



# DELEGATIONS REGISTER

30 October 2017

## DELEGATIONS

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**REGISTER OF DELEGATIONS – COUNCIL TO CEO****Local Government Act 1995**

NO	SECTION	DELEGATION	ASSIGNEE	COUNCIL RESOLVED
1	3.25(1)	Notices requiring certain things to be done by owner or occupier of land.	<a href="#">Yes</a>	T27/4/17
3	3.27(1)	Things that can be done on land that is not local government property.	<a href="#">Yes</a>	T27/4/17
6	3.47	Authority to sell or dispose of impounded goods. (Section 3)	<a href="#">Yes</a>	C15/6/17
7	3.54(1)	Authority to do anything on land vested or under the control and management of Council.	<a href="#">Yes</a>	T27/4/17
9	5.42(1) & 5.43(b)	Authority to accept or reject tenders where the consideration under the contract is, or is expected to be \$150,000 or less. Authority to determine in writing the criteria for deciding which tender should be accepted before tenders are invited. Authority, having invited tenders and accepted the successful tenderer, to determine minor variations before entering into a contract.	No  Yes  Yes	CS26/5/17
10	5.42(1) & 6.12(1)(c)	To write off small amounts to a maximum of \$2000 subject to the reporting of the exercise of this delegation to Council each month.	<a href="#">Yes</a>	CS26/5/17
11	5.42(1) & 9.10	To appoint employees and persons as “authorized officers” for the purpose of performing functions under the Act and Regulations.	<a href="#">Yes</a>	CS26/5/17
12	9.20	To Withdraw infringement notices.	<a href="#">Yes</a>	C15/6/17
13	9.28	All of the powers and duties of the City of Armadale under the Town Planning Scheme, the Planning and Development Act 2005 and the associated Planning and Development Regulations.	<a href="#">Yes</a>	D30/6/17
14	3.26(2)	Take action to achieve compliance with a notice given under s3.25 (1).	<a href="#">Yes</a>	T27/4/17
16	3.47A	Disposal of sick or injured animals. (Section 3.47A)	<a href="#">Yes</a>	C15/6/17
17	5.42(1) & 6.49	To accept payment of a rate or service charge due and payable by a person in accordance with an agreement made with the person.	<a href="#">Yes</a>	CS26/5/17
21	5.43.(d)	The Chief Executive Officer is delegated authority to acquire land identified for Development Contribution Plan No.3 of Town Planning Scheme No.4 and/or the associated adopted Infrastructure Cost Schedule: a) at a value less than or equal to the Assessed Value plus 10% (as per Clause 3.12.5 of Development Contribution Plan No.3); or b) at a value equal to or less than the Assessed Value plus the amount allowed by Clause 3.12.5 and any additional claim that is not significant and/or in accordance with advice from the City's valuer.	<a href="#">Yes</a>	D30/6/17

**Local Government Act 1995 cont.....**

NO	SECTION	DELEGATION	ASSIGNEE	COUNCIL RESOLVED
22	5.42 & 5.43(d)	<p>Pursuant to Sections 5.42 and 5.43(d) of the <i>Local Government Act 1995</i>, delegates to the Chief Executive Officer (CEO) authority to:</p> <ul style="list-style-type: none"> <li>▪ sign any offer and acceptance for the sale of land, including land in the Public Open Space Strategy (POS Strategy) and the City's Strategic Land Assets, where offers are not less than 10% below a current market valuation and do not exceed 100% of a current market valuation, subject to Council determining the sale of land being by private treaty;</li> <li>▪ lodge any contracts, transfer documents and any other related documents in relation to the above if no submissions are received following advertising as required under Section 3.58(3)(iii) of the <i>Local Government Act 1995</i>.</li> </ul> <p>Any Contract for Sale entered into under Delegated Authority by the CEO, be reported in the Executive Director Development Services Report for Council's information</p>	No	D30/6/17
23	9.49(A)(4)&(5)	<p>That Council pursuant to Section 9.49(A) of the <i>Local Government Act 1995</i>, delegates to the Chief Executive Officer, Executive Director Development Services, Executive Director Technical Services, Executive Manager Development Services authority to sign the following documents and/or deeds on behalf of the City, including lodgement, removal, withdrawal, surrender or modification:</p> <ul style="list-style-type: none"> <li>• Notifications, covenants and easements under the Transfer of Land Act 1893;</li> <li>• Reciprocal access and/or parking agreements;</li> <li>• Rights of carriageway agreements;</li> <li>• Caveats under the Transfer of Land Act 1893; and</li> </ul> <p>Easements or deeds of easement under the Land Administration Act 1997 and/or Strata Titles Act 1985.</p>	No	D/38/7/17
24	5.42(1) & 5.100A	<p>The decision on the type of gift to be provided to a retiring Councillor is to be made by the Chief Executive and the Mayor which may include discussions with the relevant Councillor</p>	No	CS26/5/17
	Reg: 34AC Policy: EM14			

**Local Government Act 1995 cont.....**

NO	SECTION	DELEGATION	ASSIGNEE	COUNCIL RESOLVED
26	s5.42 & 6.7(2)	<p><b>In line with Council Policy ADM 17 – Legal Representation for Councillors and Employees</b></p> <p>1. pursuant to Section 5.42 of the Local Government Act 1995, delegate to the Chief Executive Officer (CEO) the authority to exercise the provisions of clause 7.1 of the associated Management Practice, ie.</p> <p>- In cases where a delay in the approval of an application would be detrimental to the legal rights of the applicant, the CEO may authorize financial assistance for legal representation costs in accordance with the provisions under this Policy provided that an application so approved by the CEO, must be subsequently reported to the next Council Meeting whereat Council may exercise any of its powers under this Policy, including its powers under clause 6.3 which reads, “the Council may at any time revoke or vary an approval, or any conditions of approval, for the payment of legal representation costs”.</p> <p>2. Notes the CEO’s intention, in cases where the applicant is the CEO, to on-delegate to the Executive Director Corporate Services, the same delegation powers as referred to in (1) above.</p>	<p><a href="#">Yes</a></p> <p>No (other than when the relevant person is the CEO in which case the authority is on-delegated to the Executive Director Corporate Services)</p>	CS26/5/17
27	5.42 & 6.12(1)(b)	<p>That Council pursuant to Section 5.42 and 6.12(1)(b) of the Local Government Act 1995, delegate the power to the Chief Executive Officer to approve free use of Council owned facilities in partnership agreements with external organisations subject to:</p> <ul style="list-style-type: none"> <li>• The term not exceeding twelve (12) months; and</li> <li>• Any agreement not applying to commercial organisations</li> </ul>	<a href="#">Yes</a>	C15/6/17
28	3.50(1)	Events on Roads – Authority to approve road closures for events on roads, in accordance with Council Policy ENG 3 – Road Closures for Events.	<a href="#">Yes</a>	C15/6/17
29	5.42 & S6.12(1)(b)	Community Development - Authority to approve any requests for “one-off” free use of Council’s facilities shall be delegated to the Chief Executive Officer. Any requests for “one-off” free use of facilities shall be considered on its merits but will normally only be eligible for approval if it is a not-for-profit community service activity that provides a significant benefit to the community. In the event that a request is refused the matter is to be referred to the Community Services Committee for consideration prior to a decision.	<a href="#">Yes</a>	C15/6/17

**Bush Fires Act 1954**

NO	SECTION	DELEGATION	ASSIGNEE	COUNCIL RESOLVED
82	FIRE SERVICES	The Mayor and Chief Bush Fire Control Officer be given delegated authority to vary the prohibited and restricted burning periods.	No	C15/6/17
Bush Fires Act 1954 – Sections 17(10) and 18(5)				

**Strata Titles Act 1985**

NO	SECTION	DELEGATION	ASSIGNEE	COUNCIL RESOLVED
100		The Chief Executive Officer is delegated authority to approve and sign Strata Title Certificates which come within the boundaries of the Municipality.	<a href="#">Yes</a>	D30/6/17

**Local Government (Financial Management) Regulations 1996**

NO	SECTION	DELEGATION	ASSIGNEE	COUNCIL RESOLVED
150	S5.42(1) & r12(1)(a)	To make payments from the Municipal and Trust funds	<a href="#">Yes</a>	CS26/5/17

**Local Government (Uniform Local Provisions) Regulations 1996**

NO	SECTION	DELEGATION	ASSIGNEE	COUNCIL RESOLVED
172	13	Authority to serve notice on owners or occupiers of land abutting a street or way to construct or repair a crossing from the common boundary of the land and the street or way to the paved portion of the carriageway of the street or way.	<a href="#">Yes</a>	T27/4/17
173	17	Approve private works on, over or under a public thoroughfare or other public place and take action for offences under this Regulation.	<a href="#">Yes</a>	T27/4/17

## Local Government (Long Service Leave) Regulations

NO	SECTION	DELEGATION	ASSIGNEE	COUNCIL RESOLVED
195	s5.42(1), r6A, 6B, 7 & 8	To approve: <ul style="list-style-type: none"> <li>(i) the payment of long service leave on half pay or double pay;</li> <li>(ii) to reduce the requirement to provide at least 2 months' notice for the taking of long service leave;</li> <li>(iii) to approve the taking of long service leave over not more than 3 separate periods;</li> <li>(iv) a variation to the rate of payment of long service leave where the commencement of long service leave has been postponed by the worker beyond 6 months.</li> </ul>	No	CS26/5/17

## Local Law – Activities and Trading in Thoroughfares and Public Places

NO	SECTION	DELEGATION	ASSIGNEE	COUNCIL RESOLVED
200	s5.42(1)	Authority to discharge all powers and functions under the Activities and Trading in Thoroughfares and Public Places Local Law but not including the following powers and functions; <ul style="list-style-type: none"> <li>- approve a Traders permit under clause 7.2(1)(a);</li> <li>- approve an outdoor eating facility permit under clause 7.2(1)(a);</li> <li>- cancel a traders or outdoor eating facility permit under clause 7.10;</li> <li>- hear an objection – refer clause 8.1;</li> <li>- declare a thoroughfare to be a “flora road” under clause 5.3;</li> </ul> designate a thoroughfare or part of a thoroughfare as a “special environmental area” under clause 5.7.	<u>Yes</u> (other than the authority to appoint authorized persons who are not employees under section 9.10 of the <i>Local Government Act 1995</i> )	T27/4/17

## Local Law – Local Government Property

NO	SECTION	DELEGATION	ASSIGNEE	COUNCIL RESOLVED
221	Various	<p>Authority to administer the Local Government Property Local Law including the appointment of authorised persons (under section 9.10 of the Local Government Act 1995) to perform any of the functions of an authorised person under the local law subject to the following:</p> <p>(a) The CEO may refer any matter at his discretion for the decision of Council;</p> <p>(b) Only Council is to:</p> <p>(i) make a determination under Part 2;</p> <p>(ii) adopt or vary a policy containing conditions subject to which an application for a permit may be approved under clauses 3.3(1)(a);</p> <p>(iii) enter into an agreement with a permit holder in respect of ownership of materials in a building (clause 3.7);</p> <p>(iv) issue a permit under clause 3.13(1) (erect a building) or 3.13(n) (erect or install any utility service structure);</p> <p>(v) appoint authorised persons who are not employees under section 9.10 of the Act.</p>	<a href="#">Yes</a>	T27/4/17

## Local Law – Environment, Animals and Nuisances

NO	SECTION	DELEGATION	ASSIGNEE	COUNCIL RESOLVED
240	5.44(1)	<p>The Chief Executive Officer is delegated authority to discharge the following powers and functions under the City of Armadale Environment, Animals and Nuisance Local Laws 2002:</p> <p>a) The granting, refusal, cancellation and setting conditions of approval to conduct activities;</p> <p>b) The carrying out of works in default of a duly served notice;</p> <p>Any other powers and functions where, in the opinion of the Health Services Manager, immediate action is necessary to prevent or alleviate a public health hazard.</p>	<a href="#">Yes</a>	D30/6/17

## Local Law – Fencing

NO	SECTION	DELEGATION	ASSIGNEE	COUNCIL RESOLVED
260	Various	The Chief Executive Officer is delegated authority to approve all discretionary matters covered under the City's Fencing Local Law 2011.	<a href="#">Yes</a>	D30/6/17



## Local Law – Pest Plant

NO	SECTION	DELEGATION	ASSIGNEE	COUNCIL RESOLVED
270	3.1 & 3.2	<p>The Chief Executive Officer is delegated authority to discharge the following powers and functions under the City of Armadale Pest Plant Local Law 2013:</p> <p>a) Serve on the owner or occupier of private land within the district a duly completed notice in the form of the Schedule 2 requiring him to destroy, eradicate or otherwise control any pest plant on that land.</p> <p>b) Where a person fails to comply with a notice under clause 3.1 served upon him, may—</p> <p>(a) without payment of any compensation in respect thereof, destroy, eradicate or control, as the case may be, any pest plant the destruction, eradication or control of which was required by the notice; and</p> <p>(b) recover in a court of competent jurisdiction from the person to whom the notice is directed, the amount of the expense of such destruction, eradication or control.</p>	<a href="#">No</a>	T27/4/17

## Policies of Council

NO	POLICY NO	DELEGATION	ASSIGNEE	COUNCIL RESOLVED
502	COMD 1	<p>Consider requests for assistance according to the following categories.</p> <ul style="list-style-type: none"> <li>• Donations</li> <li>• Community Grant</li> </ul>	<a href="#">Yes</a>	C15/6/17

## Planning Delegations

NO	SECTION	DELEGATION	ASSIGNEE	COUNCIL RESOLVED
702	C1.82 & 83 – Schedule 2 (Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015	<p><b>Authority to Exercise Powers under the Deemed Provisions, Town Planning Scheme, Policies, and provide advice/recommendations to the WAPC for Subdivisions, Amalgamations, Strata and Survey Strata applications for all areas of the City.</b></p> <p>The Chief Executive Officer be given full delegation to deal with:</p> <ol style="list-style-type: none"> <li>1. All strata, survey strata, subdivision and amalgamation applications within the City and the Metropolitan Redevelopment Authority Area within Armadale.</li> <li>2. Determination of applications for ‘P’ Uses, ‘D’ Uses, ‘A’ Uses, ‘Uses Not Listed’ and ‘Non-Conforming Uses*’.</li> <li>3. Determination of applications for signage and/or advertising devices, illuminated directional signs and directional signs.</li> <li>4. Determination of applications for an extension to the term of a planning approval.</li> <li>5. Where delegation is specifically provided for in accordance with a Council resolution or adopted policy.</li> <li>6. Determination of applications for the establishment or variation of a development envelope, with the exception of development envelopes on lots larger than on (1ha) hectare that propose development envelope modifications that would be larger than the Maximum Development Envelope Size specified on Table 1 of Policy 2.1 – Establishment or Amendment of Development Envelopes.</li> <li>7. Determination of applications for two houses on one lot in a General Rural Zone.</li> <li>8. Determination of setbacks within all areas of the City.</li> <li>9. Determination of variations to the Residential Design Codes.</li> <li>10. Refuse applications for “X” uses in all zones.</li> <li>11. Determine requests to waive or refund in whole or in part payment of a fee for a planning service.</li> <li>12. Determine all applications for commercial vehicle parking, including approvals, refusals and/or renewals.</li> <li>13. Determine or make decisions where an adopted policy requires a discretionary decision regarding policy provisions that refer to “Council” and/or “the City”.</li> <li>14. Determine all retrospective applications, including approvals or refusals.</li> <li>15. Determine Outline Development Concept Plans under Policy PLN 3.1.</li> <li>16. Amending or revoking planning approvals.</li> </ol> <p>The Chief Executive Officer also be given full delegation to deal with:</p> <ol style="list-style-type: none"> <li>1. All Notice of Determinations for single houses and outbuildings within all zones.</li> <li>2. Determination of applications for variations to approved group housing and aged person’s developments.</li> </ol>	Yes	D30/6/17

\* Exemptions:

- Applications involving new unit developments (grouped, multiple, aged or single persons dwellings) within the River Road Heritage Precinct Area covered by Policy PLN 3.9 shall be referred to Council for determination where approval is recommended.
- Applications within the General Rural and Rural Living zones involving the following new land uses or where a previous approval for the use does not exist on the lot shall be referred to Council for determination, where approval is recommended:
  - Fuel Depot;
  - Hospital;
  - Industry – Extractive;
  - Place of Worship.
- Applications within the Special Residential zone involving the following new land uses or where a previous approval for the use does not exist on the lot shall be referred to Council for determination, where the approval is recommended:
  - Child Care Premises;
  - Consulting Rooms;
  - Educational Establishment.

City of Armadale Town Planning Scheme No 4 & Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015.

712	C1.82 & 83 – Schedule 2 (Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015)	<b>Authority to Exercise Discretion on Behalf of Council to Reach Determination, Where Appropriate, of Appeals Processed by Mediation</b>	<a href="#">Yes</a>	D30/6/17
		<p>The Chief Executive Officer is delegated authority to perform all functions associated with applications for review and to exercise discretion on behalf of Council to attend and reach determination, where appropriate, of Applications for Review processed by mediation within the State Administrative Tribunal system under the Planning and Development Act 2005.</p> <p>City of Armadale Town Planning Scheme No 4 &amp; Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015.</p>		

**Planning Delegations Cont ....**

NO	SECTION	DELEGATION	ASSIGNEE	COUNCIL RESOLVED
714	C1.82 & 83 – Schedule 2 (Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015	<p><b>Authority to Determine Applications Involving Properties Listed on the Municipal Heritage Inventory</b></p> <p><b>Approvals</b> The Chief Executive Officer is delegated authority to approve applications involving properties listed on the Municipal Heritage Inventory subject to the application satisfying the following criteria: Applications for development involving properties, objects, structures and places listed as Category 'A' in the Municipal Heritage Inventory:</p> <ul style="list-style-type: none"> <li>• The proposal is consistent with the current Town Planning Scheme and any Policy provisions that may be relevant;</li> <li>• Consultation has been undertaken with the Heritage Council of Western Australia is undertaken and no objection/ comment or unfavourable advice is received; and</li> <li>• Consultation has been undertaken with the Community Heritage Advisory Group.</li> </ul> <p>Applications for development involving properties, objects, structures and places listed as Categories 'B' through 'F' in the Municipal Heritage Inventory:</p> <ul style="list-style-type: none"> <li>• The proposal is consistent with the current Town Planning Scheme and any policy provisions that may be relevant; or</li> <li>• Consultation has been undertaken with the Community Heritage Advisory Group.</li> </ul> <p><b>Refusals</b> The Chief Executive Officer is delegated authority to refuse applications involving properties listed on the Municipal Heritage Inventory if any of the following apply:</p> <ul style="list-style-type: none"> <li>• The proposal is not consistent with the current Town Planning Scheme and/or any relevant Policy provisions, or any other planning reason;</li> <li>• The proposal would have a detrimental effect on the integrity of heritage value of the site;</li> <li>• The advice received from the heritage referral agencies or the Community Heritage Advisory Group (or its members) is not favourable to the application.</li> </ul> <p><b>Notes</b> Where an application has been submitted by a qualified heritage architect or is accompanied by a report from such a professional, this will contribute to a favourable consideration of the application. City of Armadale Town Planning Scheme No 4</p>	<a href="#">Yes</a>	D30/6/17

**Planning Delegations Cont ....**

NO	SECTION	DELEGATION	ASSIGNEE	COUNCIL RESOLVED
719	C1.82 & 83 – Schedule 2 (Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015	<p><b>Authority to Determine the Necessity, Duration and Extent of Advertising of Development Services Applications</b></p> <p>The Chief Executive Officer is delegated authority to determine the necessity, duration and extent of advertising of development applications under Town Planning Scheme No.4, the Residential Design Codes of Western Australia and any policy of Council.</p> <p>City of Armadale Town Planning Scheme No 4 &amp; Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015.</p>	<a href="#">Yes</a>	D30/6/17
721	C1.82 & 83 – Schedule 2 (Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015	<p><b>Authority to Determine Requests for Tree Removal or Maintenance Approvals</b></p> <p>The Chief Executive Officer is delegated authority to:</p> <ul style="list-style-type: none"> <li>• Determine requests to remove trees with a trunk circumference in excess of 0.6 metres measured at a height of one (1) metre from the ground in the District Centre, Local Centre and Mixed Business/Residential zone.</li> <li>• Determine requests to remove trees in all other Zones.</li> <li>• Determine requests to maintain trees that are subject to tree preservation orders.</li> </ul> <p>Note: Where appropriate, an arboriculturalist's report can be required to clearly outline whether the removal or maintenance of a tree or trees is necessary.</p> <p><b>Refusals</b></p> <p>The Chief Executive Officer is delegated authority to refuse such applications.</p> <p>City of Armadale Town Planning Scheme No 4</p>	<a href="#">Yes</a>	D30/6/17
731	C1.82 & 83 – Schedule 2 (Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015	<p><b>Authority to Make Decisions, Recommendations and Determine Structure Plans, Activity Centre Plans and Local Development Plans Under Parts 4.5 and 6 of the Deemed Provisions.</b></p> <p>The Chief Executive Officer is delegated authority to make all decisions, recommendations and determinations referred to under Part 4 – Structure Plans. Part 5 – Activity Centre Plans and Part 6 – Local Development Plans of the Deemed Provisions and any other related provision under Town Planning Scheme No.4</p>	<a href="#">Yes</a>	D30/6/17

**Planning Delegations Cont ....**

NO	SECTION	DELEGATION	ASSIGNEE	COUNCIL RESOLVED
732	C1.82 & 83 – Schedule 2 (Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015	<p><b>Authority to implement works or grant Credit offsets for Common Infrastructure Works in the adopted Infrastructure Cost Schedule - Development Contribution Plan No.3</b></p> <ol style="list-style-type: none"> <li>1. The Chief Executive Officer is delegated authority to undertake works or authorise prefunding of Common Infrastructure Works leading to Credits under Clauses 3.7 and 3.10 of Development Contribution Plan No.3 of Town Planning Scheme No.4 for all Common Infrastructure Works funded in the adopted Infrastructure Cost Schedule subject to the Chief Executive Officer being satisfied that: <ol style="list-style-type: none"> <li>(i) the works will meet the objectives implicit in the Scheme text describing the Common Infrastructure Work; and</li> <li>(ii) the works are in accordance with the Development Contribution Plan No.3 Scheme text and specifications or guidance noted in the adopted Infrastructure Cost Schedule; and</li> <li>(iii) it is timely to fund the works in the context of the Infrastructure Cost Schedule Forward Financial Plan, the current Development Contribution Plan No.3 Reserve Fund balance, the need to act opportunistically to achieve the works, and advice from the North Forrestdale Planning Steering Group where appropriate; and</li> <li>(iv) the cost of works to be undertaken is at or below current market rates; or</li> <li>(v) where the cost is higher than that identified in the Infrastructure Cost Schedule, that the costs can be justified and that decisions are considered with due regard for points two (2) and three (3) below.</li> </ol> </li> <li>2. Where in the opinion of the Chief Executive Officer quotations for works significantly exceed that budgeted in the Infrastructure Cost Schedule, the Chief Executive Officer shall refer the Common Infrastructure Work proposal to Council for consideration as to whether the work should be implemented as proposed, revised in scope, or deferred.</li> <li>3. The granting of Credits may be conditional upon the owner providing itemised records of expenditure with Credits being accrued only after receipt of expenditure records.</li> <li>4. The Chief Executive Officer is delegated authority to grant Credits or Credit offsets for the acquisition of land identified in Development Contribution Plan No.3 of Town Planning Scheme No.4 and/or the associated adopted Infrastructure Cost Schedule: <ol style="list-style-type: none"> <li>(i) at a value less than or equal to the Assessed Value plus the amount permitted under Clause 3.12.5; or</li> <li>(ii) at a value equal to or less than the Assessed Value plus the amount allowed by Clause 3.12.5 and any additional claim that is not significant and/or in accordance with advice from the City's valuer.</li> </ol> </li> </ol>	<a href="#">Yes</a>	D30/6/17

**Planning Delegations Cont ....**

NO	SECTION	DELEGATION	ASSIGNEE	COUNCIL RESOLVED
733	C1.82 & 83 – Schedule 2 (Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015	<p><b>Authority to Issue, Refuse and Rescind Tree Preservation Notices</b></p> <p>The Chief Executive Officer is delegated authority to:</p> <ul style="list-style-type: none"> <li>• determine if a tree is sufficiently significant to warrant issuing a notice to an owner based on advice and assessment in accordance with Policy PLN 2.4;</li> <li>• issue a notice if a tree is determined to be sufficiently significant, or if it is expedient to do so until such time as an assessment is completed; and</li> <li>• rescind a notice following an assessment or re-assessment of the tree in accordance with Policy PLN 2.4; and</li> <li>• refuse or decline requests to rescind a notice;</li> <li>• refuse to issue a notice when a nomination is received seeking issuance of a notice and the City does not consider the tree sufficiently significant to warrant a notice.</li> </ul> <p>Note: Following the City’s determination on individual Tree Preservation Applications that a report on the outcomes be listed in the Information Bulletin (Development Services) for Council information.</p>	<a href="#">Yes</a>	D30/6/17
		City of Armadale Town Planning Scheme No 4.		

**Building Act 2011 Delegations**

NO	SECTION	DELEGATION	ASSIGNEE	COUNCIL RESOLVED
<b>Note: In addition to the Delegations 800-810, Building Surveyors must hold the appropriate qualifications as set out under part 3A – Building Surveyors of the Building Services (Registration) Regulations 2011.</b>				
<b>800</b>	18,20,22,23,24 & 127	<b>Approve or refuse to grant building permit</b>  The Building Services Manager, Co-ordinator Building Services (Commercial), Co-ordinator Building Services (Residential) and Senior Building Surveyors are delegated authority to approve or refuse to grant building permits under section, 18, 20, 22, 23, 24 and 127 of the Building Act 2011.	No	D30/6/17
<b>801</b>	18, 21, 22, 23, 24 & 127	<b>Approve or refuse to grant demolition permit</b>  The Building Services Manager, Co-ordinator Building Services (Commercial), Co-ordinator Building Services (Residential) and Senior Building Surveyors are delegated authority to approve or refuse to grant demolition permits under section, 18, 21, 22, 23, 24 and 127 of the Building Act 2011.	No	D30/6/17
<b>802</b>	27 & 127	<b>Conditions of building permit or demolition permit</b>  The Building Services Manager, Co-ordinator Building Services (Commercial), Co-ordinator Building Services (Residential) and Senior Building Surveyors are delegated authority to impose, add, vary or revoke conditions on the grant of a building permit or demolition permit under section 27 and 127 of the Building Act 2011.	No	D30/6/17
<b>803</b>	32 & 127	<b>Duration of building permit or demolition permit</b>  The Building Services Manager, Co-ordinator Building Services (Commercial), Co-ordinator Building Services (Residential) and Senior Building Surveyors are delegated authority to extend the time during which building permits or demolition permits have effect under section 32 and 127 of the Building Act 2011.	No	D30/6/17
<b>804</b>	58, 59, 60 & 127	<b>Approve or refuse to grant occupancy permit or building approval certificate</b>  The Building Services Manager, Co-ordinator Building Services (Commercial), Co-ordinator Building Services (Residential) and Senior Building Surveyors are delegated authority to grant, modify or refuse to grant occupancy permits or building approval certificates under section 58, 59, 60 and 127 of the Building Act 2011.	No	D30/6/17



**Building Act 2011 Delegations**

NO	SECTION	DELEGATION	ASSIGNEE	COUNCIL RESOLVED
805	62 & 127	<b>Conditions of occupancy permit or building approval certificate</b>  The Building Services Manager, Co-ordinator Building Services (Commercial), Co-ordinator Building Services (Residential) and Senior Building Surveyors are delegated authority to impose, add, vary or revoke conditions on the grant of an occupancy permit or building approval certificate under section 62 and 127 of the Building Act 2011.	No	D30/6/17
806	65 & 127	<b>Approve or refuse to extend duration of occupancy permit or building approval certificate</b>  The Building Services Manager, Co-ordinator Building Services (Commercial), Co-ordinator Building Services (Residential) and Senior Building Surveyors are delegated authority to approve or refuse to extend period of duration of occupancy permits or building approval certificates under section 65 and 127 of the Building Act 2011.	No	D30/6/17
807	110, 111, 112 & 127	<b>Issue notices and building orders</b>  The Building Services Manager, Co-ordinator Building Services (Commercial), Co-ordinator Building Services (Residential) are delegated authority to issue notices and building orders pursuant to section 110, 111, 112 and 127 of the Building Act 2011.	No	D30/6/17
808	117 & 127	<b>Revoke building orders</b>  The Building Services Manager, Co-ordinator Building Services (Commercial), Co-ordinator Building Services (Residential) are delegated authority to revoke building orders pursuant to section 117 and 127 of the Building Act 2011.	No	D30/6/17
810	118 & 127	<b>Give effect to building order if non-compliance</b>  The Building Services Manager, Co-ordinator Building Services (Commercial), Co-ordinator Building Services (Residential) are delegated authority if there is non-compliance with an order, to take any action specified or to commence or complete any work or cease any action specified in the order pursuant to section 118 and 127 of the Building Act 2011.	No	D30/6/17

### Cat Act 2011

NO	SECTION	DELEGATION	ASSIGNEE	COUNCIL RESOLVED
900	44(1)	The Chief Executive Officer is delegated authority to exercise all of its powers and the discharge of all of its duties under the <i>Cat Act 2011</i> including the appointment of authorized persons or classes of persons under section 48	<a href="#">Yes</a>	C15/6/17

### Dog Act 1976

NO	SECTION	DELEGATION	ASSIGNEE	COUNCIL RESOLVED
1000	10AA	The Chief Executive Officer is delegated authority to exercise of all its powers and the discharge of all its duties under the Act including the appointment of an authorised person under section 29(1), the appointment for a registration officer under section 11 and the power to further delegate the power or duty.	<a href="#">Yes</a>	C15/6/17

### Local Laws Relating to Dogs

NO	SECTION	DELEGATION	ASSIGNEE	COUNCIL RESOLVED
1100		The Chief Executive Officer is delegated authority to exercise of all its powers and the discharge of all of its duties under the <i>Local Laws Relating to Dogs</i> and the power to further delegate the power or duty, except: Section 2.1 – Determining of charges and Costs Section 3.3(2) – Fees determined for the lodgment of an exemption Section 4.10(4) – Fees determined for the lodgment of an application for a licence for a kennel establishment	<a href="#">Yes</a>	C15/6/17

### Graffiti Vandalism Act 2016

NO	SECTION	DELEGATION	ASSIGNEE	COUNCIL RESOLVED
1200	16	The Chief Executive Officer is delegated authority to exercise of all its powers and the discharge of all its duties under Part 3 of this Act.	<a href="#">Yes</a>	T48/7/17

### Public Health Act 2016

NO	SECTION	DELEGATION	ASSIGNEE	COUNCIL RESOLVED
1300	21	The Chief Executive Officer is delegated the authority to designate Authorised Officers.	No	D11/2/17

### Environmental Protection (Noise) Regulations 1997

NO	SECTION	DELEGATION	ASSIGNEE	GAZETTED
	s65 of the Act	Local government CEO has powers in relation to environmental protection notices under section 65 of the Act;	No	19 March 2004 Pg 919 of Issue No: 47
	Various	Local government CEO has powers in relation to various approvals and other activities under the noise regulations	No	20 December 2013 Pg 6282 of Issue No: 232
	r13	Local government CEO and Environmental Health Officers have powers in relation to noise management plans for construction work on construction sites under noise regulation 13	No	16 May 2014 Pg 1548 of Issue No: 71

## REGISTER OF SECONDARY DELEGATIONS

PRIMARY DELEGATION No	SECONDARY DELEGATION No	DESCRIPTION OF DELEGATION	DELEGATEE	CEO APPROVED
<a href="#">1</a>	S1	Authority to require any tree which in the Chief Executive Officer's opinion constitutes a danger to persons or property to be rendered safer. <b>S 3.34 Local Government Act 1995</b>	Executive Director Technical Services	
<a href="#">1</a>	S1.1	Authority to require the prevention of sand drift from land within Council's district. Reg 21 Local Government (Uniform Local Provisions) Regulations 1996 <b>S 3.25 Local Government Act 1995</b>	Executive Director Technical Services	
<a href="#">1</a>	S1.3	Issue, sign and serve notices under Section 3.25 of the Local Government Act.  <b>S 3.25 Local Government Act 1995</b>	Executive Director Technical Services Executive Director Development Services Executive Manager Development Services Building Services Manager	
<a href="#">3</a>	S3	Authority to undertake works on land that is not local government property in accordance with Schedule 3 of the Local Govt Act. <b>S 3.27(1) Local Government Act 1995</b>	Executive Director Technical Services	
<a href="#">6</a>	S6	Authority to sell and dispose of impounded goods. <b>S 3.47 Local Government Act 1995</b>	Manager Ranger & Emergency Services	
<a href="#">7</a>	S7	Authority to do anything on land vested or under the control and management of Council. <b>S 3.54(1) Local Government Act 1995</b>	Executive Director Technical Services	
<a href="#">9</a>	S9	1. Determine the criteria for deciding which tender should be accepted. 2. Determine minor variations before entering into a contract.  <b>R14(2a) &amp; 20 Local Government (Functions and General) Regulations 1996</b>	All Executive Directors, Executive Managers and Managers	
<a href="#">10</a>	S10	To write off small amounts to a maximum of \$2000 subject to the reporting of the exercise of this delegation to Council each month. <b>S 6.12(1)(c) Local Government Act 1995</b>	Executive Director Corporate Services Executive Manager Corporate Services	
<a href="#">12</a>	S12	Withdrawal of infringement notices issued under the Parking and Parking Facilities Local Law. <b>S 9.20 Local Government Act 1995</b>	Executive Director Community Services Manager Ranger & Emergency Services	

PRIMARY DELEGATION No	SECONDARY DELEGATION No	DESCRIPTION OF DELEGATION	DELEGATEE	CEO APPROVED
<a href="#">13</a>	S13	<p>All of the powers and duties of the City of Armadale under the Town Planning Scheme, the Planning and Development Act 2005 and the associated Planning and Development Regulations, including:</p> <ol style="list-style-type: none"> <li>1. Take action to enforce the Town Planning Scheme through Sections 214, 215, 216 and 218 of the Planning and Development Act 2005.</li> <li>2. Defend, initiate and/or commence legal proceedings (including infringement notices) and/or a prosecution for breaches, contravention and/or failure to comply with the Town Planning Scheme, non-compliance with conditions of development approval or for unauthorised development or use.</li> <li>3. Issue notices in accordance with Clause 11.2 of TPS No. 4 relating to the removal or repair of existing advertisements.</li> </ol> <p><b>S 9.28 Local Government Act 1995</b></p>	Executive Director Development Services Executive Manager Development Services	
<a href="#">14</a>	S14	<p>Take action to do anything that is considered necessary to achieve so far as is practicable the purpose for which a notice under s3.25 (1) is given.</p> <p><b>S 3.26(2) Local Government Act 1995</b></p>	Executive Director Technical Services Executive Director Development Services Executive Manager Development Services	
<a href="#">16</a>	S16	<p>Disposal of sick or injured animals.</p> <p><b>S 3.47A Local government Act 1995</b></p>	Senior Ranger Rangers	
<a href="#">17</a>	S17	<p>Agreements for payment of rates and service charges.</p> <p><b>S 6.49 Local Government Act 1995</b></p>	Manager Finance Services Coordinator Rating Services Senior Rating Services Officer Rates Debt Collection Officer Rates Officers	
<a href="#">21</a>	S21	<p>The Chief Executive Officer is delegated authority to acquire land identified in Development Contribution Plan No.3 of Town Planning Scheme No4 and/or the associated adopted Infrastructure Cost Schedule:</p> <ol style="list-style-type: none"> <li>a) at a value less than or equal to the Assessed Value plus 10% (as per Clause 3.12.5 of Development Contribution Plan No.3); or</li> <li>b) at a value equal to or less than the Assessed Value plus the amount allowed by Clause 3.12.5 and any additional claim that is not significant, and/or in accordance with advice from the City's valuer.</li> </ol> <p><b>S 5.43 Local Government Act 1995</b></p>	Executive Director Development Services Executive Manager Development Services Manager Strategic Planning Project Manager – Contribution Arrangements	

PRIMARY DELEGATION No	SECONDARY DELEGATION No	DESCRIPTION OF DELEGATION	DELEGATEE	CEO APPROVED
<a href="#">26</a>	<b>S26</b>	Authority to exercise the provisions of clause 7.1 of the associated Management Practice ADM 17. In cases where a delay in the approval of an application would be detrimental to the legal rights of the CEO, the Executive Director Corporate Services may authorize financial assistance for legal representation costs in accordance with the provisions under this Policy provided that an application so approved by the Executive Director Corporate Services, must be subsequently reported to the next Council Meeting whereat Council may exercise any of its powers under this Policy, including its powers under clause 6.3 which reads, "the Council may at any time revoke or vary an approval, or any conditions of approval, for the payment of legal representation costs". <b>Local Government Act 1995 s5.42 &amp; 6.7(2)</b>	Executive Director Corporate Services	
<a href="#">27</a>	<b>S27</b>	Pursuant to Section 5.42 and 6.12(1)(b) approve free use of Council owned facilities in partnership agreements with external organisations subject to: <ul style="list-style-type: none"> <li>• The term not exceeding twelve (12) months; and</li> <li>• Any agreement not applying to commercial organisations</li> </ul>	Executive Director Community Services	
<a href="#">28</a>	<b>S28</b>	Authority to approve road closures for events on roads, in accordance with Council Policy ENG 3 – Road Closures for Events. <b>Local Government Act s3.50</b>	Executive Director Technical Services	
<a href="#">29</a>	<b>S29</b>	Authority to approve any requests for "one-off" free use of Council's facilities	Executive Director Community Services	
<a href="#">100</a>	<b>S100</b>	The Chief Executive Officer is delegated authority to approve and sign Strata Title Certificates which come within the boundaries of the Municipality.  <b>Strata Titles Act 1985</b>	Building Services Manager Coordinator Building Services (Commercial) Coordinator Building Services (Residential) Executive Manager Development Services Manager Statutory Planning Manager Strategic Planning Coordinator Statutory Planning Coordinator Growth and Urban Regeneration	30/10/2017
<a href="#">150</a>	<b>S150</b>	Authority to make payments from the Municipal and Trust Funds.  <b>Reg 12(1)(a) Local Government (Financial Management) Regulations 1996</b>	Executive Director Corporate Services Executive Manager Corporate Services Manager Finance Services Management Accountant Coordinator Accounting Services	

PRIMARY DELEGATION No	SECONDARY DELEGATION No	DESCRIPTION OF DELEGATION	DELEGATEE	CEO APPROVED
<a href="#">150</a>	S150.1	Approval of expenditure from the Community Safety Works Account subject to the works complying with the following criteria: <ul style="list-style-type: none"> <li>• Be initiated as a result of identification of an issue which is assessed by the Executive Director Technical Services to be of a technical nature;</li> <li>• Be of sufficient urgency in the opinion of the Executive Director Technical Services to warrant immediate attention, rather than referral to annual budget consideration;</li> <li>• The cost be within the delegate's signing authority;</li> <li>• That Council be informed of the work via a report in the 'Information Bulletin'.</li> </ul> <b>Reg 12(1)(a) Local Government (Financial Management) Regulations 1996</b>	Executive Director Technical Services	
<a href="#">172</a>	S172	Authority to serve notice on owners or occupiers of land abutting a street or way to construct or repair a crossing from the common boundary of the land and the street or way to the paved portion of the carriageway of the street or way. <b>Reg 13 Local government (Uniform Local Provisions) Regulations 1996</b>	Executive Director Technical Services	
<a href="#">173</a>	S173	Authority to approve private works on, over or under a public thoroughfare or other public place and to enforce the provisions of Regulation 17 of the Local Government (Uniform Local Provisions) Local Law. <b>Reg 17 Local Government (Uniform Local Provisions) Regulations 1996</b>	Executive Director Technical Services	
<a href="#">200</a>	S200	Authority to allow vehicle access to Jull Street mall. <b>Activities and Trading in Thoroughfares and Public Places Local Law</b>	Executive Director Technical Services	
<a href="#">200</a>	S200.1	Authority to approve more than 2 crossings to any one lot. <b>Activities and Trading in Thoroughfares and Public Places Local Law</b>	Executive Director Technical Services	
<a href="#">200</a>	S200.2	Authority to give written notice to the owner or occupier to remove a crossing and reinstate the kerb, drain, path, verge and any other part of the thoroughfare under clause 2.11(2) of the Activities and Trading in Thoroughfares and public Places Local Law. <b>Activities and Trading in Thoroughfares and Public Places Local Law</b>	Executive Director Technical Services	
<a href="#">200</a>	S200.3	Authority to give notice to the owner or occupier to make good any breach of a provision of Division 3 of the Activities and Trading in Thoroughfares and Public Places Local Law. <b>Activities and Trading in Thoroughfares and Public Places Local Law</b>	Executive Director Technical Services	
<a href="#">200</a>	S200.5	Granting of stallholder's permits in public places in accordance with section 6.2, 6.5, 6.7, 7.1, 7.2, 7.7 <b>Activities and Trading in Thoroughfares and Public Places Local Law</b>	Manager Governance & Administration Coordinator Governance & Administration Senior Governance & Administration Officer Governance & Administration Officer	

PRIMARY DELEGATION No	SECONDARY DELEGATION No	DESCRIPTION OF DELEGATION	DELEGATEE	CEO APPROVED
<a href="#">200</a>	S200.6	Approval of banners on banner poles. <b>Activities and Trading in Thoroughfares and Public Places Local Law</b>	Manager Communications & Marketing	19/9/2017
<a href="#">200</a>	S200.7	Approval of Street Entertainers permit in public places in accordance with 6.1, 6.11, 6.13, 7.1, 7.2, 7.7 determining relevant conditions as per section 7.3, 7.4, 7.5 and transfer or cancel a permit in accordance with 7.8 and 7.10. <b>Activities and Trading in Thoroughfares and Public Places Local Law</b>	Coordinator Governance & Administration Senior Governance & Administration Officer Governance & Administration Officer Coordinator Customer Service Senior Customer Service Officer Customer Service Officer	
<a href="#">200</a>	S200.8	Authority to enforce Division 2 – Shopping Trolleys of the <b>Activities in Thoroughfares and Public Places Local Law.</b>	Manager Ranger & Emergency Services Senior Ranger Rangers	
<a href="#">200</a>	S200.9	Authority to issue or refuse to issue a permit for a portable sign or to erect or place an advertising sign on a thoroughfare or post any bill or paint, place or affix any advertisement on a thoroughfare. <b>Activities and Trading in Thoroughfares and Public Places Local Law</b>	Executive Director Development Services Executive Manager Development Services	
<a href="#">221</a>	S221	Authority to approve, issue and determine conditions of a permit under the Local <b>Government Property Local Law.</b>	Executive Director Technical Services Executive Director Community Services	
<a href="#">221</a>	S221.1	Authority to give notices and take action under clause 9.1 and 9.2 of the Local <b>Government Property Local Law</b>	Executive Director Technical Services	
<a href="#">240</a>	S240	The Chief Executive Officer is delegated authority to discharge the following powers and functions under the City of Armadale Environment, Animals and Nuisance Local Laws 2002: a) The granting, refusal, cancellation and setting conditions of approval to conduct activities; b) The carrying out of works in default of a duly served notice; Any other powers and functions where, in the opinion of the Health Services Manager, immediate action is necessary to prevent or alleviate a public health hazard. <b>Local Law – Environment, Animals and Nuisances</b>	Health Services Manager Health Services Co-ordinator	



PRIMARY DELEGATION No	SECONDARY DELEGATION No	DESCRIPTION OF DELEGATION	DELEGATEE	CEO APPROVED
<a href="#">260</a>	<b>S260</b>	<p>The Chief Executive Officer is delegated authority to approve all discretionary matters covered under the City's Fencing Local Law 2011.</p> <p><b>Local Law –Fencing</b></p>	Building Services Manager Coordinator Building Services (Commercial) Coordinator Building Services (Residential) Executive Manager Development Services Manager Statutory Planning Manager Strategic Planning Coordinator Statutory Planning Coordinator Strategic Planning Coordinator Growth and Urban Regeneration	30/10/2017
<a href="#">502</a>	<b>S502</b>	<p>Authority to approve Community Grants to a maximum of \$1,000 per application and in accordance with Council Policy &amp; Management Practice COMD1 - Request for Financial Assistance.</p>	Executive Director Community Services Executive Manager Community Services Manager Community Development	
<a href="#">502</a>	<b>S502.1</b>	<p>Authority to approve Donations to a maximum of \$1,000 per application and in accordance with Council Policy &amp; Management Practice COMD1 - Request for Financial Assistance.</p>	Executive Director Community Services Executive Manager Community Services Manager Community Development Manager Recreation Services	

PRIMARY DELEGATION No	SECONDARY DELEGATION No	DESCRIPTION OF DELEGATION	DELEGATEE	CEO APPROVED
702	S702	<p>Authority to Exercise Powers under the Deemed Provisions, Town Planning Scheme Policies, and provide advice/recommendations to the WAPC for Subdivisions, Amalgamations, Strata and Survey Strata applications for all areas of the City.</p> <p>The Chief Executive Officer be given full delegation to deal with:</p> <ol style="list-style-type: none"> <li>1. All strata, survey strata, subdivision and amalgamation applications within the City and Metropolitan Redevelopment Authority Area within Armadale.</li> <li>2. Determination of applications for 'P' Uses, 'D' Uses, 'A' Uses, 'Uses Not Listed' and 'Non-Conforming Uses'.</li> <li>3. Determination of applications for signage and/or advertising devices, illuminated directional signs and directional signs.</li> <li>4. Determination of applications for an extension to the term of a planning approval.</li> <li>5. Where delegation is specifically provided for in accordance with a Council resolution or adopted policy.</li> <li>6. Determination of applications for the establishment or variation of a development envelope, with the exception of development envelopes on lots larger than one (1ha) hectare that propose development envelope modifications that would be larger than the Maximum Development Envelope Size specified in Table 1 of Policy 2.1 - Establishment or Amendment of Development Envelopes</li> <li>7. Determination of applications for two houses on one lot in a General Rural Zone.</li> <li>8. Determination of setbacks within all areas of the City.</li> <li>9. Determination of variations to the Residential Design Codes.</li> <li>10. Refuse applications for "X" uses in all zones.</li> <li>11. Determine requests to waive or refund in whole or in part payment of a fee for a planning service.</li> <li>12. Determine all applications for commercial vehicle parking, including approvals, refusals and/or renewals.</li> <li>13. Determine or make decisions where an adopted policy requires a discretionary decision regarding policy provisions that refer to "Council" and/or "the City".</li> <li>14. Determine all retrospective applications, including approvals or refusals.</li> <li>15. Determine Outline Development Concept Plans under Policy PLN 3.1.</li> <li>16. Amending or revoking planning approvals.</li> </ol> <p>The Chief Executive Officer also be given full delegation to deal with:</p> <ol style="list-style-type: none"> <li>1. All Notice of Determinations for single houses and outbuildings within all zones.</li> <li>2. Determination of applications for variations to approved group housing and aged person's developments.</li> </ol> <p>* Exemptions:</p> <ul style="list-style-type: none"> <li>• Applications involving new unit developments (grouped, multiple, aged or singled persons dwellings) within the River Road Heritage Precinct Area covered by Policy</li> </ul>	<p>Executive Director Development Services Executive Manager Development Services Manager Statutory Planning Manager Strategic Planning Coordinator Statutory Planning Coordinator Strategic Planning Coordinator Growth and Urban Regeneration</p> <p>Senior Liaison &amp; Compliance Officer included for item No. 12 of the first list.</p> <p>Building Services Manager, Coordinator Building Services (Commercial), Coordinator Building Services (Residential) and Senior Building Surveyors, included for items No. 5, 8, 9,11,13 and 16 from the first list and items No. 1 and 2 from the second list.</p>	30/10/2017

		<p>PLN 3.9 shall be referred to Council for determination, where approval is recommended.</p> <ul style="list-style-type: none"> <li>• Applications within the General Rural and Rural Living zones involving the following new land uses or where a previous approval for the use does not exist on the lot shall be referred to Council for determination, where approval is recommended: <ul style="list-style-type: none"> <li>- Fuel Depot;</li> <li>- Hospital;</li> <li>- Industry- Extractive;</li> <li>- Place of Worship.</li> </ul> </li> <li>• Applications within the Special Residential zone involving the following new land uses or where a previous approval for the use does not exist on the lot shall be referred to Council for determination, where approval is recommended: <ul style="list-style-type: none"> <li>- Child Care Premise;</li> <li>- Consulting Rooms;</li> <li>- Educational Establishment;</li> </ul> </li> </ul> <p>City of Armadale Town Planning Scheme No 4&amp; Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015</p>		
<a href="#">712</a>	<b>S712</b>	<p>Authority to Exercise Discretion on Behalf of Council to Reach Determination, Where Appropriate, of Appeals Processed by Mediation</p> <p>The Chief Executive Officer is delegated authority to perform all functions associated with applications for review and to exercise discretion on behalf of Council to attend and reach determination, where appropriate, of Applications for Review processed by mediation within the State Administrative Tribunal system under the Planning and Development Act 2005.</p> <p>City of Armadale Town Planning Scheme No 4 &amp; &amp; Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015</p>	<p>Executive Director Development Services  Executive Manger Development Services  Manager Statutory Planning  Manager Strategic Planning  Coordinator Statutory Planning  Coordinator Strategic Planning  Coordinator Growth and Urban Regeneration  Strategic Planning Officer  Manager Environmental Services  Project Manager – Contribution Arrangements  Senior Statutory Planning Officer  Senior Strategic Planning Officer</p>	30/10/2017

PRIMARY DELEGATION No	SECONDARY DELEGATION No	DESCRIPTION OF DELEGATION	DELEGATEE	CEO APPROVED
714	S714	<p>Authority to Determine Applications Involving Properties Listed on the Municipal Heritage Inventory</p> <p><b>Approvals</b> The Chief Executive Officer is delegated authority to approve applications involving properties listed on the Municipal Heritage Inventory subject to the application satisfying the following criteria: Applications for development involving properties, objects, structures and places listed as Category 'A' in the Municipal Heritage Inventory:</p> <ul style="list-style-type: none"> <li>• The proposal is consistent with the current Town Planning Scheme and any Policy provisions that may be relevant;</li> <li>• Consultation has been undertaken with the Heritage Council of Western Australia is undertaken and no response, no objection/comment or favourable advice is received;</li> <li>• Consultation has been undertaken with the Community Heritage Advisory Group.</li> </ul> <p>Applications for development involving properties, objects, structures and places listed as Categories 'B' through 'F' in the Municipal Heritage Inventory:</p> <ul style="list-style-type: none"> <li>• The proposal is consistent with the current Town Planning Scheme and any policy provisions that may be relevant; and</li> <li>• Consultation has been undertaken with the Community Heritage Advisory Group.</li> </ul> <p><b>Refusals</b> The Chief Executive Officer is delegated authority to refuse applications involving properties listed on the Municipal Heritage Inventory if any of the following apply:</p> <ul style="list-style-type: none"> <li>• The proposal is not consistent with the current Town Planning Scheme and/or any relevant Policy provisions, or any other planning reason;</li> <li>• The proposal would have a detrimental effect on the integrity of heritage value of the site;</li> <li>• The advice received from the heritage referral agencies or the Community Heritage Advisory Group (or its members) is not favourable to the application.</li> </ul> <p><b>Notes</b> Where an application has been submitted by a qualified heritage architect or is accompanied by a report from such a professional, this will contribute to a favourable consideration of the application.</p> <p>City of Armadale Town Planning Scheme No 4</p>	Executive Director Development Services Executive Manager Development Services	

PRIMARY DELEGATION No	SECONDARY DELEGATION No	DESCRIPTION OF DELEGATION	DELEGATEE	CEO APPROVED
<a href="#">719</a>	S719	<p>Authority to Determine the Necessity, Duration and Extent of Advertising of Development Services Applications</p> <p>The Chief Executive Officer is delegated authority to determine the necessity, duration and extent of advertising of development applications under Town Planning Scheme No.4, the Residential Design Codes of Western Australia and any policy of Council.</p> <p>City of Armadale Town Planning Scheme No 4 &amp; Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015</p>	<p>Executive Director Development Services  Executive Manager Development Services  Manager Statutory Planning  Manager Strategic Planning  Building Services Manager  Coordinator Building Services (Commercial)  Coordinator Building Services (Residential)  Coordinator Statutory Planning  Coordinator Strategic Planning  Coordinator Growth and Urban Regeneration  Strategic Projects Officer  Senior Building Surveyors  Senior Statutory Planning Officer  Senior Strategic Planning Officer</p>	
<a href="#">721</a>	S721	<p>Authority to Determine Requests for Tree Removal or Maintenance</p> <p><b>Approvals</b>  The Chief Executive Officer is delegated authority, if after seeking comments from Council's Manager Parks and no objections are raised, to:</p> <ul style="list-style-type: none"> <li>• Determine requests to remove trees with a trunk circumference in excess of 0.6 metres measured at a height of one (1) metre from the ground in the District Centre, Local Centre and Mixed Business/Residential zone.</li> <li>• Determine requests to remove trees in all other Zones.</li> <li>• Determine requests to maintain trees that are subject to tree preservation orders.  Note: Where appropriate, an arboriculturalist's report can be required to clearly outline whether the removal or maintenance of a tree or trees is necessary.</li> </ul> <p><b>Refusals</b>  The Chief Executive Officer is delegated authority to refuse such applications.</p> <p>City of Armadale Town Planning Scheme No 4</p>	<p>Executive Director Development Services  Executive Manager Development Services  Manager Statutory Planning  Manager Strategic Planning</p>	

PRIMARY DELEGATION No	SECONDARY DELEGATION No	DESCRIPTION OF DELEGATION	DELEGATEE	CEO APPROVED
<a href="#">731</a>	<b>S731</b>	<p>Authority to Make Decisions, Recommendations and Determine Structure Plans, Activity Centre Plans and Local Development Plans Under Parts 4.5 and 6 of the Deemed Provisions.</p> <p>The Chief Executive Officer is delegated authority to make all decisions, recommendations and determinations referred to under Part 4 – Structure Plans 6A - Development (Structure Planning) Areas of Town Planning Scheme No.4, Part 5- Activity Centre Plans and Part 6- Local Development Plans of the Deemed Provisions and any other related provision under Town Planning Scheme No.4.</p> <p>City of Armadale Town Planning Scheme No 4</p>	<p>Executive Director Development Services  Executive Manager Development Services  Manager Statutory Planning  Manager Strategic Planning</p>	

PRIMARY DELEGATION No	SECONDARY DELEGATION No	DESCRIPTION OF DELEGATION	DELEGATEE	CEO APPROVED
<a href="#">732</a>	S732	<p>Authority to implement works or grant Credit offsets for Common Infrastructure Works in the adopted Infrastructure Cost Schedule - Development Contribution Plan No.3</p> <ol style="list-style-type: none"> <li>1. The Chief Executive Officer is delegated authority to undertake works or authorise prefunding of Common Infrastructure Works leading to Credits under Clauses 3.7 and 3.10 of Development Contribution Plan No.3 of Town Planning Scheme No.4 for all Common Infrastructure Works funded in the adopted Infrastructure Cost Schedule subject to the Chief Executive Officer being satisfied that: <ol style="list-style-type: none"> <li>(i) the works will meet the objectives implicit in the Scheme text describing the Common Infrastructure Work; and</li> <li>(ii) the works are in accordance with the Development Contribution Plan No.3 Scheme text and specifications or guidance noted in the adopted Infrastructure Cost Schedule; and</li> <li>(iii) it is timely to fund the works in the context of the Infrastructure Cost Schedule Forward Financial Plan, the current Development Contribution Plan No.3 Reserve Fund balance, the need to act opportunistically to achieve the works, and advice from the North Forrestdale Planning Steering Group where appropriate; and</li> <li>(iv) the cost of works to be undertaken is at or below current market rates; or</li> <li>(v) where the cost is higher than that identified in the Infrastructure Cost Schedule, that the costs can be justified and that decisions are considered with due regard for points two (2) and three (3) below.</li> </ol> </li> <li>2. Where in the opinion of the Chief Executive Officer quotations for works significantly exceed that budgeted in the Infrastructure Cost Schedule, the Chief Executive Officer shall refer the Common Infrastructure Work proposal to Council for consideration as to whether the work should be implemented as proposed, revised in scope, or deferred.</li> <li>3. The granting of Credits may be conditional upon the owner providing itemised records of expenditure with Credits being accrued only after receipt of expenditure records.</li> <li>4. The Chief Executive Officer is delegated authority to grant Credits or Credit offsets for the acquisition of land identified in Development Contribution Plan No.3 of Town Planning Scheme No.4 and/or the associated adopted Infrastructure Cost Schedule: <ol style="list-style-type: none"> <li>(i) at a value less than or equal to the Assessed Value plus the amount permitted under Clause 3.12.5; or</li> <li>(ii) at a value equal to or less than the Assessed Value plus the amount allowed by Clause 3.12.5 and any additional claim that is not significant and/or in accordance with advice from the City's valuer.</li> </ol> </li> </ol>	Executive Director Development Services Executive Manager Development Services Project Manager – Contribution Arrangements Manager Strategic Planning	

PRIMARY DELEGATION No	SECONDARY DELEGATION No	DESCRIPTION OF DELEGATION	DELEGATEE	CEO APPROVED
<a href="#">733</a>	<b>S733</b>	<p>Authority to Issue, Refuse and Rescind Tree Preservation Notices</p> <p>The Chief Executive Officer is delegated authority to:</p> <ul style="list-style-type: none"> <li>• determine if a tree is sufficiently significant to warrant issuing a notice to an owner based on advice and assessment in accordance with Policy PLN 2.4;</li> <li>• issue a notice if a tree is determined to be sufficiently significant, or if it is expedient to do so until such time as an assessment is completed; and</li> <li>• rescind a notice following an assessment or re-assessment of the tree in accordance with Policy PLN 2.4; and</li> <li>• refuse or decline requests to rescind a notice;</li> <li>• refuse to issue a notice when a nomination is received seeking issuance of a notice and the City does not consider the tree sufficiently significant to warrant a notice.</li> </ul> <p>Note: Following the City's determination on individual Tree Preservation Applications that a report on the outcomes be listed in the Information Bulletin (Development Services) for Council information.</p> <p>City of Armadale Town Planning Scheme No 4.</p>	<p>Executive Director Development Services  Executive Manager Development Services  Manager Environmental Services  Manager Statutory Planning  Manager Strategic Planning</p>	
<a href="#">900</a>	<b>S900.1</b>	<p>Grant, refuse to grant, renew, or refuse to renew a cat registration</p> <p><b>Section 9 Cat Act 2011</b></p>	<p>Senior Administration Officer (Rangers)  Administration Officer (Rangers)  Senior Ranger  Ranger  Customer Service Officer  Coordinator Customer Service  Senior Customer Service Officer</p>	
<a href="#">900</a>	<b>S900.2</b>	<p>Request an applicant to give documents or information relating to the registration, within a specified time of not more than 21 days and may require information to be verified by statutory declaration</p> <p><b>Section 9(5) Cat Act 2011</b></p>	<p>Senior Administration Officer (Rangers)  Administration Officer (Rangers)  Senior Ranger  Ranger  Coordinator Customer Service  Senior Customer Service Officer  Customer Service Officer</p>	



PRIMARY DELEGATION No	SECONDARY DELEGATION No	DESCRIPTION OF DELEGATION	DELEGATEE	CEO APPROVED
<a href="#">900</a>	S900.3	Cancel the registration of a cat where the cat has died, no longer kept in the State or registered with another local government  <b>Section 10(a) Cat Act 2011</b>	Manager Ranger & Emergency Services Senior Administration Officer (Rangers) Administration Officer (Rangers) Senior Ranger Ranger Coordinator Customer Service Senior Customer Service Officer Customer Service Officer	
<a href="#">900</a>	S900.4	Cancel the registration of a cat where the cat owner has been convicted of offences as prescribed <b>Section 10(b) Cat Act 2011</b>	Manager Ranger & Emergency Services Executive Director Community Services Coordinator Customer Service	
<a href="#">900</a>	S900.5	Issue a registration number, certificate and tag including a replacement certificate tag  <b>Section 11 Cat Act 2011</b>	Senior Administration Officer (Rangers) Administration Officer (Rangers) Senior Ranger Ranger Coordinator Customer Service Senior Customer Service Officer Customer Service Officer	
<a href="#">900</a>	S900.6	Keep an accurate and up-to-date register of cats  <b>Section 12 Cat Act 2011</b>	Senior Administration Officer (Rangers) Administration Officer (Rangers) Senior Customer Service Officer Customer Service Officer	
<a href="#">900</a>	S900.7	On refusal to grant or renew a registration of a cat or cancel a registration of a cat, notify the owner within seven (7) days of making the decision.  <b>Section 13 Cat Act 2011</b>	Manager Ranger & Emergency Services Senior Administration Officer (Rangers) Administration Officer (Rangers) Senior Ranger Ranger Coordinator Customer Service Senior Customer Service Officer Customer Service Officer	
<a href="#">900</a>	S900.8	Issue a cat control notice ( <b>Effective from 1/11/2013</b> )  <b>Section 26 Cat Act 2011</b>	Manager Ranger & Emergency Services Senior Administration Officer (Rangers) Administration Officer (Rangers) Senior Ranger Ranger	

PRIMARY DELEGATION No	SECONDARY DELEGATION No	DESCRIPTION OF DELEGATION	DELEGATEE	CEO APPROVED
<a href="#">900</a>	S900.9	Grant*, refuse to grant, renew* or refuse to renew an application to breed cats  <i>*Granting or renewing an application to breed cats to be undertaken in consultation and with the approval of the Executive Director Development Services OR Executive Manager Development Services</i> <b>Section 37(1) and (2) Cat Act 2011 &amp; Regulation 22 Cat Regulations 2012</b>	Manager Ranger & Emergency Services Executive Director Community Services	
<a href="#">900</a>	S900.10	Request an applicant to give documents or information relating to a breeder application, within a specified time or note more than 21 days and may require information to be verified by statutory declaration  <b>Section 37(3) and (4) Cat Act 2011</b>	Manager Ranger & Emergency Services Senior Administration Officer (Rangers) Administration Officer (Rangers) Senior Ranger Ranger	
<a href="#">900</a>	S900.12	Issue a certificate to an approved breeder  <b>Section 39 Cat Act 2011</b>	Senior Administration Officer (Rangers) Administration Officer (Rangers) Manager Ranger & Emergency Services	
<a href="#">900</a>	S900.13	Notify the applicant of the decision to approve or decline the registration or approve or decline the breeders application in writing within seven days of making the decision <b>Section 40 Cat Act 2011</b>	Manager Ranger & Emergency Services Senior Administration Officer (Rangers) Administration Officer (Rangers)	
<a href="#">900</a>	S900.14	Recover the costs associated with the destruction of a cat in a court of competent jurisdiction  <b>Section 49(3) Cat Act 2011</b>	Manager Ranger & Emergency Services Executive Director Community Services Ranger Senior Ranger	
<a href="#">900</a>	S900.16	Grant extension in time for which the payment of a modified penalty can be made <b>Section 64 Cat Act 2011</b>	Manager Ranger & Emergency Services Executive Director Community Services	
<a href="#">900</a>	S900.17	Withdraw an infringement notice within one year after the infringement was issued <b>Section 65 Cat Act 2011</b>	Manager Ranger & Emergency Services Executive Director Community Services	

PRIMARY DELEGATION No	SECONDARY DELEGATION No	DESCRIPTION OF DELEGATION	DELEGATEE	CEO APPROVED
<a href="#">1000</a>	S1000.1	Pay and direct a vet to sterilise a dog owned by an eligible person. <b>Section 10A(1) Dog Act 1976</b>	Manager Ranger & Emergency Services Executive Director Community Services Executive Manager Community Services	
<a href="#">1000</a>	S1000.2	Appoint person(s) to administer dog management facilities. <b>Section 11 Dog Act 1976</b>	Manager Ranger & Emergency Services Executive Director Community Services Executive Manager Community Services	
<a href="#">1000</a>	S1000.3	Keep an accurate and up to date register of dogs. <b>Section 14 Dog Act 1976</b>	Senior Administration Officer (Rangers) Administration Officer (Rangers) Senior Customer Service Officer Customer Service Officer	
<a href="#">1000</a>	S1000.4	Discount or waive the registration fee for an individual dog or any class of dogs, except dangerous dogs. <b>Section 15(4)(a) Dog Act 1976</b>	Manager Ranger & Emergency Services Executive Director Community Services Executive Manager Community Services	
<a href="#">1000</a>	S1000.5	If no application for registration has been made, give written notice to the owner that a dog cannot be registered because of any of the prescribed reasons and inform the owner of right of review. <b>Section 17A(2) Dog Act 1976</b>	Manager Ranger & Emergency Services Executive Director Community Services Executive Manager Community Services	
<a href="#">1000</a>	S1000.6	Grant an exemption from the limit imposed on the number of dogs that can be kept. Section 26(3) Dog Act 1976	Manager Ranger & Emergency Services Executive Director Community Services Executive Manager Community Services	
<a href="#">1000</a>	S1000.7	Dog Act 1976 – s. 27 Grant or cancel a kennel licence. <b>Section 27(4) Dog Act 1976</b>	Manager Ranger & Emergency Services Executive Director Community Services	
<a href="#">1000</a>	S1000.8	Consider an objection under 33G(2)(d)(i) and give notice to the owner of the dog setting out its determination. <b>Section 33G (4) Dog Act 1976</b>	Manager Ranger & Emergency Services Executive Director Community Services Executive Manager Community Services	
<a href="#">1000</a>	S1000.9	Revoke a declaration or proposal to destroy. <b>Section 33H(1), (2) &amp; (5) Dog Act 1976</b>	Manager Ranger & Emergency Services Executive Director Community Services Executive Manager Community Services	
<a href="#">1000</a>	S1000.10	Appoint nominated employees and people from External Agencies as Authorised Officers for the purpose of effecting Dog Registrations only. <b>Section 29(1) Dog Act 1976</b>	Manager Ranger & Emergency Services Executive Director Community Services Executive Manager Community Services	

PRIMARY DELEGATION No	SECONDARY DELEGATION No	DESCRIPTION OF DELEGATION	DELEGATEE	CEO APPROVED
<a href="#">1100</a>	S1100.1	Approve, not approve, revoke or vary an exemption to keep up to six dogs on any premises at any one time. <b>Section 3.2(4) Local Laws Relating to Dogs</b>	Manager Ranger & Emergency Services Executive Director Community Services Executive Manager Community Services	
<a href="#">1100</a>	S1100.2	Accept or not accept an application for a licence for an approved kennel establishment in accordance with 4.2(c) and 4.2(d) Local Laws Relating to Dogs. <b>4.2(c) and 4.2(d) Local Laws Relating to Dogs.</b>	Manager Ranger & Emergency Services Executive Director Community Services Executive Manager Community Services	
<a href="#">1100</a>	S1100.3	Ascertain when an application for an approved kennel establishment can be determined in accordance with sections 4.2 and 4.3 of the Local Laws relating to Dogs. <b>4.5 Local Laws Relating to Dogs.</b>	Manager Ranger & Emergency Services Executive Director Community Services Executive Manager Community Services	
<a href="#">1100</a>	S1100.4	Determine or vary conditions on which an application for a licence to operate a kennel establishment is approved <b>4.8 Local Laws Relating to Dogs.</b>	Manager Ranger & Emergency Services Executive Director Community Services Executive Manager Community Services	
<a href="#">1100</a>	S1100.5	Accept or not accept an application for a valid licence to be transferred to another person in accordance with section 4.14(3) of the Local Laws relating to Dogs <b>4.15 Local Laws Relating to Dogs</b>	Manager Ranger & Emergency Services Executive Director Community Services Executive Manager Community Services	
<a href="#">1200</a>	S1200	The exercising of all the power and discharge of all the duties available to the CEO under Part 3 of the Graffiti Vandalism Act 2016 <b>Part 3 Graffiti Vandalism Act 2016</b>	Executive Director Technical Services	17/7/2017

PRIMARY DELEGATION No	SECONDARY DELEGATION No	DESCRIPTION OF DELEGATION	DELEGATEE	CEO APPROVED
<a href="#">CEO POWERS</a>	S1101	Heavy Haulage – Infringement Notices Authority to pay heavy haulage infringement notices.	Executive Director Technical Services	
<a href="#">CEO POWERS</a>	S1104	To keep election papers/parcels in safe custody and to supervise the destruction of all electoral material in accordance with <b>82 (3) and (4) of the Local Government (Elections) Regulations 1997</b>	Manager Governance & Administration Coordinator Records	
<a href="#">CEO POWERS</a>	S1105	Authority to sign 'Notice of Acceptance of Enrolment Eligibility Claim' form as per <b>section 4.32(5A) of the Local Government Act 1995.</b>	Coordinator Rating Services Senior Rating Services Officer	
<a href="#">CEO POWERS</a>	S1106	Authority to sign 'Notice of Rejection of Enrolment Eligibility Claim' form as per <b>section 4.32(5A) of the Local Government Act 1995.</b>	Coordinator Rating Services Senior Rating Services Officer	
<a href="#">CEO POWERS</a>	S1107	Authority to sign 'Notice of Cancellation of Eligibility' form as per <b>section 4.35(1)(2)(3) of the Local Government Act 1995.</b>	Coordinator Rating Services Senior Rating Services Officer	
<a href="#">CEO POWERS</a>	S1108	Authority to extend the time in which payment for an infringement issued can be received in accordance with section <b>9.19 of the Local Government Act</b>	Manager Ranger Services	
<a href="#">CEO POWERS</a>	S1109	Authority to withdraw an infringement issued in accordance with <b>9.20 of the Local Government Act</b>	Manager Ranger Services	

I Ray Tame, Chief Executive Officer of the City of Armadale, acting in accordance with Section 5.44 (1) of the Local Government Act 1995 hereby delegate the powers and duties as set out above covering secondary delegations.

R S TAME  
Chief Executive Officer