



# SUPPLEMENTARY BRIEFING PAPERS FOR COUNCIL MEMBERS' BRIEFING SESSION

Draft Only

to be held at  
the Council Chambers (Level 1), Civic Centre,  
23 Dundobar Road, Wanneroo  
on 18 August, 2020 commencing at 6:00PM



## Briefing Papers for Tuesday 18 August, 2020

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# L A T E I T E M S A G E N D A

## Item 1 Late Reports

### 5.1 Decisions During COVID-19 Pandemic and Delegations and Authorisations

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File Ref:	9167V05 – 20/316226
Responsible Officer:	Executive Manager Governance and Legal
Disclosure of Interest:	Nil
Attachments:	2
Previous Items:	CE01-04/20 - Decisions During COVID-19 Pandemic - Ordinary Council - 07 Apr 2020 7:00pm CS04-04/20 - To Consider Rent Abatements to City's Tenants Due to the Economic Impact of the COVID-19 Pandemic - Ordinary Council - 07 Apr 2020 7:00pm CE02-06/20 - Decisions During COVID-19 Pandemic - Easing of Restrictions and Changes to Authorisations and Delegations - Ordinary Council - 02 Jun 2020 7:00pm SCS01-07/20 - Adoption of the 2020/21 - 2023/24 Corporate Business Plan and 2020/21 Annual Budget - Special Council - 20 Jul 2020 6:00pm (Special) SCS02-07/20 - Community Support and Financial Assistance Framework - Special Council - 20 Jul 2020 6:00pm (Special) SCS04-07/20 - Amendment to Financial Hardship - Collection of Rates and Service Charges Policy - Special Council - 20 Jul 2020 6:00pm (Special)

## Issue

To note decisions made under the expanded delegations and authorisations approved by Council at its Ordinary Council Meetings on 7 April 2020 (CE01-04/20), (CS04-04/20) and 2 June 2020 (CE02-06/20) as a result of the state and public health emergency and to consider amending some of the delegations and authorisations in consideration of the current climate and to note the impacts of the decisions made at the Special Council Meeting held on 20 July 2020 (SCS01-07/20, SCS02-07/10 and SCS04-07/20).

## Background

In March 2020, in response to the COVID-19 Pandemic the Minister for Emergency Services declared a **State of Emergency** in Western Australia (WA); the Minister for Health declared a **Public Health State of Emergency** in WA; and the Governor-General of Australia declared that a **Human Biosecurity Emergency** exists in Australia in accordance with the Biosecurity Act 2015 (Cth).

In response, Council adopted several expanded authorisations and delegations at its meeting of 7 April 2020 to ensure that the City could with agility, effectively and efficiently respond to and manage the City's operations during the COVID-19 Pandemic and provide the necessary assistance to the community:

*"CE01-04/20 That Council:*

- 1. NOTES that a State Emergency and a Public Health Emergency has been declared in Western Australia in relation to the COVID-19 Pandemic and it is imperative for Council to provide the required authorisation and delegations of authority to the Chief Executive Officer to ensure that the City of Wanneroo can adequately manage its operations during the COVID-19 Pandemic for the next 120 days;*
- 2. NOTES that in accordance with Regulations 14D(2) and (3) of the Local Government (Administration) Regulations 1996, the Mayor, in consultation with the Chief Executive Officer, has determined that Ordinary Council Meetings, Special Council Meetings and Audit and Risk Committee Meetings be conducted via electronic means for a period of 120 days commencing from 27 March 2020;*
- 3. NOTES that Council will receive and consider only those matters that legislatively require a Council decision and which cannot be delegated to the Chief Executive Officer in accordance with section 5.43 of the Local Government Act 1995;*
- 4. For a period of 120 days commencing from 12pm on the day immediately after the date this resolution is made, ADOPTS BY ABSOLUTE MAJORITY the marked-up amendments to the delegation of authorities as follows:*
  - a) Delegation 1.1.24 – Fees and Charges – amend condition (b) to increase the Chief Executive Officer's limit to \$20,000 as set out in Attachment 1;*
  - b) Delegation 2.10.3 – Development Control – amendments as set out in Attachment 2 and NOTE that the Chief Executive Officer's conditions on sub-delegation will be amended so that any application that would ordinarily be determined by Council would be determined by the Director Planning and Sustainability, if the Manager Approval Services considers objections raised relevant planning considerations that cannot be overcome through modification to the proposal or by conditions being imposed and remove the condition that provides the applicant with the ability to request their application be determined by Council; and*
  - c) Delegation 1.1.14 – Choice of Most Advantageous Tender and Delegation 1.1.16 – Selecting the Next Most Advantageous – as set out in Attachment 3;*
- 5. Unless expressed otherwise, for a period of 120 days commencing from 12pm on the day immediately after the date this resolution is made, AUTHORISES the Chief Executive Officer to:*
  - a) Subject to Regulation 11 of the Local Government (Functions and General) Regulations 1996, consider and renew all agreements that are due to expire within 90 days following the 7 April 2020 Ordinary Council Meeting;*
  - b) Determine all applications received in respect of the City's Donations, Sponsorship and the Waivers of Fees and Charges Policy and NOTES that Administration will review the policy and present a report to Council to include policy clauses that will provide a more flexible assessment of the policy criteria during the COVID-19 Pandemic;*
  - c) Receive, note, forward all petitions to the relevant Directorate and determine the appropriate action in respect of the petition request;*

- d) *Make any and all changes to services (including ceasing or providing new services) and service level as deemed necessary by the Chief Executive Officer; and*
  - e) *If necessary, make an application to the Department of Local Government, Sport and Cultural Industries for the Minister of Local Government, Heritage, Culture and the Arts' to approve a reduction of the number of Council offices required to achieve a quorum to convene an Ordinary Council Meeting or Special Council Meeting;*
6. **ACKNOWLEDGES** that the **CHIEF EXECUTIVE OFFICER AUTHORISES** the:
- a) *Director Corporate Strategy and Performance to determine all applications received in respect of the City's Donations, Sponsorship and the Waivers of Fees and Charges Policy; and*
  - b) *Director Corporate Strategy and Performance, Chief Operating Officer and Manager Finance to determine all requests in respect of the City's Financial Hardship – Collection of Rates and Service Charges Policy;*
7. **ACCEPTS** that:
- a) *The 3 Year Internal Audit Plan in respect of 2020 will be suspended for the duration of 2020 with no new planned internal audits to be undertaken until 1 January 2021 however the Audit Log will continue to be managed and reported to the Audit and Risk Committee noting that some of the audit recommendations may require further extensions of time to complete;*
  - b) *The Community Development Funding and Community Event Funding Applications received in accordance with the City's Community Funding Policy will be deferred and determined by Council in August 2020;*
  - c) *Consideration of proposals received from the community and/or stakeholders in respect of projects, services or of any nature related to the City will be deferred for a period of 90 days or further period as approved by Council; and*
  - d) *Except where required by legislation, community consultation and engagement will not occur for an initial period of 90 days commencing from 12pm on the day immediately after the date this resolution is made subject to Council approving any extensions;*
8. **NOTES** that:
- a) *The City will comply with advice and directions of the Commonwealth and State Government, and the Department of Health WA in relation to the City's compliance function and the City will seek to achieve compliance where it is in the public interest to do so, and consider the most appropriate enforcement action considering the public interest and any risk to public safety; and*
  - b) *The City's debt collection processes in relation to new debts owed to the City are suspended during the COVID-19 Pandemic however current matters before the Magistrates Court are subject to court scheduling and processes;*
9. **NOTES** that all decisions made in accordance with resolutions 4 to 8 above, as applicable will be:
- a) *Formally reported to Council at the August Ordinary Council Meeting unless otherwise resolved by Council; and*

- b) *Notified to Council Members on a fortnightly basis through the Council Members' portal; and*
10. *APPROVES the development of the 2020/2021 Annual Budget based on:*
- a) *0% increase on annual rates for each property (subject to no change in valuations);*
  - b) *0% increase on City's set fees and charges including Waste Service Fee noting State Government set the statutory fees;*
  - c) *Late payment interest moratorium for 6 months from 1 July to December 31 2020 with a review at this time;*
  - d) *A reduction in the instalment interest rate and late payment interest rate for the balance of the financial year post the decision in resolution 10 (c) above;*
  - e) *The Financial Hardship – Collection of Rates and Service Charges Policy usage will be monitored and if necessary modified; and*
  - f) *A business hardship policy be considered for development.*
11. *NOTES that all special arrangement fees for new rate payment arrangements will be waived for a period commencing from 23 March 2020 and concluding 120 days from 12pm on the day immediately after the date this resolution is made.*

*CS04-04/20 That Council:*

- 1. *NOTES the significant impact of the COVID-19 Pandemic on the lessees of City premises, and expresses support for those lessees;*
- 2. *For a period of 90 days commencing from 12pm on the day immediately after the date this resolution is made, AUTHORISES the Chief Executive Officer to consider and approve (or reject) abatements of lease fees (including rent) to lessees of City premises, on terms approved by the Chief Executive Officer and subject to the lessees satisfying the applicable criteria described in the Administration report; and*
- 3. *NOTES that all decisions made in accordance with resolution 2 above, as applicable, will be:*
  - a) *Formally reported to Council at the Ordinary Council Meeting in August, unless otherwise resolved by Council; and*
  - b) *Notified to Council Members on a monthly basis through the Council Members' portal."*

On 2 June 2020, Council considered the revocation of some of the expanded authorisations and delegations as a result of the easing of restrictions and extended others to ensure the effective management the City's business and operations:

*"CE02-06/20 That Council:*

- 1. *REVOKES BY ABSOLUTE MAJORITY the amendments to the delegation of authorities resolved by Council at its meeting of 7 April 2020 (CE01-04/20) as follows:*
  - a) *Delegation 2.10.3 – Development Control set out in Attachment 1; and*
  - b) *Delegation 1.1.14 – Choice of Most Advantageous Tender and Delegation 1.1.16 – Selecting the Next Most Advantageous – as set out in Attachment 2;*

2. *REVOKES the following authorisations to the Chief Executive Officer to:*
  - a) *consider and renew all agreements that are due to expire within 90 days following the 7 April 2020 Ordinary Council Meeting subject to Regulation 11 of the Local Government (Functions and General) Regulations 1996;*
  - b) *receive, note, forward all petitions to the relevant Directorate and determine the appropriate action in respect of the petition request; and*
  - c) *except where required by legislation, community consultation and engagement will not occur for an initial period of 90 days commencing from 12pm on the day immediately after the date the resolution was made subject to Council approving any extensions and NOTES that all community consultation and engagement will be undertaken in accordance with the City's Community Engagement Policy will be implemented subject to any Direction or Order from the State Government or Department of Health WA in respect of the COVID-19 Pandemic;*
3. *EXTENDS BY ABSOLUTE MAJORITY the Delegation 1.1.24 – Waiver, Grant of Concession or Write Off Monies Owing – that amends condition (b) to increase the Chief Executive Officer's limit to \$20,000 as set out in Attachment 3 for a period of 120 days commencing from 12pm on the day immediately after the date this resolution is made;*
4. *EXTENDS the AUTHORISATIONS to the Chief Executive Officer for a period of 120 days commencing from 12pm on the day immediately after the date this resolution is made to:*
  - a) *determine all applications received in respect of the City's Donations, Sponsorship and the Waivers of Fees and Charges Policy; and*
  - b) *make any and all changes to services (including ceasing or providing new services) and service level as deemed necessary by the Chief Executive Officer;*
5. *ACKNOWLEDGES that the Chief Executive Officer will extend the authorisations to the following City officers for a period of 120 days commencing from 12pm on the day immediately after the date this resolution is made to the:*
  - a) *Director Corporate Strategy and Performance to determine all applications received in respect of the City's Donations, Sponsorship and the Waivers of Fees and Charges Policy; and*
  - b) *Director Corporate Strategy and Performance, Chief Operating Officer and Manager Finance to determine all requests in respect of the City's Financial Hardship – Collection of Rates and Service Charges Policy;*
6. *NOTES that the following Council resolutions made at the 7 April 2020 Ordinary Council Meeting (CE01-04/20 and CS04-04/20 as applicable) will remain in place for the period as resolved by Council:*
  - a) *if necessary, make an application to the Department of Local Government, Sport and Cultural Industries for the Minister of Local Government, Heritage, Culture and the Arts' to approve a reduction of the number of Council offices required to achieve a quorum to convene an Ordinary Council Meeting or Special Council Meeting;*
  - b) *the 3 Year Internal Audit Plan in respect of 2020 will be suspended for the duration of 2020 with no new planned internal audits to be undertaken until 1 January 2021 however the Audit Log will continue to be managed and reported to the Audit and Risk Committee noting that some of the audit recommendations may require further extensions of time to complete;*

- c) *the Community Development Funding and Community Event Funding Applications received in accordance with the City's Community Funding Policy will be deferred and determined by Council in August 2020;*
  - d) *consideration of proposals received from the community and/or stakeholders in respect of projects, services or of any nature related to the City will be deferred for a period of 90 days from 8 April 2020 or further period as approved by Council;*
  - e) *that all special arrangement fees for new rate payment arrangements will be waived for a period commencing from 23 March 2020 and concluding 120 days after 8 April 2020 and will be reviewed as part of the Annual Budget adoption process; and*
  - f) *for a period of 90 days commencing from 12pm on the day immediately after the date this resolution is made (8 April 2020), AUTHORISES the Chief Executive Officer to consider and approve (or reject) abatements of lease fees (including rent) to lessees of City premises, on terms approved by the Chief Executive Officer and subject to the lessees satisfying the applicable criteria described in the Administration report;*
7. *NOTES that the City will continue to:*
- a) *comply with advice and directions of the State Government and the Department of Health WA in relation to the City's compliance function and the City will seek to achieve compliance where it is in the public interest to do so, and consider the most appropriate enforcement action considering the public interest and any risk to public safety; and*
  - b) *suspend the City's debt collection processes in relation to new debts owed to the City during the COVID-19 Pandemic however current matters before the Magistrates Court are subject to court scheduling and processes;*
8. *NOTES that all decisions made in accordance with resolutions 3 to 7 above, as applicable will be:*
- a) *formally reported to Council at a future upcoming Ordinary Council Meeting unless otherwise resolved by Council; and*
  - b) *notified to Council Members on a fortnightly basis through the Council Members' portal."*

On 20 July 2020 Council considered the adoption of the 2020/21 Annual Budget, a Community Support and Financial Assistance Framework and an amendment to the Financial Hardship – Collection of Rates and Service Charges Policy:

*"SCS01-07/20: Adoption of the 2020/21 - 2023/24 Corporate Business Plan and 2020/21 Annual Budget*

*That Council, by ABSOLUTE MAJORITY:*

*.....*

3. *APPROVES to waive the 2020/21 Council Rates (excluding Emergency Services Levy) for the following community groups, in accordance with Section 6.47 of the Local Government Act 1995:*
- a) *AJS Motorcycle Club of WA Inc.;*
  - b) *Kingsway Football & Sporting Club Inc.;*
  - c) *Olympic Kingsway Sports Club;*
  - d) *Pinjar Motorcycle Park Inc.;*
  - e) *Quinns Mindarie Surf Lifesaving Club Inc.;*
  - f) *Quinns Rocks Sports Club Inc.;*



- g) *The Badminton Association of WA Inc.;*
- h) *Tiger Kart Club Inc.;*
- i) *Vikings Softball Club Inc. & The Wanneroo Giants Baseball Club Inc.;*
- j) *Wanneroo Agricultural Society Inc.;*
- k) *Wanneroo Amateur Boxing Club Inc.;*
- l) *Wanneroo Amateur Football Club Inc., Wanneroo Cricket Club Inc., Wanneroo Junior Cricket Club Inc. and Wanneroo Junior Football Club Inc. (Wanneroo Showgrounds Clubrooms);*
- m) *Wanneroo BMX Club Inc.;*
- n) *Wanneroo City Soccer Club Inc.;*
- o) *Wanneroo Districts Cricket Club Inc. (Indoor Facility);*
- p) *Wanneroo Districts Cricket Club Inc. & Wanneroo Districts Hockey Association Inc.;*
- q) *Wanneroo Districts Netball Association Inc.;*
- r) *Wanneroo Districts Rugby Union Football Club Inc.;*
- s) *Wanneroo Horse & Pony Club Inc.;*
- t) *Wanneroo Shooting Complex Inc.;*
- u) *Wanneroo Sports & Social Club Inc.;*
- v) *Wanneroo Tennis Club Inc.;*
- w) *Wanneroo Trotting Training Club Inc.;*
- x) *West Australian Rifle Association Inc.;*
- y) *Yanchep Golf Club Inc.;*
- z) *Yanchep Sports & Social Club Inc.;*
- aa) *Yanchep Surf Lifesaving Club Inc.; and*
- bb) *Kingsway Little Athletics Centre*

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7. *IMPOSES, in accordance with the provisions of Sections 6.13 and 6.51 of the Local Government Act 1995 and Clause 14 of the Local Government (COVID-19 Response) Ministerial Order 2020, gazetted on 8 May 2020, interest on all arrears and current charges in respect of Rates & Charges, Waste Service Fees and Private Swimming Pool Inspection Fees (including GST where applicable) at a rate of 5.0% per annum. This amount will be calculated on a simple interest basis on arrears amounts that remain unpaid and current amounts that remain unpaid after 35 days from the issue date of the Original Rate Notice (14 September 2020), or the due date of the instalment and continues until all instalment are paid, excluding:*
  - a) *Deferred Rates;*
  - b) *Instalment current amounts not yet due under the four payment options;*
  - c) *Registered Pensioner Portions;*
  - d) *Current Government Pensioner Rebate amounts; and*
  - e) *Where the debtor is a person or organisation considered by the City of Wanneroo to be suffering financial hardship as a consequence of the COVID-19 pandemic.*
8. *IMPOSES, in accordance with the provisions of Section 6.45 of the Local Government Act 1995 and Clause 13 of the Local Government (COVID-19 Response) Ministerial Order 2020, gazetted on 8 May 2020, for the 2020/21 Financial Year, the following Administration Fees & Charges for payment of Rates & Charges, Waste Service Fees and Private Swimming Pool Inspection Fees:*

a) *Two Instalment Option:*

- i. *An Administration Fee of \$5.00 for Instalment Two; and*
- ii. *Instalment Interest Charge of 3.0% per annum, calculated on a simple interest basis on 50% of the total current General Rate and Charges calculated thirty-five (35) days from the date of issue of the Annual Rate Notice to 63 days after the due date of the first instalment.*

b) *Four Instalment Option:*

- i. *An Administration Fee of \$5.00 for each of Instalment Two, Three and Four; and*
- ii. *Instalment Interest Charge of 3.0% per annum, calculated on a simple interest basis on:*
  - a. *75% of the total current General Rate and Charges calculated 35 days from the date of issue of the Annual Rate Notice to 63 days after the due date of the first instalment;*
  - b. *50% of the total current General Rate and Charges calculated from the due date of the Second Instalment to the due date of the Third Instalment; and*
  - c. *25% of the total current General Rate and Charges calculated from the due date of the Third Instalment to the due date of the Fourth Instalment.*

c) *Five Instalment Option:*

- i. *An Administration Fee of \$5.00 for each of Instalment Two, Three, Four and Five; and*
- ii. *Instalment Interest Charge of 3.0% per annum, calculated on a simple interest basis on:*
  - a. *80% of the total current General Rate and Charges calculated 35 days from the date of issue of the Annual Rate Notice to 63 days after the due date of the first instalment;*
  - b. *60% of the total current General Rate and Charges calculated from the due date of the Second Instalment to the due date of the Third Instalment; and*
  - c. *40% of the total current General Rate and Charges calculated from the due date of the Third Instalment to the due date of the Fourth Instalment.*
  - d. *20% of the total current General Rate and Charges calculated from the due date of the Fourth Instalment to the due date of the Fifth Instalment.*

d) *Exclusion:*

*This additional charge and interest rate cannot be applied to an excluded person, as defined in the Local Government (COVID-19 Response)*

*Ministerial order 2020, that has been determined as suffering financial hardship as a consequence of the COVID-19 pandemic in accordance with Financial Hardship – Collection of Rates and Service Charges Policy (the Policy) due to the COVID-19 pandemic.*

*SCS02-07/20 – Community Support and Financial Assistance Framework*

*That Council, by ABSOLUTE MAJORITY:*

- 1. ADOPTS the revised Community Funding Policy (as per Attachment 1);*
- 2. ADOPTS the revised Community Support and Financial Assistance Framework (as per Attachment 7);*
- 3. APPROVES to disband the Community Funding Working Group on the basis that it has met the requirements of its Terms of Reference;*
- 4. NOTES that the Community Funding Program will be deployed via a phased approach throughout the 2020/21 financial year; and*
- 5. APPROVES the removal of temporary Clause, Item 4.5 under “Community Group Donations” (CS03-05/20) from the Donations and Youth Sponsorships Policy (as per Attachment 4), noting that all further COVID-19 funding applications will be considered through the Response and Recovery Fund, in accordance with the revised Community Funding Policy.*

*SCS03-07/20 Enterprise Funding Policy*

*That Council, by ABSOLUTE MAJORITY: -*

- 1. ADOPTS the Enterprise Funding Policy (as per Attachment 1);*
- 2. APPROVES an authorisation for the Chief Executive Officer to approve Enterprise Funding applications up to and including \$10,000;*
- 3. ENDORSES the activation of the Economic Recovery Fund in the 2020/21 financial year to implement the COVID-19 Economic Recovery Fund; and*
- 4. NOTES that the Enterprise Funding Policy will be deployed through a phased approach, with the Economic Recovery Fund prioritised for 2020/21.*

*SCS04-07/20 Amendment to Financial Hardship - Collection of Rates and Service Charges Policy*

*That Council, by ABSOLUTE MAJORITY: -*

- 1. ADOPTS the proposed revised Financial Hardship – Collection of Rates and Service Charges Policy as shown in Attachment 1;*  
*ADOPTS the delegation to grant concessions on rates in accordance with the delegation of authority instrument set out in Attachment 4;*
- 2. NOTES that either the Chief Executive Officer or his nominee will assess COVID-19 Financial Hardship applications in accordance with Financial Hardship – Collection of Rates and Service Charges Policy due to COVID-19, and apply the following financial relief measures for successful COVID-19 financial hardship applicants being an excluded person, as defined in the Local Government (COVID-19 Response) Ministerial order 2020:*

- a) Grant concession of \$100 of Council Rates (excluding Waste Service Fee, Private Swimming Pool Inspection Fees and Emergency Service Levy);
  - b) Waive the administration fee (payment arrangement fee) of \$30;
  - c) Apply interest moratorium for Council Rates, Charges and State Government Emergency Service Levy; and
  - d) Extend payment an arrangement to maximum of three years, subject to the total debt is fully extinguished at the end of the arrangement.
3. NOTES that the Chief Executive Officer will assess non-COVID-19 Financial Hardship applications in accordance with Financial Hardship – Collection of Rates and Service Charges Policy, and apply one or more of the following financial relief measures for successful non-COVID-19 Financial Hardship applicants:
- a) Grant a one off late payment interest concession to a maximum of \$400;
  - b) Waiver of ongoing late payment interest upon successful financial hardship application; and
  - c) Extend payment an arrangement to maximum of three years, subject to the total debt is fully extinguished at the end of the arrangement.”

## Detail

Decisions relating to the expanded authorisations and delegations are reported to Council Members on a fortnightly basis through the Council Members Hub and placed on the City's website. Council's resolutions (CE01-04/20 and CE02-06/20) require that all decisions made in relation to the expanded delegations and authorisations be formally reported to Council.

The following table sets out the respective decisions: -

Details	Address of Recipient (Suburb only)	Date of Decision
<b>Service and Service Levels</b>		
Alteration of Closure Times for Quinn's Beach Car Park: <i>That the car park gates at Quinn's Beach be closed by 6pm daily and reopened at 5am for the duration of the Easter and school holidays.</i>	Community	9/04/2020
Reopening Wanneroo Libraries Following COVID-19 Closure <i>That City of Wanneroo libraries hours be reduced from Monday 18 May, with all libraries open Monday to Friday 9am to 5.30pm. This will be reviewed two weeks from opening.</i>	Community	18/05/ 2020
Reopening of Wanneroo Aquamotion Following COVID-19 Closure <i>Wanneroo Aquamotion hours of operation be reduced effective from 19 May 2020 with a review on 29 May 2020.</i>	Community	20/05/2020
Next Stage Reopening Wanneroo Libraries Following COVID-19 Closure <i>That City of Wanneroo libraries hours be further changed from Monday 2 June with all libraries open Monday to Friday 9am to 5.30pm and Saturdays 9am to 1pm. This will be reviewed two weeks from opening.</i>	Community	28/05/2020
Next stage reopening of City Youth Centres following COVID-19 closures <i>That City of Wanneroo Youth Centre hours be further changed from Monday 8 June with regular review.</i>	Community	16/06/2020

Details	Address of Recipient (Suburb only)	Date of Decision
Reopening Wanneroo Libraries, Art Gallery and Museum Following COVID-19. <i>That City of Wanneroo Cultural Development facilities will have the following opening hours effective from Monday 15 June 2020.</i>	Community	16/06/2020
<b>Donation Requests</b>		
APPROVE a request for a donation in the sum of <b>\$2,933.95</b> towards provision of increased and modified Peri-Natal Mental Health Services to City of Wanneroo families with infants under 2 and pregnant women.	Edith Cowan University	18/05/2020
NOT APPROVE a request for a donation of <b>\$5,000</b> to cover the shortfall between employment of full-time staff and the job-keeper payments.	Quinns Rocks Sports Club Inc	18/05/2020
APPROVE a request for a donation in the sum of <b>\$5,000</b> towards set up of a food distribution centre in the City of Wanneroo for people in need.	St Vincent de Paul Society	18/05/2020
APPROVE a request for a donation in the sum of <b>\$872.00</b> to <b>East Keys Collective</b> as a once only to enable the group to meet the cost of public liability insurance which is a requirement for the group to receive its RAC Grant funding; and NOT APPROVE the additional request from East Keys Collective for matched funding of \$2,500.00.	East Keys Collective	26/05/2020
APPROVE a request for a donation in the sum of <b>\$4,872.00</b> for <b>Rainbow Community Services</b> for a provision of funds to meet additional costs associated with a food distribution program for vulnerable residents.	Rainbow Community Services	02/06/2020
APPROVE a request for a donation in the sum of <b>\$4,928.00</b> for <b>Reality Enterprises Inc (The Pantry)</b> for a Provision of funds to meet additional costs associated with a food distribution program for vulnerable residents.	Reality Enterprises Link (The Pantry)	02/06/2020
Approve a request to modify the <b>St Vincent de Paul Society</b> project scope and budget from \$5,000 to <b>\$2,804.00</b> which reflects a model of delivery that will continue to support families in Wanneroo who are facing financial hardship.	St Vincent de Paul Society	12/06/2020
APPROVE a request for a donation in the sum of <b>\$5,000.00</b> to the Spiers Centre towards provision of \$100.00 per client for food relief (Foodbank), Woolworths voucher and/or bill payment depending on client need during COVID – 19 Pandemic for the period July to August 2020 on the basis that: <ul style="list-style-type: none"> <li>Government benefits and moratoriums are scheduled to cease from mid-July 2020 onwards.</li> <li>The funds are specifically distributed to City of Wanneroo residents, with statistical data for the support period gathered for inclusion in the acquittal report.</li> </ul>	Spiers Centre	01/07/2020
APPROVE a request for a donation in the sum of <b>\$460.00</b> to Quinns Baptist Community Care Inc for the expense items.	Quinns Baptist Community Care Inc	01/07/2020
NOT APPROVE a request for a donation in the sum of <b>\$5,000</b> to The Patricia Giles Centre for a variety of refuge expenses, but with no clear items highlighted for specific support.	The Patricia Giles Centre	1/07/2020
<b>Rent Abatements</b>		
<b>Wanneroo Business Association</b> - 100% for period 17/3/20-30/9/20 - Annual Licence Fee 16.11.19 to 15.11.20 - \$4064 Ex GST	Wanneroo WA 6065	1/07/2020
<b>Jindalee Beach Kiosk</b> - 100% for period from 17/3/20 to 30/9/20 - Annual Rent: 17.12.19 to 16.12.20 - \$28,303.22 Ex GST	Jindalee WA 6036	3/07/2020
<b>Badminton Association</b> - 50% for period 21/3/20 to 30/6/20 - Annual Rent: 14.11.19 to 13.11.20 - \$952.10 Ex GST	Madeley WA 6065	3/07/2020
<b>WA Sporting Car Club</b> - 100% for period 18/3/20 to 30/6/20 - Annual Rent: 01.10.18 to 30.09.19 - \$19,937.93 Ex GST	Neerabup WA 6031	3/07/2020

Details	Address of Recipient (Suburb only)	Date of Decision
<b>Hennaberrys for Hair</b> - 100% for period 1/4/20 to 30/9/20 - Annual Rent: 02.05.19 to 01.05.20 - \$30,093.05 Ex GST	Wanneroo WA 6065	3/07/2020
<b>Portofinos</b> - 100% for period 29/3/20 to 30/9/20 - Annual Rent: 01.09.19 to 31.08.20 - \$28,078.16 Ex GST	Mindarie WA 6030	3/07/2020
<b>Manumalo</b> - 100% for period 23/3/20 to 30/9/20 - Annual Rent: In holdover since August 2019 until new lease is signed. Rent remains the same - \$92,063.52 ex GST	Wanneroo WA 6065	3/07/2020
<b>Tiger Kart Club</b> - 50% for period 1/3/20 to 30/9/20 - Annual Rent: 01.12.19 to 30.11.20 - \$5991.96 Ex GST	Neerabup WA 6031	3/07/2020
<b>Epic Catering</b> - 100% for period 23/3/20 to 30/9/20 - Annual Rent: 02.01.20 to 01.01.21 - \$7000 Ex GST	Carramar WA 6031	3/07/2020
<b>The Salon</b> - 50% for period 1/4/20-30/9/20-Annual Rent 15/10/19-14/10/20	Clarkson WA 6030	3/07/2020
<b>Wanneroo Districts Netball Association</b> - 50% for period 15 July 2020	Kingsway WA 6065	7/07/2020
<b>Agreements</b>		
To consider the renewal of five contracts which are expiring due to end of the original contract term and where available options to extend have already been exercised.	Various	5/05/2020
Approval of the Midge Management Strategy Partnership Agreement 2020.	City of Wanneroo	14/05/2020
<b>Tenders</b>		
Supply and Lay Bituminous Surfacing and Associated Civil Works	Wangara	7/05/2020
Provision of Garden Organics (GP) Processing - Declined	N/A	11/05/2020
Audit Services for the East Wanneroo Developer Contribution Arrangements and Development Contribution Plans	South Perth	11/05/2020
Provision of plumbing services.	Wangara	28/05/2020

As at the date of this report, the declaration of emergencies detailed above all remain in force however recent low numbers of COVID-19 infections has prompted the West Australian State Government to relax most of the enforced restrictions through Phase 4.

For gatherings, the limit is now determined by the reduced 2 square metre rule which only includes City employees where the venue capacity exceeds 500.

The indicated plans to move towards Phase 5 may now be delayed because of the rapid spread of the virus in Victoria. WA Premier Mark McGowan has said that based on health advice, Phase 5 of the state's road map out of coronavirus restrictions would be pushed back to a tentative date of 1 August.

### Council Meetings

Council meetings will continue to be held in person in Council Chambers with a limited capacity of 60 people. Members of the public will be required to register before the meeting and should the attendees exceed 60 people in total, an alternative room will be made available to provide members of the public with access to an audio of the meeting.

### Ordinary Council Meeting – Quorum

Council, through Resolution CE01-04/20 authorised the CEO to make an application to the Minister to reduce the number of Council Member offices to achieve a quorum in circumstances where a quorum cannot be achieved. This authorisation expired on 5 August 2020 and it is not intended to request an extension due to the easing of restrictions.

### Authorisations and Delegations of Authority to the CEO

Council granted further authorisations and delegations to effectively manage the City's business and operations during the COVID-19 Pandemic. It is proposed that the authorisations and delegations of authority as referred to below are either allowed to lapse due to expiry, maintained or amended to extend (as applicable and relevant) due to the easing of restrictions.

<b>Delegation or Authorisation</b>	<b>Details</b>
Agreements	<p>Subject to Regulation 11 of the Local Government (Functions and General) Regulations 1996, authorised the CEO to consider and renew all agreements that are due to expire within 90 days following the 7 April 2020 Ordinary Council Meeting.</p> <p><b>Revoked by Council at the 2 June 2020 Ordinary Council Meeting CE02-06/2020</b></p>
Internal Audits and Audit and Risk Committee	<p>Council resolved to accept that the 3 Years Strategic Audit Plan would be suspended until 31 December 2020 with no new internal audits undertaken or commenced until 1 January 2021. The Audit Log will continue to be managed and progress reported to the Audit and Risk Committee noting that some of the audit recommendations may require further extensions of time to complete.</p> <p>In considering the 3 Year Strategic Audit Plan, it is now appropriate to reinstate the internal audit program as determined by the CEO and for the Audit and Risk Committee to review the 3 Year Strategic Audit Plan at its first meeting in 2021.</p> <p><b>Recommendation:</b></p> <p><b>Council to authorise the CEO to reinstate the internal audit program and determine the audits to undertake and acknowledge that the Audit and Risk Committee will review the 3 Year Strategic Audit Plan as its first Audit and Risk Committee in 2021.</b></p>
Community Funding Policy	<p>In accordance with the City's Community Funding Policy, Community Development Funding and Community Event Funding applications are due to be considered at the May Ordinary Council Meeting. All community funding applications were deferred to the Ordinary Council Meeting in July 2020 and determined by Council.</p> <p>Council at its meeting of 20 July 2020 (SCS02-07/20) resolved to adopt a revised Community Funding Policy and Community Support and Financial Assistance Framework whereby the Chief Executive Officer or nominee is authorised to approve funding applications exceeding values specified in the report table up to a maximum of \$10,000. The report table provides authorisations to various Managers to approve Kickstarter Fund and Community Grants between \$1,000 and \$5,000.</p> <p><b>Note that consideration of Community Funding applications</b></p>

Delegation or Authorisation	Details
	<b>will be undertaken in accordance with the City's Community Funding Policy process.</b>
Community Consultation	<p>Considering that our community is focused on the impact of the COVID-19 Pandemic, it is considered appropriate that the City does not engage in community consultation that is not otherwise required statutorily. Our community will be best placed to actively engage and participate in consultation once the COVID-19 Pandemic is no longer an emergency situation and therefore consultation will be deferred for an initial period of 90 days subject to Council approving any further extensions.</p> <p><b>Revoked by Council at the 2 June 2020 Ordinary Council Meeting CE02-06/2020</b></p>
Community Proposals	<p>Consideration of proposals received from the community and/or stakeholders in respect of projects, services or of any nature related to the City will be deferred for a period of 90 days or a further period if approved by Council.</p> <p><b>Expired on 6 July 2020 and revert to standard process to consider and determine community proposals.</b></p>
Compliance and Enforcement	<p>Council is to note that during the COVID-19 Pandemic, the City will comply with all State Government and/or Department of Health WA advice or directions especially in relation to compliance but will seek to achieve compliance where it is in the public interest to do so.</p> <p>In circumstances where it is in the public interest or there is a risk to public safety, the City will consider the most appropriate enforcement action to be undertaken.</p> <p><b>Recommendation:</b> <b>Maintain with no changes proposed.</b></p>
<p>Donations, Sponsorship and the Waiver of Fees and Charges</p> <p>Note at its Ordinary Council Meeting on 5 May 2020 (CS03-05/20), Council adopted the following policies in respect of donations, youth sponsorship, fee waivers, concessions and debit write:</p> <ul style="list-style-type: none"> <li>• Donations and Youth Sponsorship Policy; and</li> <li>• Fee Waivers, Concessions and Debt Write</li> </ul>	<p>Council has authorised the CEO to make all decisions relating to this policy as the criteria within the policy adopted by Council provides sufficient guidance to ensure that decisions made by the CEO are aligned with Council's direction and previous decisions. Administration recommend that this authorisation remain in place to allow the City to be more agile in making decisions that would assist the community during the pandemic and the recovery phase.</p> <p>This was extended by Council at its 2 June 2020 Ordinary Council Meeting to conclude 120 days after the date of the resolution.</p> <p>At the Ordinary Council Meeting on 5 May 2020 (CS03-05/20) Council resolved to approve an additional clause within the Donations and Youth Sponsorship Policy to give the CEO delegation to approve applications up to \$5000 as part of the COVID-19 Fund. A subsequent report to the Special Council Meeting of 20 July 2020 repealed this clause as these applications are now considered under the Response and Recovery Fund within the City's Community Funding Program. The proposed Response and Recovery Fund would be integrated within the overarching Community Funding Program to ensure that in the event of any future emergency, the City can implement immediate financial support programs as required.</p> <p><b>Due to expire on 30 September 2020, however recommend revoking the authorisation and note the provisions of the City's</b></p>



Delegation or Authorisation	Details
Off Policy	<b>Donations and Youth Sponsorship Policy and the Fee Waivers, Concessions and Debt Write Off Policy in respect of the determination of applications by the CEO and Council respectively.</b>
Enterprise Funding	<p>At the Special Council Meeting of 20 July 2020 (SCS03-07/20) Council resolved to adopt the Enterprise Funding Policy which includes a COVID-19 Economic Recovery Plan and Fund. The Chief Executive Officer or nominee is authorised to approve applications up to \$10,000.</p> <p><b>Note that the provision of enterprise funding to assist with the economic recovery from the COVID-19 Pandemic will be considered and determined in accordance with the City's Enterprise Funding Policy.</b></p>
Fees and Charges – Waiver, Grant of Concessions or Write Off	<p>Section 6.12(1)(b) and (c) of the Act provides the local government with the power to “defer, grant discounts, waive or write off debts”. Council has granted a delegation of authority (1.1.24) to the CEO (and sub-delegated to the Director Corporate Strategy and Performance) however this is limited to matters valued at \$10 000 or under.</p> <p>Council amended the delegation to the CEO to consider and approve/refuse all requests received up to a maximum amount of \$20,000 (<b>Attachment 1</b>).</p> <p>Administration recommend that this expanded delegation remain in place to allow the City to be more agile in making decisions that would assist the community during the pandemic and the recovery phase.</p> <p>This was extended by Council at its 2 June 2020 Ordinary Council Meeting to conclude 120 days after the date of the resolution.</p> <p><b>Recommendation:</b>  <b>Extend this delegation until the first Ordinary Council Meeting after Council returns from recess in 2021.</b></p>
Financial Hardship – Collection of Rates and Service Charges Policy	<p>Council acknowledges that the following officers have been authorised to undertake any action or determination under the Financial Hardship – Collection of Rates and Service Charges Policy (in addition to the CEO):</p> <ul style="list-style-type: none"> <li>a) Director Corporate Strategy and Performance</li> <li>b) Chief Operating Office; and</li> <li>c) Manager Finance.</li> </ul> <p>Administration recommend that this authorisation remain in place to allow the City to be more agile in making decisions that would assist the community during the pandemic and the recovery phase.</p> <p>This was extended by Council at its 2 June 2020 Ordinary Council Meeting to conclude 120 days after the date of the resolution.</p> <p>At the Special Council meeting of 20 July 2020 Council resolved to amend the Financial Hardship – Collection of Rates and Service Charges Policy given added financial stress created by the COVID-19 Pandemic on ratepayers.</p> <p>In addition, the Local Government (COVID-19 Response) Ministerial Order 2020 gazetted on 8 May 2020, provided specific orders to all</p>

Delegation or Authorisation	Details
	<p>local governments for inclusion as part of the annual budget adoption to provide relief on penalty interest rates for overdue debts and administration charges on setting up payment arrangements to an “excluded person”.</p> <p>Through the policy the CEO or his nominated Officer, is delegated (Del. 1.1.33) to grant proposed COVID-19 Financial Relief of \$100 Rates concession and waiver of administration fee of \$30 and authorised to grant an Interest Rate Moratorium for Council Rates, Charges and State Government Emergency Service Levy in accordance with the Local Government (COVID-19 Response) Ministerial Order 2020.</p> <p><b>Recommendation:</b></p> <p><b>Council is to note that the provisions of City’s Financial Hardship – Collection of Rates and Service Charges Policy provides assistance and relief to rate payers who have been detrimentally financially impacted by the COVID-19 Pandemic and applications for assistance and relief will be considered and determined in accordance with the City’s Financial Hardship – Collection of Rates and Service Charges Policy.</b></p>
Petitions	<p>Petitions from residents of the City may be received by a Councillor, the Mayor or Administration. In all cases they are to be forwarded to the Mayor’s office for processing and presentation to a Council meeting.</p> <p>Council authorised the CEO to receive all petitions, note receipt and forward to the relevant Directorate for investigation. Once the petition request is investigated, the relevant Director will report to the CEO recommendations to determine the appropriate action in respect of the petition request.</p> <p><b>Revoked by Council at the 2 June 2020 Ordinary Council Meeting CE02-06/2020</b></p>
Planning Delegations	<p>Council delegated authority to the CEO to determine development applications where objections are received (unless it is requested in writing by a Council Member that it be referred to Council) by amending delegation 2.10.3 – Development Control.</p> <p>As a consequence of the amendment to the delegation, the CEO’s conditions on sub-delegation were amended so that any application that would ordinarily be determined by Council could be determined by the Director Planning and Sustainability, if the Manager Approval Services considers objections raise relevant planning considerations that cannot be overcome through modification to the proposal or by conditions being imposed.</p> <p>The condition that provides the applicant with the ability to request their application be determined by Council was removed.</p> <p><b>Revoked by Council at the 2 June 2020 Ordinary Council Meeting CE02-06/2020</b></p>
Rates – Special Arrangements Fee	<p>Council noted that all special arrangement fees for new rate payment arrangements are waived for a period 120 days.</p> <p>At the Special Council meeting of 20 July 2020 Council resolved to amend the Financial Hardship – Collection of Rates and Service Charges Policy given added financial stress created by the COVID-</p>

Delegation Authorisation	or	Details
		<p>19 Pandemic on ratepayers.</p> <p>In addition, the Local Government (COVID-19 Response) Ministerial Order 2020 gazetted on 8 May 2020, provided specific orders to all local governments for inclusion as part of the annual budget adoption to provide relief on penalty interest rates for overdue debts and administration charges on setting up payment arrangements to an “excluded person”.</p> <p>Through the policy the CEO or his nominated Officer, is delegated to grant proposed COVID-19 Financial Relief of \$100 Rates concession and waiver of administration fee of \$30 and authorised to grant an Interest Rate Moratorium for Council Rates, Charges and State Government Emergency Service Levy in accordance with the Local Government (COVID-19 Response) Ministerial Order 2020.</p> <p><b>Expired on 5 August 2020 however note that the provisions of City’s Financial Hardship – Collection of Rates and Service Charges Policy provides assistance and relief to rate payers who have been detrimentally financially impacted by the COVID-19 Pandemic and applications for assistance and relief will be considered and determined in accordance with the City’s Financial Hardship – Collection of Rates and Service Charges Policy.</b></p>
Rent Abatement		<p>Council authorised the CEO to consider and approve (or reject) abatement of lease fees (including rent) to lessees of City premises on terms approved by the CEO and subject to lessees satisfying the applicable criteria for a period of 90 days.</p> <p><b>Expired on 6 July 2020 however Council is to note that Council has delegated to the CEO (Delegation 1.1.21) the authority to agree variation to lease rent and payment terms in accordance with the City’s Leasing Policy providing the variation is minor in nature. Any determination to vary lease rent and payment terms will be informed to Council Members.</b></p>
Services and Services Levels		<p>During the COVID-19 Pandemic and in response to State Government and/or Department of Health advice or directions, the City may be required to cease services, provide new services or change service levels of current services.</p> <p>Council authorised the CEO to make the necessary changes to services and service levels accordingly.</p> <p>Administration recommends that this authorisation remain in place to allow the City to be more agile in making decisions that would assist the community during the recovery phase and to consider the financial constraints affecting the City due to the COVID-19 Pandemic.</p> <p><b>Recommendation:</b> <b>Extend this authorisation until the first Ordinary Council Meeting after Council returns from recess in 2021.</b></p>
Tenders		<p>Delegation 1.1.14 – Choice of Most Advantageous Tender – is limited to the CEO making decisions subject to:-</p> <p>a) Tenders resulting from the expiry of a recurring contract - \$5 million (life of contract);</p>

Delegation Authorisation	or Details
	<p>b) Supply of plant and equipment - to a maximum amount of \$2,000,000;</p> <p>c) All other tenders - to a maximum amount of \$1,000,000.</p> <p>Delegation 1.1.16 – Selecting the next most advantageous tender. The CEO is delegated the authority to make decisions in regard to the next most advantageous tender where the successful tenderer is unwilling or unable to accept the contract with the variation or the City and the tenderer cannot reach agreement. Selecting the next most advantageous tender is subject to:-</p> <p>a) Regulation 20(2) of the Local Government (Functions and General) Regulations 1996; and</p> <p>b) A provision in the adopted Annual Budget and limited to:</p> <p>i) Tenders resulting from the expiry of a recurring contract - \$5 million (life of contract);</p> <p>ii) Supply of plant and equipment - to a maximum amount of \$2,000,000;</p> <p>iii) All other tenders – to a maximum amount of \$1,000,000</p> <p>Council delegated authority to the CEO to make all decision relating to the above functions.</p> <p><b>Revoked by Council at the 2 June 2020 Ordinary Council Meeting CE02-06/2020</b></p>

## Consultation

Nil

## Comment

Whilst there has been a substantial relaxation of restrictions in WA which has seen a number of expanded delegations and authorisations revoked so that the City may return to pre COVID-19 decision making processes and operations, Council is to note that Phase 5 of the WA COVID-19 roadmap to recovery, initially due to be implemented on Saturday, 1 August 2020 has been delayed until at least 29 August 2020.

Phase 5 would see remaining restrictions removed, except WA's hard border and access to remote Aboriginal communities. It would also see the removal of WA's 2 square metre rule and the 50 per cent capacity for major venues. A tentative date for the removal of WA's hard border was planned to be included as part of Phase 6, however, has been put on hold due to the rapidly evolving situation in the Eastern States.

Given the ever changing and evolving COVID-19 Pandemic situation, it is recommended that Council consider:

1. that certain delegations and authorisations remain in place for as long as possible to provide assistance to the community over the recovery phase and to be reviewed by Council at its first Ordinary Council Meeting in 2021; and
2. delegating authority to the CEO all of the delegations and authorisations adopted by Council to respond to the COVID-19 Pandemic (as applicable and resolved by Council at its Ordinary Council Meetings on 7 April 2020 (CE01-04/20), (CS04-04/20) and 2 June 2020 (CE02-06/20)) should Western Australian be subject to a second phase of the COVID-19 Pandemic and a Closure and Restriction (Limit the Spread)

Direction issued in accordance with the Emergency Management Act 2005 that prohibits certain gatherings and activities significantly affect the operation of the City of Wanneroo. These delegations, authorisations and acknowledgments are set out in **Attachment 2**.

## **Statutory Compliance**

### **5.42. Delegation of some powers and duties to CEO**

(1) *A local government may delegate\* to the CEO the exercise of any of its powers or the discharge of any of its duties under —*

- (a) *this Act other than those referred to in section 5.43; or*
- (b) *the Planning and Development Act 2005 section 214(2), (3) or (5).*

*\* Absolute majority required.*

(2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*

### **5.43. Limits on delegations to CEO**

*A local government cannot delegate to a CEO any of the following powers or duties —*

- (a) *any power or duty that requires a decision of an absolute majority of the council;*
- (b) *accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;*
- (c) *appointing an auditor;*
- (d) *acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;*
- (e) *any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;*
- (f) *borrowing money on behalf of the local government;*
- (g) *hearing or determining an objection of a kind referred to in section 9.5;*
- (ha) *the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;*
- (h) *any power or duty that requires the approval of the Minister or the Governor;*
- (i) *such other powers or duties as may be prescribed.*

### **5.45. Other matters relevant to delegations under this Division**

(1) *Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 —*

- (a) *a delegation made under this Division has effect for the period of time specified in the delegation or where no period has been specified, indefinitely; and*
- (b) *any decision to amend or revoke a delegation by a local government under this Division is to be by an absolute majority.*

(2) *Nothing in this Division is to be read as preventing —*

- (a) *a local government from performing any of its functions by acting through a person other than the CEO; or*
- (b) *a CEO from performing any of his or her functions by acting through another person.*

**6.12. Power to defer, grant discounts, waive or write off debts**

- (1) Subject to subsection (2) and any other written law, a local government may —
- (a) when adopting the annual budget, grant\* a discount or other incentive for the early payment of any amount of money; or
  - (b) waive or grant concessions in relation to any amount of money; or
  - (c) write off any amount of money, which is owed to the local government.
- \* Absolute majority required.
- (2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.
- (3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.
- (4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.

**Strategic Implications**

The proposal aligns with the following objective within the Strategic Community Plan 2017 – 2027:

“4 Civic Leadership

4.2 Good Governance

4.2.1 Provide transparent and accountable governance and leadership”

**Risk Management Considerations**

Risk Title	Risk Rating
CO-C01 Compliance Framework	Low
Accountability	Action Planning Option
Executive Manager Governance & Legal	manage

Risk Title	Risk Rating
CO-017 Financial Management	Moderate
Accountability	Action Planning Option
Director Corporate Strategy & Performance	manage

Risk Title	Risk Rating
ST-S23 Stakeholder Relationships	Low
Accountability	Action Planning Option
Chief Executive Officer	manage

The above risks relating to the issue contained within this report have been identified and considered within the City's Strategic and Corporate risk registers. The approval of authorisations and delegations of authority greatly assisted in the continuity of the City's leadership and efficient decision making in light of the COVID-19 Pandemic. Given the relaxation of the COVID-19 restrictions, specific authorisations and delegations are no longer required.

## **Policy Implications**

Those policies and procedures that were amended to support the extended delegations and authorisations adopted at the 7 April 2020 Council meeting are to be reinstated to their substantive format, if affected by the recommendations set out in this report.

## **Financial Implications**

The City's financial position is and will continue to be impacted by the COVID-19 Pandemic and the economic recovery. Council is to further that it is anticipated that there will be an increase of requests for assistance and the delayed receipt of rate payments as the City seeks to support those residents and the community who are experiencing financial hardship as a result of the COVID-19 Pandemic.

## **Voting Requirements**

Absolute Majority



## **Recommendation**

**That Council:-**

1. **NOTES** the decisions made by Administration under the delegations and authorisations provided by Council resolutions CE01-04/20, CS04-04/20 and CE02-06/20 respectively as set out in the body of the report;
2. **DELEGATES BY ABSOLUTE MAJORITY** the Delegation 1.1.24 – Waiver, Grant of Concession or Write Off Monies Owing – that amends condition (b) to increase the Chief Executive Officer's limit to \$20,000 as set out in Attachment 1 until the conclusion of the first Ordinary Council Meeting in 2021;
3. **EXTENDS** the **AUTHORISATION** to the Chief Executive Officer to make any and all changes to services (including ceasing or providing new services) and service level as deemed necessary by the Chief Executive Officer until the conclusion of the first Ordinary Council Meeting in 2021;
4. **NOTES** that the Chief Executive Officer has extended the authorisation to the Director Corporate Strategy and Performance, Chief Operating Officer and Manager Finance to determine all requests in respect of the City's Financial Hardship – Collection of Rates and Service Charges Policy until the conclusion of the first Ordinary Council Meeting in 2021;
5. **AUTHORISES** the Chief Executive Officer to reinstate the internal audit program and determine the internal audits to undertake and **NOTES** that the Audit and Risk Committee will:
  - a) review the 3 Year Strategic Audit Plan at its first Audit and Risk Committee meeting in 2021; and
  - b) continue to monitor and manage progress of the Audit Log noting that some of the audit recommendations may require further extensions of time to complete;
6. **NOTES** that the City will continue to comply with advice and directions of the State Government and the Department of Health WA in relation to the City's compliance functions and the City will seek to achieve compliance where it is in the public interest to do so, and consider the most appropriate enforcement action considering the public interest and any risk to public safety;

7. **NOTES** that all decisions made in accordance with resolutions 2 to 5 above, as applicable, will be notified to Council Members on a fortnightly basis through the Council Members' portal and reported to Council at the first Ordinary Council Meeting in 2021; and
8. Subject to a Closure and Restriction (Limit the Spread) Direction issued in accordance with section 71 and 72A of the Emergency Management Act 2005 that prohibits certain gatherings and activities which significantly affects the operation of the City of Wanneroo, **DELEGATES BY ABSOLUTE MAJORITY** to the CEO the expanded delegations and authorisations adopted by Council at its 7 April 2020 (CE01-04/20), (CS04-04/20) respectively and as set out in Attachment 2 for a period of 120 days from the date of the Closure and Restriction (Limit the Spread) Direction; and
9. **REVOKES** the authorisation to the Chief Executive Officer to determine all application received in respect of the Donations and Youth Sponsorship Policy.

*Attachments:*

- |   |  |           |         |
|---|--|-----------|---------|
| 1  | Attachment 1 - Delegation 1.1.24 (as amended)  | 20/119095 | Minuted |
| 2  | Attachment 2 - Decisions and Authorisations - Closure and Restriction (Limit the Spread) Direction | 20/346975 | Minuted |



## 1.1.24 WAIVER, GRANT OF CONCESSION OR WRITE OFF OF MONIES OWING

<b>Function Delegated:</b> <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	<p>1. The waiver or grant of concessions in relation to any amount of money that it is owed to the City (but specifically excludes rates and service charges); or</p> <p>2. The write off of any amount of money that it is owed to the City.</p> <p>Note that:</p> <ul style="list-style-type: none"> <li>section 1 applies to fees and charges as they are incurred; and</li> <li>section 2 applies to debts owed to the City.</li> </ul>
<b>Statutory Power being Delegated:</b>	<i>Local Government Act 1995 Section 6.12(1) (b) &amp; (c) Power to defer, grant discounts, waive or write off debts</i>
<b>Power is originally assigned to:</b>	Local Government
<b>Statutory Power of Delegation</b>	<i>Local Government Act 1995: Section 5.42 – Delegation of some power or duties to the CEO Section 5.43 – Limitations on delegation to the CEO</i>
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council's Conditions on Delegation:</b>	<p>Subject to:</p> <p>a) Section 6.12(2) of the Act which states that Section 6.12 (1) (b) "waive or grant concessions" does not apply to an amount of money owing in respect of rates and service charges; and</p> <p>b) the waiver, concession or write off of money owing not exceeding \$240,000. All waivers, concessions or write offs of money owing greater than \$5001 to be reported to the Audit and Risk Committee; and</p> <p>c) Council's Accounting Policy.</p>
<b>Statutory Power to Sub-Delegate:</b>	<i>Local Government Act 1995 S5.44 CEO may delegate powers and duties to other employees</i>
<b>CEO's Sub-Delegation:</b> <i>The exercise of the delegated power does not include the power of delegation</i>	<p>Director Corporate Strategy &amp; Performance</p> <p>Director Community &amp; Place</p> <p>Director Assets</p> <p>Director Planning &amp; Sustainability</p>
<b>CEO's Conditions on Sub-delegation:</b>	Subject to the <u>same</u> conditions on delegation to the CEO <u>except to a maximum of \$10,000</u> .
<b>Record Keeping Statement (LGA 1995)</b> <i>s5.46(3) "A person to whom a power or duty is delegated"</i>	The full details of the waiver, concession or write off to be recorded on the appropriate financial record.

<i>under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty."</i>		
<b>Compliance Links</b>	<i>Financial Interest Returns Required - Yes</i>	
<b>Delegation Administration:</b>		
<b>Decision Reference</b>	<b>Decision Reference</b>	<b>Decision Reference</b>
1. 17/46347	6.	11.
2. CE01-06/18	7.	12.
3. 19/470186	8.	13.
4.	9.	14.

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### Delegations and Authorisations During COVID-19 Pandemic

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That Council:

1. **ADOPTS BY ABSOLUTE MAJORITY** the marked-up amendments to the delegation of authorities as follows:
  - a) Delegation 1.1.24 – Fees and Charges – amend condition (b) to increase the Chief Executive Officer's limit to \$20,000 as set out in Attachment 1;
  - b) Delegation 2.10.3 – Development Control – amendments as set out in Attachment 2; and
  - c) Delegation 1.1.14 – Choice of Most Advantageous Tender and Delegation 1.1.16 – Selecting the Next Most Advantageous – as set out in Attachment 3;
2. **AUTHORISES** the Chief Executive Officer to:
  - a) Subject to Regulation 11 of the *Local Government (Functions and General) Regulations 1996*, consider and renew all agreements that are due to expire within 90 days following the date of the Closure and Restriction (Limit the Spread) Direction;
  - b) Determine all applications received in respect of the City's Donations and Youth Sponsorships Policy;
  - c) Receive, note, forward all petitions to the relevant Directorate and determine the appropriate action in respect of the petition request;
  - d) Make any and all changes to services (including ceasing or providing new services) and service level as deemed necessary by the Chief Executive Officer; and
  - e) If necessary, make an application to the Department of Local Government, Sport and Cultural Industries for the Minister of Local Government, Heritage, Culture and the Arts' to approve a reduction of the number of Council offices required to achieve a quorum to convene an Ordinary Council Meeting or Special Council Meeting;
3. **ACKNOWLEDGES** that the CHIEF EXECUTIVE OFFICER **AUTHORISES** the:
  - a) Director Corporate Strategy and Performance to determine all applications received in respect of the City's Donations and Youth Sponsorship Policy; and
  - b) Director Corporate Strategy and Performance, Chief Operating Officer and Manager Finance to determine all requests in respect of the City's Financial Hardship – Collection of Rates and Service Charges Policy;

**4. ACCEPTS that:**

- a) The 3 Year Internal Audit Plan will be suspended for a period of 120 days with no new planned internal audits to be undertaken however the Audit Log will continue to be managed and reported to the Audit and Risk Committee noting that some of the audit recommendations may require further extensions of time to complete;
- b) The Community Development Funding and Community Event Funding Applications received in accordance with the City's Community Funding Policy will be deferred and determined by Council at a later Ordinary Council Meeting;
- c) Consideration of proposals received from the community and/or stakeholders in respect of projects, services or of any nature related to the City will be deferred for a period of 90 days or further period as approved by Council; and
- d) Except where required by legislation, community consultation and engagement will not occur for an initial period of 90 days subject to Council approving any extensions;

**5. NOTES that:**

- a) The City will comply with advice and directions of the Commonwealth and State Government, and the Department of Health WA in relation to the City's compliance function and the City will seek to achieve compliance where it is in the public interest to do so, and consider the most appropriate enforcement action considering the public interest and any risk to public safety; and
- b) The City's debt collection processes in relation to new debts owed to the City are suspended however any current matters before the Magistrates Court are subject to court scheduling and processes; and

**6. NOTES that all decisions made in accordance with resolutions 1 to 5 above, as applicable will be:**

- a) notified to Council Members on a fortnightly basis through the Council Members' portal; and
- b) formally reported to Council at an Ordinary Council Meeting.

## ATTACHMENT 1 – DELEGATION 1.1.24

## 1.1.24 WAIVER, GRANT OF CONCESSION OR WRITE OFF OF MONIES OWING

<b>Function Delegated:</b> <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	<ol style="list-style-type: none"> <li>1. The waiver or grant of concessions in relation to any amount of money that it is owed to the City (but specifically excludes rates and service charges); or</li> <li>2. The write off of any amount of money that it is owed to the City.</li> </ol> <p>Note that:</p> <ul style="list-style-type: none"> <li>• Function 1 applies to fees and charges as they are incurred; and</li> <li>• Function 2 applies to debts owed to the City.</li> </ul>
<b>Statutory Power being Delegated:</b>	<i>Local Government Act 1995</i> s.6.12(1) (b) & (c) Power to defer, grant discounts, waive or write off debts
<b>Power is originally assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<i>Local Government Act 1995:</i> s.5.42 – Delegation of some power or duties to the CEO s.5.43 – Limitations on delegation to the CEO
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council's Conditions on Delegation:</b>	<p>Subject to:</p> <ol style="list-style-type: none"> <li>a) Section 6.12(2) of the Act which states that Section 6.12 (1) (b) “waive or grant concessions” does not apply to an amount of money owing in respect of rates and service charges;</li> <li>b) the waiver, concession or write off of money owing not exceeding \$4020,000. All waivers, concessions or write offs of money owing greater than \$5001 to be reported to the Audit and Risk Committee; and</li> <li>c) Council's Accounting Policy.</li> </ol>
<b>Statutory Power to Sub-Delegate:</b>	<i>Local Government Act 1995</i> s.5.44 CEO may delegate powers and duties to other employees
<b>CEO's Sub-Delegation:</b> <i>The exercise of the delegated power does not include the power of delegation</i>	Director Corporate Strategy & Performance Director Community & Place Director Assets Director Planning & Sustainability
<b>CEO's Conditions on Sub-delegation:</b>	Subject to the <u>same</u> conditions on delegation to the CEO <u>except to a maximum of \$10,000.</u>

<b>Record Keeping Statement (LGA 1995)</b> <i>s5.46(3) " A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty."</i>	The full details of the waiver, concession or write off to be recorded on the appropriate financial record.
<b>Compliance Links</b>	<i>Financial Interest Return required - Yes</i>
<b>Delegation Administration:</b>	
<b>Decision Reference</b>	<b>Decision Reference</b>
1. 17/46347 2. CE01-06/18 3. 19/470186 4.	6. 7. 8. 9.
	11. 12. 13. 14.

## ATTACHMENT 2 – DELEGATION 2.10.3

## 2.10.3 DEVELOPMENT CONTROL

<b>Function Delegated:</b> <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	<ol style="list-style-type: none"> <li>1. Determination of applications for planning approval (including the exercise of discretion under District Planning Scheme No. 2 and the Residential Design Codes); and</li> <li>2. All matters which arise out of the imposition of conditions on planning approvals under the District Planning Scheme No. 2</li> </ol>
<b>Statutory Power being Delegated:</b>	The power to determine applications for planning approvals lodged pursuant to Clause 60 of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> (the deemed provisions) and Clause 28 of the Metropolitan Region Scheme including all applicable decisions under the District Planning Scheme No. 2 and the Metropolitan Region Scheme.
<b>Power is originally assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> (the deemed provisions) Clause 82
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council's Conditions on Delegation:</b>	<p>Council and Business Practice Condition</p> <ol style="list-style-type: none"> <li>a) Any application will be referred to Council for determination if an Elected Member requests such referral by written request to the Manager Approval Services;</li> <li><del>b) Any application for determination by the City that has been advertised for public comment shall be referred to Council for determination if any objection has been received that, in the opinion of the Chief Executive Officer, raises relevant planning considerations that cannot be specifically addressed or overcome by: modification of the proposal; imposition of appropriate conditions of approval; or compliance with the applicable deemed-to-comply provisions and/or design principles of the R-Codes; compliance with the objectives and provisions of DPS2 and the relevant considerations under the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, Part 67 Matters to be considered by local government.</del></li> <li><del>c) Any application for determination by the City will be referred to Council for determination if requested by the applicant in writing;</del></li> </ol>

	<p>d) Any application for an Industry – Extractive, Industry – General, Industry – Hazardous, or Concrete Batching Plant, may be determined under delegation.</p> <p>c) To determine a development application subject to a section 31 reconsideration Order issued by the State Administrative</p>
<b>Statutory Power to Sub-Delegate:</b>	<i>Planning and Development (Local Planning Schemes) Regulations 2015, Clause 83</i>
<b>CEO's Sub-Delegation:</b> <i>The exercise of the delegated power does not include the power of delegation</i>	Director Planning & Sustainability Manager Approval Services Coordinator Planning Services Coordinator Building Services Specialist Planner – Approval Services Specialist Project Planner Senior Planners Senior Building Surveyors
<b>CEO's Conditions on Sub-delegation:</b>	<p>The exercise of this delegated authority is conditional on the following:</p> <p>a) Any application will be referred to Council for determination if an Elected Member requests such referral by written request to the Manager Approval Services;</p> <p>b) Any application for determination by the City that has been advertised for public comment shall be referred to Director Planning and Sustainability for determination if any objection has been received that, in the opinion of the Manager Approval Services, raises relevant planning considerations that cannot be specifically addressed or overcome by:</p> <ul style="list-style-type: none"> <li>• modification of the proposal;</li> <li>• imposition of appropriate conditions of approval; or</li> <li>• compliance with the applicable deemed-to-comply provisions and/or design principles of the R-Codes.</li> </ul> <p><del>c) Any application for determination by the City will be referred to Council for determination if requested by the applicant in writing;</del></p> <p>c) Any application for an Industry – Hazardous or Concrete Batching Plant, may be determined by the Director Planning &amp; Sustainability, Manager Approval Services or Coordinator Planning Services. Any application for Industry – Extractive may be determined by Director Planning &amp; Sustainability, Manager Approval Services, Coordinator Planning Services, Specialist Planner – Approval Services or Specialist Project Planner. Any application for Industry – General may be determined by Director Planning &amp; Sustainability, Manager Approval Services, Coordinator Planning Services or Senior Planners.</p>



	<p>d) Determination of a development application subject to a section 31 reconsideration Order issued by the State Administrative Tribunal shall be determined by the Director Planning &amp; Sustainability or the Manager Approval Services.</p> <p>This delegated authority is limited for the Coordinator Building Services and Senior Building Surveyors as follows:</p> <p>a) to only make decisions related to applications seeking variation/s to the deemed-to-comply requirements of the R-Codes or provisions of a relevant structure plan or local development plan for a Single House located in a Residential Zone or any of the following on the same lot as a Single House:</p> <ul style="list-style-type: none"> <li>i) outbuildings, garages or carports;</li> <li>ii) patios or verandas;</li> <li>iii) street walls or fences; and</li> <li>iv) retaining walls, and</li> </ul> <p>b) Providing that the application for development (outlined in point a) above) is <b>not</b> located in a place that is:-</p> <ul style="list-style-type: none"> <li>• Entered in the Register of Heritage Places under the <i>Heritage of Western Australia Act 1990</i>; or</li> <li>• Included on a heritage list prepared in accordance with DPS 2;</li> <li>• Within an area designated under DPS 2 as a heritage area; or</li> <li>• The subject of a heritage agreement entered into under the <i>Heritage of Western Australia Act</i> section 29;</li> </ul>										
<p><b>Record Keeping Statement (LGA 1995)</b> s5.46(3) "A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty."</p>	<p>Copies of approvals given and reports of actions taken are to be retained on the appropriate file or record.</p>										
<p><b>Compliance Links</b></p>	<p><i>Financial Interest Return required - No</i></p>										
<p><b>Delegation Administration:</b></p>											
<p><b>Decision Reference</b></p> <ol style="list-style-type: none"> <li>1. CB01-11/14 and OC01-11/14</li> <li>2. PS11-10/15</li> <li>3. 16/436067</li> <li>4. CE03-03/17 &amp; 17/73467</li> </ol>	<table border="1"> <thead> <tr> <th>Decision Reference</th> <th>Decision Reference</th> </tr> </thead> <tbody> <tr> <td>6. CE06-05/17</td> <td>11. 19/104903</td> </tr> <tr> <td>7. CE01-06/18</td> <td>12.</td> </tr> <tr> <td>8. 18/203840</td> <td>13.</td> </tr> <tr> <td>9. 18/455559</td> <td>14.</td> </tr> </tbody> </table>	Decision Reference	Decision Reference	6. CE06-05/17	11. 19/104903	7. CE01-06/18	12.	8. 18/203840	13.	9. 18/455559	14.
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7. CE01-06/18	12.										
8. 18/203840	13.										
9. 18/455559	14.										

## ATTACHMENT 3 – DELEGATIONS 1.1.14 AND 1.1.16

## 1.1.14 CHOICE OF MOST ADVANTAGEOUS TENDER

<b>Function Delegated:</b> <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	<p>1. To consider the most advantageous tender to accept by means of a written evaluation of the extent of which each tender satisfies the criteria and has not been rejected in accordance with Regulations 18(1), 18(2) or 18(3) of the Local Government (Function and General) Regulations 1996.</p> <p>2. To decline to accept any tender.</p>
<b>Statutory Power being Delegated:</b>	<i>Local Government (Function and General) Regulations 1996</i> r.18(4), (4a) & (5) Rejecting and accepting tenders
<b>Power is originally assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</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>Power Delegated to:</b>	Chief Executive Officer.
<b>Council's Conditions on Delegation:</b>	<p>Function 1 is subject to a provision in the adopted Annual Budget <del>and / or the Long Term Financial Plan and limited to:</del></p> <p><del>Tenders resulting from the expiry of a recurring contract – \$5 million (life of contract).</del></p> <p><del>Supply of plant and equipment – to a maximum amount of \$2,000,000.</del></p> <p><del>All other tenders – to a maximum amount of \$1,000,000.</del></p>
<b>Statutory Power to Sub-Delegate:</b>	<i>Local Government Act 1995</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>CEO's Sub-Delegation:</b> <i>The exercise of the delegated power does not include the power of delegation</i>	<p>All Directors (execution of contractual documents only)</p> <p>Where the CEO has a conflict of interest that precludes the CEO from exercising this delegation of authority, the CEO delegates to a Director the authority to exercise this function providing that the Director is not the same Director making the recommendation to the CEO.</p>
<b>CEO's Conditions on Sub-delegation:</b>	Once the tender has been accepted by the CEO or Director, the CEO or any Director may execute the contractual documents relating to the acceptance of the tender in accordance with the City's Execution of Documents Policy.
<b>Record Keeping Statement (LGA 1995)</b> <i>s5.46(3) "A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty."</i>	Acceptance must be recorded in the appropriate record and in the Tender Register as required by Regulation 17 of the Local Government (Functions and General) Regulations 1996.

Compliance Links	Delegation 4.5.4 – Execution of Documents		
	City of Wanneroo Execution of Documents Policy and Management Procedure		
Financial Interest Return required - Yes			
Delegation Administration:			
Decision Reference	Decision Reference	Decision Reference	
1. CE04-12/16	6.	11.	
2. 16/421025	7.	12.	
3. 17/335505	8.	13.	
4. CE01-06/18	9.	14.	

## 1.1.16 SELECTING THE NEXT MOST ADVANTAGEOUS TENDER

<b>Function Delegated:</b> <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	If the successful tenderer is unwilling or unable to accept the contract with the variation or the local government and the tenderer cannot reach agreement, select the next most advantageous tenderer.
<b>Statutory Power being Delegated:</b>	<i>Local Government (Function and General) Regulations 1996</i> r.20(2) Variation of requirements before entry into contract
<b>Power is originally assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</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>Power Delegated to:</b>	Chief Executive Officer
<b>Council's Conditions on Delegation:</b>	Subject to:- <ul style="list-style-type: none"> <li>• r.20(2) of the Local Government (Functions and General) Regulations 1996; and</li> <li>• <del>A provision in the adopted Annual Budget and / or the Long Term Financial Plan and limited to:</del></li> <li>• <del>Tenders resulting from the expiry of a recurring contract – \$5 million (life of contract).</del></li> <li>• <del>Supply of plant and equipment – to a maximum amount of \$2,000,000.</del></li> <li>• <del>All other tenders – to a maximum amount of \$1,000,000.</del></li> </ul> <p style="text-align: center;">○</p>
<b>Statutory Power to Sub-Delegate:</b>	<i>Local Government Act 1995</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>CEO's Sub-Delegation:</b> <i>The exercise of the delegated power does not include the power of delegation</i>	All Directors (execution of contractual documents only)  Where the CEO has a conflict of interest that precludes the CEO from exercising this delegation of authority, the CEO delegates to a Director the authority to exercise this function providing that the Director is not the same Director making the recommendation to the CEO.
<b>CEO's Conditions on Sub-delegation:</b>	Once the tender has been accepted by the CEO or Director, the CEO or any Director may execute the contractual documents relating to the acceptance of the tender in accordance with the City's Execution of Documents Policy.
<b>Record Keeping Statement (LGA 1995)</b> <i>s5.46(3) "A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty."</i>	Acceptance must be recorded in the appropriate record and in the Tender Register as required by regulation 17 of the Local Government (Functions and General) Regulations 1996.

Compliance Links	Delegation 4.5.4 – Execution of Documents		
	City of Wanneroo Execution of Documents Policy and Management Procedure		
Financial Interest Return required - Yes			
Delegation Administration:			
Decision Reference	Decision Reference	Decision Reference	
1. CE06-05/17	6.	11.	
2. CE01-06/18	7.	12.	
3.	8.	13.	
4.	9.	14.	