
<b>Adoption references</b>	CJ096-06/23
<b>Last reviewed</b>	28 May 2024



<b>Delegation</b>	<b>1.1.29 GIVE NOTICE TO PREVENT DAMAGE TO LOCAL GOVERNMENT PROPERTY FROM WIND EROSION AND SAND DRIFT</b>
<b>Head of power</b>	PART 1. LOCAL GOVERNMENT ACT 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO. s.5.43 Limitations on delegations to the CEO.
<b>Express power or duty delegated</b>	<i>Local Government (Uniform Local Provisions) 1996:</i> r.21(1) Wind erosion and sand drifts – Sch.9.1 cl.12.
<b>Function</b>	1. Authority to give notice to a landowner or occupier if it is considered that clearing the owner or occupier's land may cause local government land with a common boundary, to be adversely affected by wind erosion or sand drift [ULP r. 21(1)].
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	Nil.
<b>Subdelegates</b>	Director Infrastructure Services (00184)
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	27 June 2023
<b>Adoption references</b>	CJ096-06/23
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>1.1.30 DECLARE VEHICLE IS ABANDONED VEHICLE WRECK</b>
<b>Head of power</b>	PART 1. LOCAL GOVERNMENT ACT 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO. s.5.43 Limitations on delegations to the CEO.
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.3.40A(4) Abandoned vehicle wreck may be taken.
<b>Function</b>	1. Authority to Declare that an impounded vehicle is an abandoned vehicle wreck [s.3.40A(4)].  Note: An abandoned vehicle wreck is as defined by [s.3.40A(4)] and up to a value that has been calculated in accordance with regulation 29A of the <i>Local Government (Function and General) Regulations 1996.</i> )
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s. 5.44 CEO may delegate some powers and duties to other employees.
<b>Subdelegates</b>	Coordinator Business Support (01656) Coordinator Community Safety Systems and Compliance (00948) Coordinator Field Services (00607) Manager Community Safety (00912)
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	28 May 2024
<b>Adoption references</b>	CJ118-06/24
<b>Last reviewed</b>	28 May 2024

## 1.2 CEO TO OFFICERS

<b>Delegation</b>	<b>1.2.1 ACKNOWLEDGE RECEIPT OF PRIMARY AND ANNUAL RETURNS</b>
<b>Head of power</b>	PART 1. LOCAL GOVERNMENT ACT 1995
<b>Delegator</b>	Chief Executive Officer (00001)
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.544 CEO may delegate some powers and duties to other employees.
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.5.77 Acknowledging receipts of returns.
<b>Function</b>	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> .
<b>Delegates</b>	Director Governance and Strategy (00648) Manager Governance (00010)
<b>Conditions</b>	Nil.
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	25 June 2013
<b>Adoption references</b>	CJ094-06/13
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>1.2.2 APPOINTMENT OF AUTHORISED PERSONS</b>
<b>Head of power</b>	PART 1. LOCAL GOVERNMENT ACT 1995
<b>Delegator</b>	Chief Executive Officer (00001)
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees.
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s. 3.24 Authorising persons under this Subdivision. s. 9.10 Appointment of authorised persons.  <i>Local Government Legislation Amendment Act 2019:</i> s.9.10 Appointment of authorised persons.
<b>Function</b>	<p>1. Authority to appoint persons or classes of persons as authorised persons [s.9.10(2)] for the purpose of fulfilling functions of an authorised person prescribed in the following legislation inclusive of subsidiary legislation made under each Act and Regulations:</p> <ul style="list-style-type: none"> <li>a. <i>Local Government Act 1995</i> and its subsidiary legislation, including Local Government Act Regulations, the <i>Local Government (Miscellaneous Provisions) Act 1960</i> and Local Laws made under the Local Government Act;</li> <li>b. <i>Caravan Parks and Camping Grounds Act 1995</i>;</li> <li>c. <i>Cat Act 2011</i>;</li> <li>d. <i>Cemeteries Act 1986</i>;</li> <li>e. <i>Control of Vehicles (Off-road Areas) Act 1978</i>;</li> <li>f. <i>Dog Act 1976</i>;</li> <li>g. <i>Graffiti Vandalism Act 2016</i> –refer s. 15; and</li> <li>h. any other legislation prescribed for the purposes of s.9.10 of the Local Government Act 1995.</li> </ul> <p>2. To appoint and authorise persons to exercise the powers and duties of an authorised person under the City's local laws.</p>
<b>Delegates</b>	Manager Leisure and Cultural Services (00159)
<b>Conditions</b>	<p><b>Manager Leisure and Cultural Services (00159):</b></p> <ol style="list-style-type: none"> <li>1. 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).</li> <li>2. A register of Authorised Persons is to be maintained as a local government record.</li> </ol>
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	28 June 2011
<b>Adoption references</b>	CJ107-06/11
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>1.2.3 INFRINGEMENTS - EXTENSION OF TIME TO PAY AND WITHDRAWAL OF NOTICES</b>
<b>Head of power</b>	PART 1. LOCAL GOVERNMENT ACT 1995
<b>Delegator</b>	Chief Executive Officer (00001)
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees.
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s. 9.19 Extension of time. s. 9.20 Withdrawal of notice.
<b>Function</b>	Authority to extend the period within which a modified penalty may be paid or withdraw an infringement notice.
<b>Delegates</b>	Coordinator Community Safety Systems and Compliance (00948) Coordinator Field Services (00607) Director Planning and Community Development (00105) Manager Community Safety (00912)
<b>Conditions</b>	Nil.
<b>Subdelegate conditions</b>	Nil.
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	18 April 2018
<b>Adoption references</b>	INT18/15225
<b>Last reviewed</b>	28 May 2024

## PART 2. DELEGATIONS TO COMMITTEES

<b>Delegation</b>	<b>2.0 DELEGATIONS TO COMMITTEES</b>
<b>Head of power</b>	PART 2. DELEGATIONS TO COMMITTEES
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	No delegations to committees have been approved by Council at this time.
<b>Delegates</b>	Committee
<b>Conditions</b>	Nil
<b>Statutory framework</b>	Nil.
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	3 November 2017
<b>Adoption references</b>	JSC03-11/17; CJ078-06/19.
<b>Last reviewed</b>	28 May 2024

## PART 3. DELEGATIONS UNDER OTHER LEGISLATION

## 3.1 – BUILDING ACT 2011

<b>Delegation</b>	<b>3.1.1 AUTHORISED PERSONS UNDER THE BUILDING ACT 2011</b>
<b>Head of power</b>	PART 3. DELEGATIONS UNDER OTHER LEGISLATION
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express power or duty delegated</b>	<i>Building Act 2011:</i> s. 96 (3) Authorised persons s. 99 (3) Limitations on power of authorised person
<b>Function</b>	Authority to appoint authorised persons and/or revoke appointment of 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.
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	Nil
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	20 March 2012
<b>Adoption references</b>	CJ027-03/12
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>3.1.2 BUILDING ACT 2011 - ISSUING CERTIFICATES OF BUILDING COMPLIANCE AND DESIGN COMPLIANCE</b>
<b>Head of power</b>	PART 3. DELEGATIONS UNDER OTHER LEGISLATION
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government.
<b>Express power or duty delegated</b>	<i>Building Act 2011:</i> Part 2 Division 2 Applications for building or demolition permits. Part 4 Division 1 Occupancy permits. Part 4 Division 2 Kinds of applications for occupancy permits and building approval certificates. Part 4 Division 3 Making and dealing with applications for occupancy permits and building approval certificates.
<b>Function</b>	Authority to issue certificates of building compliance and design compliance.
<b>Delegates</b>	Assistant Building Surveyor (00154) Assistant Building Surveyor (01068) Building Surveyor (00150) Building Surveyor (00151) Building Surveyor (00615) Coordinator Building Approvals (00113) Director Planning and Community Development (00105) Manager Regulatory Services (01093) Senior Building Surveyor (00148) Senior Building Surveyor (00153)
<b>Conditions</b>	Subject to meeting the qualification requirements in accordance with <i>Building Services (Registration) Regulations 2011</i> .
<b>Statutory framework</b>	<i>Building Services (Registration) Regulations 2011</i> .
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	20 March 2012
<b>Adoption references</b>	CJ027-03/12
<b>Last reviewed</b>	28 May 2024



<b>Delegation</b>	<b>3.1.3 BUILDING ACT 2011 - GRANTING BUILDING AND DEMOLITION PERMITS, BUILDING APPROVAL CERTIFICATES AND OCCUPANCY PERMITS</b>
<b>Head of power</b>	PART 3. DELEGATIONS UNDER OTHER LEGISLATION
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government.
<b>Express power or duty delegated</b>	<i>Building Act 2011:</i> s. 20 Grant of building permit. s. 21 Grant of demolition permit. s. 58 Grant of occupancy permit, building approval certificate.
<b>Function</b>	Authority to administratively grant building and demolition permits, building approval certificates and occupancy permits.
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	Restricted to administratively granting certificates and permits that have the relevant certifications of building compliance, construction compliance and/or design compliance, as certified and issued by a person meeting the qualification requirements of the <i>Building Services (Registration) Regulations 2011</i> .
<b>Express power to subdelegate</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO).
<b>Subdelegates</b>	Administration Officer (00110) Administration Officer (00131) Administration Officer (00132) Administration Officer (00133) Assistant Building Surveyor (00154) Assistant Building Surveyor (01068) Building Surveyor (00150) Building Surveyor (00151) Building Surveyor (00615) Coordinator Building Approvals (00113) Director Planning and Community Development (00105) Manager Regulatory Services (01093) Senior Building Surveyor (00148) Senior Building Surveyor (00153)
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	20 March 2012
<b>Adoption references</b>	CJ027-03/12
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>3.1.4 BUILDING ACT 2011 – REFUSING AND CANCELLING BUILDING AND DEMOLITION PERMIT APPLICATIONS, BUILDING APPROVAL CERTIFICATES AND OCCUPANCY PERMITS</b>
<b>Head of power</b>	PART 3. DELEGATIONS UNDER OTHER LEGISLATION
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government.
<b>Express power or duty delegated</b>	<i>Building Act 2011:</i> s. 24 Notice of decision not to grant building or demolition permit. s. 60 Notice of decision not to grant occupancy permit or grant building approval certificate.
<b>Function</b>	Authority to refuse and cancel building and demolition permit applications, building approval certificates and occupancy permits.
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	Nil.
<b>Express power to subdelegate</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO).
<b>Subdelegates</b>	Coordinator Building Approvals (00113) Director Planning and Community Development (00105) Manager Regulatory Services (01093) Senior Building Surveyor (00148) Senior Building Surveyor (00153)
<b>Subdelegate conditions</b>	Nil.
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	20 March 2012
<b>Adoption references</b>	CJ027-03/12
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>3.1.5 BUILDING ACT 2011 - EXTENDING THE DURATION OF BUILDING AND DEMOLITION PERMITS, BUILDING APPROVAL CERTIFICATES AND OCCUPANCY PERMITS</b>
<b>Head of power</b>	PART 3. DELEGATIONS UNDER OTHER LEGISLATION
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government.
<b>Express power or duty delegated</b>	<i>Building Act 2011:</i> s. 32 Duration of building or demolition permit. s. 65 Extension of period of duration.
<b>Function</b>	Authority to extend the duration of building and demolition permits, building approval certificates and occupancy permits.
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	Nil.
<b>Express power to subdelegate</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO).
<b>Subdelegates</b>	Coordinator Building Approvals (00113) Director Planning and Community Development (00105) Manager Regulatory Services (01093) Senior Building Surveyor (00148) Senior Building Surveyor (00153)
<b>Subdelegate conditions</b>	Nil.
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	28 June 2022
<b>Adoption references</b>	CJ092-06/22
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>3.1.6 BUILDING ACT 2011 - BUILDING ORDERS</b>
<b>Head of power</b>	PART 3. DELEGATIONS UNDER OTHER LEGISLATION
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government.
<b>Express power or duty delegated</b>	<i>Building Act 2011:</i> Part 8 Division 5 Building orders. s. 133 Prosecutions.
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to make Building Orders in relation to: <ol style="list-style-type: none"> <li>a. Building work.</li> <li>b. Demolition work.</li> <li>c. An existing building or incidental structure {s.110(1)}.</li> </ol> </li> <li>2. Authority to give notice of a proposed building order and consider submissions received in response and determine actions [s.111(1)(c)].</li> <li>3. Authority to revoke a building order {s.117}.</li> <li>4. If there is non-compliance with a building order, authority to cause an authorised person to: <ol style="list-style-type: none"> <li>a. take any action specified in the order; or</li> <li>b. commence or complete any work specified in the order; or</li> <li>c. if any specified action was required by the order to cease, to take such steps as are reasonable to cause the action to cease [s.118(2)].</li> </ol> </li> <li>5. Authority to take court action to recovery as a debt, reasonable costs and expense incurred in doing anything in regard to non-compliance with a building order [.118(3)]</li> <li>6. Authority to initiate a prosecution pursuant to section 133(1) for non-compliance with a building order made pursuant to section 110 of the Building Act 2011.</li> </ol>
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	Functions 4, 5 and 6 require the written authorisation of the Director Planning and Community Development.
<b>Express power to subdelegate</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO).
<b>Subdelegates</b>	Coordinator Compliance and Regulatory Performance (01094) Director Planning and Community Development (00105) Manager Regulatory Services (01093)
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	20 March 2012
<b>Adoption references</b>	CJ027-03/12

<b>Last reviewed</b>	28 May 2024
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<b>Delegation</b>	<b>3.1.7 BUILDING ACT 2011 - INSPECTION AND COPIES OF BUILDING RECORDS</b>
<b>Head of power</b>	PART 3. DELEGATIONS UNDER OTHER LEGISLATION
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government.
<b>Express power or duty delegated</b>	<i>Building Act 2011:</i> s.131(2) Inspection, copies of building records.
<b>Function</b>	Authority to determine an application from an interested person to inspect a building record and to provide the interested person a copy of a building record.
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	Nil.
<b>Express power to subdelegate</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
<b>Subdelegates</b>	Administration Officer (00110) Administration Officer (00131) Administration Officer (00132) Administration Officer (00133) Coordinator Building Approvals (00113)
<b>Subdelegate conditions</b>	Nil.
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	27 June 2023
<b>Adoption references</b>	CJ096-06/23
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>3.1.8 BUILDING ACT 2011 – PRIVATE POOL BARRIER ALTERNATIVE AND PERFORMANCE SOLUTIONS</b>
<b>Head of power</b>	PART 3. DELEGATIONS UNDER OTHER LEGISLATION
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government.
<b>Express power or duty delegated</b>	<i>Building Regulations 2012:</i> r.51 Approvals by permit authority.
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to approve requirements alternative to a fence, wall, gate or other component included in the barrier, if satisfied that the alternative requirements will restrict access by young children as effectively as if there were compliant with AS 1926.1 [r.51(2)].</li> <li>2. Authority to approve a door for the purposes of compliance with AS 1926.1, where a fence or barrier would cause significant structural or other problem which is beyond the control of the owner / occupier or the pool is totally enclosed by a building or a fence or barrier between the building and pool would create a significant access problem for a person with a disability [r.51(3)].</li> <li>3. Authority to approve a performance solution to a Building Code pool barrier requirement if satisfied that the performance solution complies with the relevant performance requirements [r.51(5)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	Nil.
<b>Express power to subdelegate</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO).
<b>Subdelegates</b>	Director Planning and Community Development (00105) Manager Regulatory Services (01093)
<b>Subdelegate conditions</b>	Nil.
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	27 June 2023
<b>Adoption references</b>	CJ096-06/23
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>3.1.9 BUILDING ACT 2011 – SMOKE ALARMS ALTERNATIVE SOLUTIONS</b>
<b>Head of power</b>	PART 3. DELEGATIONS UNDER OTHER LEGISLATION
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government.
<b>Express power or duty delegated</b>	<i>Building Regulations 2012:</i> r.55 Terms Used (alternative building solution approval). r.61 Local Government approval of battery powered smoke alarms.
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to approve alternative building solutions which meet the performance requirements of the Building Code relating to fire detection and early warning [r.55].</li> <li>2. Authority to approve or refuse to approve a battery powered smoke alarm and to determine the form of an application for such approval [r.61].</li> </ol>
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Express power to subdelegate</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO).
<b>Subdelegates</b>	Director Planning and Community Development (00105) Manager Regulatory Services (01093)
<b>Subdelegate conditions</b>	Nil.
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	27 June 2023
<b>Adoption references</b>	CJ096-06/23
<b>Last reviewed</b>	28 May 2024



## 3.2 – BUSH FIRES ACT 1954

<b>Delegation</b>	<b>3.2.1 BUSH FIRES ACT 1954 - FUNCTIONS OF A LOCAL GOVERNMENT</b>
<b>Head of power</b>	PART 3. DELEGATIONS UNDER OTHER LEGISLATION
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government.
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954</i>
<b>Function</b>	Authority to perform the functions of the local government under the <i>Bush Fires Act 1954</i> .
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Express power to subdelegate</b>	Nil. - Sub-delegation is prohibited by s.48(3)
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	21 October 2014
<b>Adoption references</b>	CJ180-10/14
<b>Last reviewed</b>	28 May 2024

## 3.3 – CAT ACT 2011

<b>Delegation</b>	<b>3.3.1 CAT ACT 2011 - POWERS AND DUTIES OF A LOCAL GOVERNMENT</b>
<b>Head of power</b>	PART 3. DELEGATIONS UNDER OTHER LEGISLATION
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Cat Act 2011:</i> s.44 Delegation by local government.
<b>Express power or duty delegated</b>	<i>Cat Act 2011</i> <i>Cat Regulations 2012</i> <i>Cat (Uniform Local Provisions) Regulations 2013</i>
<b>Function</b>	Authority to exercise the powers or discharge the duties of the local government under the <i>Cat Act 2011</i> .
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government.
<b>Subdelegates</b>	Director Planning and Community Development (00105) Manager Community Safety (00912)
<b>Subdelegate conditions</b>	Nil.
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	25 June 2013
<b>Adoption references</b>	CJ102-06/13
<b>Last reviewed</b>	28 May 2024

## 3.4 - DOG ACT 1976

<b>Delegation</b>	<b>3.4.1 DOG ACT 1976 - POWERS AND DUTIES OF A LOCAL GOVERNMENT</b>
<b>Head of power</b>	PART 3. DELEGATIONS UNDER OTHER LEGISLATION
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties.
<b>Express power or duty delegated</b>	<i>Dog Act 1976</i>
<b>Function</b>	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.
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	Nil.
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	21 October 2014
<b>Adoption references</b>	CJ180-10/14
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>3.4.2 DOG ACT 1976 – DANGEROUS DOG DECLARED OR SEIZED – DEAL WITH OBJECTION AND DETERMINE WHEN TO REVOKE</b>
<b>Head of power</b>	PART 3. DELEGATIONS UNDER OTHER LEGISLATION
<b>Delegator</b>	Council
<b>Express power to delegate</b>	Dog Act 1976: s.10AA Delegation of local government powers and duties.
<b>Express power or duty delegated</b>	<i>Dog Act 1976:</i> s.33F(6) Owners to be notified of making of declaration. s.33G(4) Seizure and destruction. s.33H(1), (2) (4) and (5) Local government may revoke declaration or proposal to destroy.
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to consider and determine to either dismiss or uphold an objection to the declaration of a dangerous dog [s.33F(6)].</li> <li>2. Authority to consider and determine to either dismiss or uphold an objection to seizure of a dangerous dog [s.33G(4)].</li> <li>3. Authority to revoke a declaration of a dangerous dog or revoke notice proposing to cause a dog to be destroyed, only where satisfied that the dog can be kept without likelihood of any contravention of this Act [s.33H(1)] <ol style="list-style-type: none"> <li>i. Authority to, before dealing with an application to revoke a declaration or notice, require the owner of the dog to attend with the dog a course in behaviour and training or otherwise demonstrate a change in the behaviour of the dog [s.33H(2)].</li> </ol> </li> </ol>
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].
<b>Express power to subdelegate</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties.
<b>Subdelegates</b>	Coordinator Field Services (00607) Manager Community Safety (00912)
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	28 May 2024
<b>Adoption references</b>	CJ118-06/24
<b>Last reviewed</b>	28 May 2024

## 3.5 – FOOD ACT 2008

<b>Delegation</b>	<b>3.5.1 FOOD ACT 2008 - FUNCTIONS OF AN ENFORCEMENT AGENCY</b>
<b>Head of power</b>	PART 3. DELEGATIONS UNDER OTHER LEGISLATION
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation. (2)(b) Enforcement agency may delegate a function conferred on it. (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120]. (4) Sub-delegation permissible only if expressly provided in regulations.
<b>Express power or duty delegated</b>	<i>Food Act 2008</i> <i>Food Regulations 2009</i>
<b>Function</b>	Authority to exercise the powers or discharge the duties of the local government, as an enforcement agency under the <i>Food Act 2008</i> .
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	Nil.
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	21 October 2014
<b>Adoption references</b>	CJ180-10/14
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>3.5.2 FOOD ACT 2008 – DETERMINE COMPENSATION</b>
<b>Head of power</b>	PART 3. DELEGATIONS UNDER OTHER LEGISLATION
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation: (2)(b) Enforcement agency may delegate a function conferred on it. (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120]. (4) Sub-delegation permissible only if expressly provided in regulations.
<b>Express power or duty delegated</b>	<i>Food Act 2008:</i> s.56(2) Compensation to be paid in certain circumstances. s.70(2) and (3) Compensation.
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to determine applications for compensation in relation to any item seized, if no contravention has been committed and the item cannot be returned [s.56(2)].</li> <li>2. Authority to determine an application for compensation from a person on whom a prohibition notice has been served and who has suffered loss as the result of the making of the order and who considers that there were insufficient grounds for making the order [s.70(2) and (3)].</li> </ol>
<b>Delegates</b>	Director Planning and Community Development (00105) Manager Regulatory Services (01093)
<b>Conditions</b>	In accordance with s. 118(3) (b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	28 May 2024
<b>Adoption references</b>	CJ118-06/24
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>3.5.3 FOOD ACT 2008 - PROHIBITION ORDERS</b>
<b>Head of power</b>	PART 3. DELEGATIONS UNDER OTHER LEGISLATION
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation: (2)(b) Enforcement agency may delegate a function conferred on it. (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120]. (4) Sub-delegation permissible only if expressly provided in regulations.
<b>Express power or duty delegated</b>	<i>Food Act 2008:</i> s.65(1) Prohibition orders. s.66 Certificate of clearance to be given in certain circumstances. s.67(4) Request for re-inspection.
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to serve a prohibition order on the proprietor of a food business in accordance with s.65 of the <i>Food Act 2008</i> [s.65(1)].</li> <li>2. Authority to give a certificate of clearance, where inspection demonstrates compliance with a prohibition order and any relevant improvement notices [s.66].</li> <li>3. Authority to give written notice to proprietor of a food business on whom a prohibition order has been served of the decision not to give a certificate of clearance after an inspection [s.67(4)].</li> </ol>
<b>Delegates</b>	Environmental Health Officer (01152, 00135, 00136, 00137, 00138, 00139, 00140, 00142, 00143) Principal Environmental Health Officer (00114) Senior Environmental Health Officer (00134, 00608)
<b>Conditions</b>	1. In accordance with s. 118(3) (b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	28 May 2024
<b>Adoption references</b>	CJ118-06/24
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>3.5.4 FOOD ACT 2008 – FOOD BUSINESS REGISTRATIONS</b>
<b>Head of power</b>	PART 3. DELEGATIONS UNDER OTHER LEGISLATION
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation: (2)(b) Enforcement agency may delegate a function conferred on it. (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120]. (4) Sub-delegation permissible only if expressly provided in regulations.
<b>Express power or duty delegated</b>	<i>Food Act 2008:</i> s.110(1) and (5) Registration of food business s.112 Variation of conditions or cancellation of registration of food businesses
<b>Function</b>	<ol style="list-style-type: none"> <li>Authority to consider applications and determine registration of a food business and grant the application with or without conditions or refuse the registration [s.110(1) and (5)].</li> <li>Authority to vary the conditions or cancel the registration of a food business [s.112].</li> </ol>
<b>Delegates</b>	Principal Environmental Health Officer (00114) Senior Environmental Health Officer (00134, 00608)
<b>Conditions</b>	In accordance with s. 118(3) (b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to: <ul style="list-style-type: none"> <li>• <i>Food Act 2008</i> Regulatory Guideline No.1 Introduction of Regulatory Food Safety Auditing in WA;</li> <li>• <i>Food Unit Fact Sheet 8 – Guide to Regulatory Guideline No.1;</i></li> <li>• WA Priority Classification System;</li> <li>• Verification of Food Safety Program Guideline.</li> </ul>
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	28 May 2024
<b>Adoption references</b>	CJ118-06/24
<b>Last reviewed</b>	28 May 2024



<b>Delegation</b>	<b>3.5.5 FOOD ACT 2008 - DEBT RECOVERY AND PROSECUTION</b>
<b>Head of power</b>	PART 3. DELEGATIONS UNDER OTHER LEGISLATION
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation: (2)(b) Enforcement agency may delegate a function conferred on it. (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120]. (4) Sub-delegation permissible only if expressly provided in regulations.
<b>Express power or duty delegated</b>	<i>Food Act 2008:</i> s.54 Cost of destruction or disposal of forfeited item s.125 Institution of proceedings
<b>Function</b>	Authority to recover costs incurred in connection with the lawful destruction or disposal of an item (seized) including any storage costs [s.54(1)] and the costs of any subsequent proceedings in a court of competent jurisdiction [s.54(3)].  2. Authority to institute proceedings for an offence under the <i>Food Act 2008</i> [s.125].
<b>Delegates</b>	Director Planning and Community Development (00105)
<b>Conditions</b>	In accordance with s. 118(3) (b), this delegation is subject to relevant <i>Department of Health CEO Guidelines</i> , as amended from time to time.
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	28 May 2024
<b>Adoption references</b>	CJ118-06/24
<b>Last reviewed</b>	28 May 2024

## 3.6 – GRAFFITI VANDALISM ACT 2016

<b>Delegation</b>	<b>3.6.1 GRAFFITI VANDALISM ACT 2016 – POWERS AND DUTIES OF A LOCAL GOVERNMENT</b>
<b>Head of power</b>	PART 3. DELEGATIONS UNDER OTHER LEGISLATION
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government.
<b>Express power or duty delegated</b>	<i>Graffiti Vandalism Act 2016</i>
<b>Function</b>	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.
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	Nil.
<b>Express power to subdelegate</b>	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government.
<b>Subdelegates</b>	Manager Community Safety (00912)
<b>Subdelegate conditions</b>	Nil.
<b>Statutory framework</b>	Section 16 and 17 of the <i>Graffiti Vandalism Act 2016</i> .
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	15 November 2016
<b>Adoption references</b>	CJ192-11/16
<b>Last reviewed</b>	28 May 2024

## 3.7 – PLANNING AND DEVELOPMENT ACT 2005

<b>Delegation</b>	<b>3.7.1 LOCAL PLANNING SCHEME NO. 3 – DELEGATIONS - GENERAL</b>
<b>Head of power</b>	PART 3. DELEGATIONS UNDER OTHER LEGISLATION
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s. 5.42 (1) (b) Delegation of some powers and duties to CEO.
<b>Express power or duty delegated</b>	<i>Planning and Development (Local Planning Schemes) Regulations 2015:</i> Schedule 2 Deemed provisions for local planning schemes. Clause 82 Delegations by local government.
<b>Function</b>	Authority to make determinations and decisions under Part 7, Part 8, Part 9 and Part 9A of Schedule 2 (Deemed Provisions) of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	<ol style="list-style-type: none"> <li>1. Authority to make determinations and decisions under Part 7, Part 8, Part 9 and Part 9A of Schedule 2 (Deemed Provisions) of the <i>Planning and Development (Local Planning Schemes) Regulations</i> with the exception of the following applications for development approval which shall be presented to Council for determination: <ol style="list-style-type: none"> <li>a. More than five (5) 'grouped dwellings'; and</li> <li>b. 'Multiple dwellings'; and</li> <li>c. A class of use or any associated ancillary or incidental development (other than a 'grouped dwelling' or 'multiple dwelling') provided: <ol style="list-style-type: none"> <li>i. The amount of car parking provided is less than the standards and requirements set out in the Scheme, any applicable local planning policy, local structure plan or local development plan by more than 20% or the shortfall in car parking is increasing from that previously approved;</li> <li>ii. The amount of landscaping provided for the site varies the standards and requirements set out in the Scheme any applicable local planning policy, local structure plan or local development plan by more than 20% of the requirement or the shortfall in landscaping is increasing from that previously approved; and</li> <li>iii. Where the development does not comply with the coastal building area height in the Commercial, Mixed Use and Service Commercial Zone Local Planning Policy.</li> </ol> </li> </ol> </li> <li>2. 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.</li> </ol>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees.  <i>Planning and Development (Local Planning Schemes) Regulations 2015.</i> c.83 CEO may delegate power to any employee of the local government.

<p><b>Subdelegates</b></p>	<p>Coordinator Planning Approvals (00112)  Coordinator Urban Design and Policy (00111)  Director Planning and Community Development (00105)  Manager Planning Services (00108)  Manager Regulatory Services (01093)  Principal Urban Planner (01313)  Senior Urban Planner (00115)  Senior Urban Planner (00122)  Senior Urban Planner (00125)  Senior Urban Planner (00511)  Senior Urban Planner (00609)  Senior Urban Planner (00778)  Senior Urban Planner (01479)  Senior Urban Planner (01740)</p>
<p><b>Subdelegate conditions</b></p>	<p><b>1. The following may be determined by a Principal Urban Planner (01313), Coordinator Planning Approvals (00112), Coordinator Urban Design and Policy (00111) and a Senior Urban Planner (00122, 00115, 00125, 00609, 00778, 01479, 00511, 01740):</b></p> <p>a. Approval of an application for development approval for the purpose of up to five (5) 'grouped dwellings', or any associated ancillary or incidental development to a 'single house', 'grouped dwelling' or 'multiple dwelling' where:</p> <ul style="list-style-type: none"> <li>i. There have not been any objections to the application received; or the objection(s) received relate to matters that are not valid planning considerations for the subject applications; or relate to elements of the proposal which meet the relevant deemed-to-comply requirements and/or development standard; or the proposal is amended or a condition imposed so elements the subject of the objection(s) meet the relevant deemed-to-comply requirement and/or development standards; and</li> <li>ii. The application is not required to be considered by the Joondalup Design Reference Panel; and</li> <li>iii. In the case of applications for development approval that require a Bushfire Attack Level assessment in accordance with <i>State Planning Policy 3.7 - Planning in Bushfire Prone Areas (SPP3.7)</i> the development: <ul style="list-style-type: none"> <li>a. has a Bushfire Attack Level of less than 40; and</li> <li>b. where the Bushfire Attack Level is 12.5, 19, or 29: <ul style="list-style-type: none"> <li>i. is not a vulnerable land use as defined under SPP 3.7; and</li> <li>ii. complies with clause 6.5 of SPP3.7; and</li> </ul> </li> </ul> </li> <li>iv. The deemed-to-comply requirements or element objectives of <i>Residential Design Codes</i> and/or replacement deemed-to-comply requirements of the Residential Development Local Planning Policy or Development in Housing Opportunity Areas Local Planning Policy have been satisfied (where applicable), and the development satisfies any applicable standards and requirements of the Scheme, any applicable structure plan or local development plan and all other applicable local planning policies; or</li> <li>v. The Local Housing Objectives of the Residential Development Local Planning Policy have been satisfied; or</li> <li>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, local development plan or local planning policy provided: <ul style="list-style-type: none"> <li>a. the setbacks of any garage, carport or hardstand car parking area 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 3.0 metres;</li> </ul> </li> </ul>

- b. any outbuilding is not in the primary or secondary street setback area stipulated in Table 1 of the *Residential Design Codes*, or any applicable structure plan, local development plan or local planning policy, unless the outbuilding is a detached garage;
- c. the height and/or length of boundary wall(s) does not exceed the amounts set out in the deemed-to-comply requirements of the Residential Design Codes or any applicable structure plan, local development plan or local planning policy by more than 25% of those requirements, and where there are boundary walls to no more than two (2) separate boundaries and are located behind the street setback line. Where the application is for all grouped dwellings on a parent lot, boundary walls to internal lot boundaries will not be included in the two wall calculation;
- d. 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
- e. the height of non visually permeable fencing within the primary street setback area on average does not exceed 1.5 metres above natural ground level; and

- b. the approval of an application for development approval for the purposes of a class of use (other than a grouped or 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 Review Panel; and
  - iii. the development satisfies any applicable standards and requirements of the Scheme, any applicable structure plan, local development plan and all applicable local planning policies with the exception of the following:
    - a. setback requirements for patio(s), verandah(s), portico(s), outbuilding(s) or retaining wall(s) not greater than 1.2 metres above natural ground level in height; and/or
    - b. the shortfall in car parking is not increasing from that previously approved.
- c. Applications for signage.

**2. The following applications may be determined by a Principal Urban Planner (01313), Coordinator Planning Approvals (00112) or Coordinator Urban Design and Policy (00111):**

- a. The approval of any application for development approval for a 'single house', or up to five (5) 'grouped dwellings' or any associated, ancillary or incidental development where between one (1) and three (3) objections not referred to in 1a(i) above; and
- b. 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, local development plan or local planning policy provided:
  - i. The height and/or length of boundary wall(s) does not exceed the amounts set out in the deemed-to-comply requirements of the *Residential Design Codes* or any applicable structure plan, local development plan or local planning policy by more than 50% of those requirements, and where there are boundary walls to no more than three (3) separate boundaries. Where the application is for all grouped dwellings on a parent lot, boundary walls to internal lot boundaries will not be included in the two wall calculation;
  - ii. The height of the proposed fill or retaining wall within the primary street setback area does not exceed 1.5 metres above natural ground level; and

	<p>c. The approval of any application for development approval for the purposes of a class of use or signage (other than a grouped or multiple dwelling, or any associated, ancillary or incidental development where:</p> <ul style="list-style-type: none"> <li>i. There has been between one (1) and (3) objections received not referred to in 1a(i) above; and</li> <li>ii. The application was not required to be considered by the Joondalup Design Review Panel; and</li> <li>iii. The development satisfies any applicable standards and requirements of the Scheme, any applicable structure plan, local development plan and all applicable local planning policies with the exception of the following: <ul style="list-style-type: none"> <li>a. Setback requirements for patio(s), verandah(s), portico(s), outbuilding(s) or retaining wall(s) not greater than 1.2 metres above natural ground levels in height; or</li> <li>b. The shortfall in car parking is not increasing from that previously approved; or</li> <li>c. Hours of operation for Home Business applications.</li> </ul> </li> </ul>
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	21 November 2006
<b>Adoption references</b>	CJ208-11/06
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>3.7.2 PLANNING AND DEVELOPMENT ACT 2005 - POWER AS TO ILLEGAL DEVELOPMENT</b>
<b>Head of power</b>	PART 3. DELEGATIONS UNDER OTHER LEGISLATION
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s. 5.42 (1) (b) Delegation of some powers and duties to CEO.
<b>Express power or duty delegated</b>	<i>Planning and Development Act 2005:</i> Section 214(2), (3) and (5).
<b>Function</b>	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> .
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	Nil.
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	21 October 2014
<b>Adoption references</b>	CJ180-10/14
<b>Last reviewed</b>	28 May 2024

<b>Delegation</b>	<b>3.7.3 PLANNING AND DEVELOPMENT (LOCAL PLANNING SCHEMES) REGULATIONS 2015 - DETERMINE DEVELOPMENT APPLICATIONS FOR 'UNLISTED USE (BICYCLE HIRE)'</b>
<b>Head of power</b>	PART 3. DELEGATIONS UNDER OTHER LEGISLATION
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s. 5.42 (1) (b) Delegation of some powers and duties to CEO.
<b>Express power or duty delegated</b>	<i>Planning and Development (Local Planning Schemes) Regulations 2015:</i> Schedule 2 Deemed provisions for local planning schemes. Clause 82 Delegations by local government.
<b>Function</b>	Authority to determine development applications for 'Unlisted Use (Bicycle Hire)'.
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	Nil.
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees.
<b>Subdelegates</b>	Director Planning and Community Development (00105) Manager Planning Services (00108)
<b>Subdelegate conditions</b>	Nil.
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	20 September 2016
<b>Adoption references</b>	CJ135-09/16
<b>Last reviewed</b>	28 May 2024



## 3.8 – PUBLIC HEALTH ACT 2016

<b>Delegation</b>	<b>3.8.1 PUBLIC HEALTH ACT 2016 - FUNCTIONS OF AN ENFORCEMENT AGENCY</b>
<b>Head of power</b>	PART 3. DELEGATIONS UNDER OTHER LEGISLATION
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate.
<b>Express power or duty delegated</b>	<i>Public Health Act 2016</i>
<b>Function</b>	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> .
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	Nil.
<b>Policy</b>	Not applicable.
<b>Date adopted</b>	21 February 2017
<b>Adoption references</b>	CJ012-02/17
<b>Last reviewed</b>	28 May 2024

## PART 4. CITY OF JOONDALUP LOCAL LAWS

## 4.1 – CITY OF JOONDALUP PARKING LOCAL LAW 2024

<b>Delegation</b>	<b>4.1.1 AMENDMENTS TO THE PARKING SCHEMES</b>
<b>Head of power</b>	PART 4. CITY OF JOONDALUP LOCAL LAWS
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO. s.5.43 Limitations on delegations to the CEO.
<b>Express power or duty delegated</b>	<i>City of Joondalup Parking Local Law 2024.</i>
<b>Function</b>	Authority to approve and implement amendments to parking schemes adopted by Council in relation to: <ul style="list-style-type: none"> <li>• time limits, conditions and prohibitions in streets and parking stations;</li> <li>• the designation of visitor and authorised vehicle parking.</li> </ul>
<b>Delegates</b>	Chief Executive Officer (00001)
<b>Conditions</b>	Authority to be exercised consistently with the provisions of the <i>City of Joondalup Parking Local Law 2024.</i>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees.
<b>Subdelegates</b>	Director Planning and Community Development (00105) Manager Community Safety (00912)
<b>Subdelegate conditions</b>	Nil.
<b>Policy</b>	<a href="#">Parking Schemes Policy.</a>
<b>Date adopted</b>	3 May 2008
<b>Adoption references</b>	CJ073-05/08
<b>Last reviewed</b>	28 May 2024