

# **TOWN OF COTTESLOE**



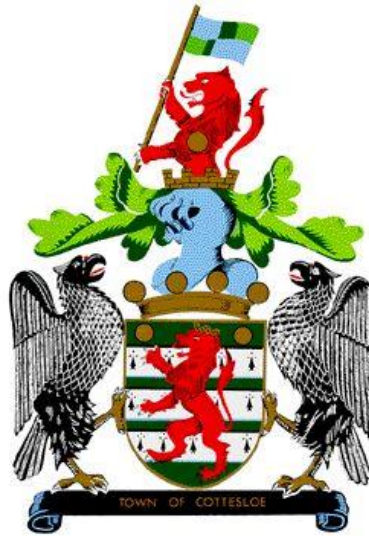
# **ATTACHMENTS**

**ORDINARY COUNCIL MEETING – 24 JUNE 2025**

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# **TOWN OF COTTESLOE**



## **ORDINARY COUNCIL MEETING**

# **ATTACHMENT**

**ITEM 10.1.1A:  
MONTHLY FINANCIAL STATEMENTS FOR THE  
PERIOD ENDING 31 MAY 2025**

**TOWN OF COTTESLOE****MONTHLY FINANCIAL REPORT**

(Containing the required statement of financial activity and statement of financial position)

**For the period ended May 2025**

*LOCAL GOVERNMENT ACT 1995*

*LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996*

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**TOWN OF COTTESLOE  
STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 MAY 2025**

Note	Adopted Budget Estimates (a) \$	YTD Budget Estimates (b) \$	YTD Actual (c) \$	Variance* \$ (c) - (b)	Variance* % ((c) - (b))/(b)	Var.
<b>OPERATING ACTIVITIES</b>						
<b>Revenue from operating activities</b>						
General rates	11,344,006	11,341,173	11,339,715	(1,458)	(0.01%)	
Grants, subsidies and contributions	203,906	153,210	171,602	18,392	12.00%	
Fees and charges	5,520,968	5,250,234	5,526,539	276,305	5.26%	
Interest revenue	781,081	766,389	715,237	(51,152)	(6.67%)	
Other revenue	146,180	119,588	155,759	36,171	30.25%	▲
Profit on asset disposals	0	0	38,684	38,684	0.00%	
Fair value adjustments to financial assets at fair value through profit or loss	(5,327)	(5,327)	(5,327)	0	0.00%	
	<b>17,990,814</b>	<b>17,625,267</b>	<b>17,942,209</b>	<b>316,942</b>	<b>1.80%</b>	
<b>Expenditure from operating activities</b>						
Employee costs	(7,949,641)	(7,287,171)	(6,835,110)	452,061	6.20%	
Materials and contracts	(9,194,374)	(7,950,945)	(6,622,841)	1,328,104	16.70%	▲
Utility charges	(321,556)	(277,532)	(240,043)	37,489	13.51%	
Depreciation	(3,316,131)	(3,053,173)	(2,225,680)	827,493	27.10%	▲
Finance costs	(175,879)	(175,140)	(175,859)	(719)	(0.41%)	
Insurance	(244,610)	(234,954)	(225,517)	9,437	4.02%	
Other expenditure	(334,336)	(261,229)	(197,195)	64,034	24.51%	▲
Loss on asset disposals	0	0	(7,580)	(7,580)	0.00%	
	<b>(21,536,527)</b>	<b>(19,240,144)</b>	<b>(16,529,825)</b>	<b>2,710,319</b>	<b>14.09%</b>	
Non cash amounts excluded from operating activities	2(c) 3,335,424	3,058,500	2,199,903	(858,597)	(28.07%)	▼
<b>Amount attributable to operating activities</b>	<b>(210,289)</b>	<b>1,443,623</b>	<b>3,612,287</b>	<b>2,168,664</b>	<b>150.22%</b>	
<b>INVESTING ACTIVITIES</b>						
<b>Inflows from investing activities</b>						
Proceeds from capital grants, subsidies and contributions	1,228,261	618,853	275,735	(343,118)	(55.44%)	▼
Proceeds from disposal of assets	137,000	86,000	129,763	43,763	50.89%	▲
Proceeds from financial assets at amortised cost - self supporting loans	35,069	35,069	35,069	0	0.00%	
Proceeds on disposal of financial assets at fair values through other comprehensive income	35,802	17,901	17,627	(274)	(1.53%)	
	<b>1,436,132</b>	<b>757,823</b>	<b>458,194</b>	<b>(299,629)</b>	<b>(39.54%)</b>	
<b>Outflows from investing activities</b>						
Payments for property, plant and equipment	(1,160,324)	(929,582)	(589,694)	339,888	36.56%	▲
Payments for construction of infrastructure	(2,517,279)	(2,026,312)	(1,004,275)	1,022,037	50.44%	▲
	<b>(3,677,603)</b>	<b>(2,955,894)</b>	<b>(1,593,969)</b>	<b>1,361,925</b>	<b>46.07%</b>	
<b>Amount attributable to investing activities</b>	<b>(2,241,471)</b>	<b>(2,198,071)</b>	<b>(1,135,775)</b>	<b>1,062,296</b>	<b>48.33%</b>	
<b>FINANCING ACTIVITIES</b>						
<b>Inflows from financing activities</b>						
Transfer from reserves	1,158,322	852,926	796,514	(56,412)	(6.61%)	
	<b>1,158,322</b>	<b>852,926</b>	<b>796,514</b>	<b>(56,412)</b>	<b>(6.61%)</b>	
<b>Outflows from financing activities</b>						
Payments for principal portion of lease liabilities	(71,641)	(71,035)	(71,035)	0	0.00%	
Repayment of borrowings	(354,119)	(354,119)	(354,119)	0	0.00%	
Transfer to reserves	(1,510,570)	(201,741)	(332,704)	(130,963)	(64.92%)	▼
	<b>(1,936,330)</b>	<b>(626,895)</b>	<b>(757,858)</b>	<b>(130,963)</b>	<b>(20.89%)</b>	
<b>Amount attributable to financing activities</b>	<b>(778,008)</b>	<b>226,031</b>	<b>38,656</b>	<b>(187,375)</b>	<b>(82.90%)</b>	
<b>MOVEMENT IN SURPLUS OR DEFICIT</b>						
<b>Surplus or deficit at the start of the financial year</b>	2(a) 3,331,494	3,331,494	3,368,417	36,923	1.11%	
Amount attributable to operating activities	(210,289)	1,443,623	3,612,287	2,168,664	150.22%	▲
Amount attributable to investing activities	(2,241,471)	(2,198,071)	(1,135,775)	1,062,296	48.33%	▲
Amount attributable to financing activities	(778,008)	226,031	38,656	(187,375)	(82.90%)	▼
<b>Surplus or deficit after imposition of general rates</b>	<b>101,726</b>	<b>2,803,077</b>	<b>5,883,585</b>	<b>3,080,508</b>	<b>109.90%</b>	▲

**KEY INFORMATION**

▲ ▼ Indicates a variance between Year to Date (YTD) Budget and YTD Actual data outside the adopted materiality threshold.

▲ Indicates a variance with a positive impact on the financial position.

▼ Indicates a variance with a negative impact on the financial position.

Refer to Note 3 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying notes.

**TOWN OF COTTESLOE  
STATEMENT OF FINANCIAL POSITION  
FOR THE PERIOD ENDED 31 MAY 2025**

	Actual 30 June 2024	Actual as at 31 May 2025
	\$	\$
<b>CURRENT ASSETS</b>		
Cash and cash equivalents	7,733,491	11,504,110
Trade and other receivables	1,030,358	1,323,097
Other financial assets	5,453,018	2,432,574
Inventories	8,960	8,960
Other assets	451,829	424
<b>TOTAL CURRENT ASSETS</b>	<b>14,677,656</b>	<b>15,269,165</b>
<b>NON-CURRENT ASSETS</b>		
Trade and other receivables	181,767	181,767
Other financial assets	197,662	192,335
Investment in associate	633,255	633,255
Property, plant and equipment	74,405,282	74,092,431
Infrastructure	69,574,749	69,204,846
Right-of-use assets	1,058,845	1,011,227
<b>TOTAL NON-CURRENT ASSETS</b>	<b>146,051,560</b>	<b>145,315,861</b>
<b>TOTAL ASSETS</b>	<b>160,729,216</b>	<b>160,585,026</b>
<b>CURRENT LIABILITIES</b>		
Trade and other payables	3,161,663	1,748,814
Other liabilities	62,663	62,261
Lease liabilities	59,583	55,503
Borrowings	354,119	0
Employee related provisions	1,175,792	1,176,305
<b>TOTAL CURRENT LIABILITIES</b>	<b>4,813,820</b>	<b>3,042,883</b>
<b>NON-CURRENT LIABILITIES</b>		
Lease liabilities	1,076,766	1,009,811
Borrowings	1,753,978	1,753,978
Employee related provisions	289,560	289,560
<b>TOTAL NON-CURRENT LIABILITIES</b>	<b>3,120,304</b>	<b>3,053,349</b>
<b>TOTAL LIABILITIES</b>	<b>7,934,124</b>	<b>6,096,232</b>
<b>NET ASSETS</b>	<b>152,795,092</b>	<b>154,488,794</b>
<b>EQUITY</b>		
Retained surplus	28,452,589	30,610,100
Reserve accounts	7,839,029	7,375,220
Revaluation surplus	116,503,474	116,503,474
<b>TOTAL EQUITY</b>	<b>152,795,092</b>	<b>154,488,794</b>

This statement is to be read in conjunction with the accompanying notes.

**TOWN OF COTTESLOE**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDED 31 MAY 2025**

**1 BASIS OF PREPARATION AND MATERIAL ACCOUNTING POLICIES**

**BASIS OF PREPARATION**

This prescribed financial report has been prepared in accordance with the *Local Government Act 1995* and accompanying regulations.

**Local Government Act 1995 requirements**

Section 6.4(2) of the *Local Government Act 1995* read with the *Local Government (Financial Management) Regulations 1996*, prescribe that the financial report be prepared in accordance with the *Local Government Act 1995* and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards. The Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and Interpretations of the Australian Accounting Standards Board were applied where no inconsistencies exist.

The *Local Government (Financial Management) Regulations 1996* specify that vested land is a right-of-use asset to be measured at cost, and is considered a zero cost concessionary lease. All right-of-use assets under zero cost concessionary leases are measured at zero cost rather than at fair value, except for vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from AASB 16 which would have required the Town to measure any vested improvements at zero cost.

*Local Government (Financial Management) Regulations 1996*, regulation 34 prescribes contents of the financial report. Supplementary information does not form part of the financial report.

Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the financial report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

**PREPARATION TIMING AND REVIEW**

Date prepared: All known transactions up to 10 June 2025

**THE LOCAL GOVERNMENT REPORTING ENTITY**

All funds through which the Town controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

All monies held in the Trust Fund are excluded from the financial statements.

**MATERIAL ACCOUNTING POLICIES**

Material accounting policies utilised in the preparation of these statements are as described within the 2024-25 Annual Budget. Please refer to the adopted budget document for details of these policies.

**Critical accounting estimates and judgements**

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

As with all estimates, the use of different assumptions could lead to material changes in the amounts reported in the financial report.

The following are estimates and assumptions that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year and further information on their nature and impact can be found in the relevant note:

- Fair value measurement of assets carried at reportable value including:
  - Property, plant and equipment
  - Infrastructure
- Impairment losses of non-financial assets
- Expected credit losses on financial assets
- Measurement of employee benefits
- Estimation uncertainties and judgements made in relation to lease

**TOWN OF COTTESLOE**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDED 31 MAY 2025**

**2 NET CURRENT ASSETS INFORMATION**

**(a) Net current assets used in the Statement of Financial Activity**

	Adopted Budget Opening 1 July 2024	Actual as at 30 June 2024	Actual as at 31 May 2025
Note	\$	\$	\$
<b>Current assets</b>			
Cash and cash equivalents	13,115,638	7,733,491	11,504,110
Trade and other receivables	761,452	1,030,358	1,323,097
Other financial assets	70,871	5,453,018	2,432,574
Inventories	9,120	8,960	8,960
Other assets	483,119	451,829	424
	14,440,200	14,677,656	15,269,165
<b>Less: current liabilities</b>			
Trade and other payables	(3,344,917)	(3,161,663)	(1,748,814)
Other liabilities	0	(62,663)	(62,261)
Lease liabilities	(59,583)	(59,583)	(55,503)
Borrowings	(354,119)	(354,119)	0
Employee related provisions	(973,158)	(1,175,792)	(1,176,305)
	(4,731,777)	(4,813,820)	(3,042,883)
Net current assets	9,708,423	9,863,836	12,226,282
Less: Total adjustments to net current assets	2(b) (7,496,198)	(6,495,419)	(6,350,519)
<b>Closing funding surplus / (deficit)</b>	<b>2,212,225</b>	<b>3,368,417</b>	<b>5,883,585</b>

**(b) Current assets and liabilities excluded from budgeted deficiency**

<b>Adjustments to net current assets</b>			
Less: Reserve accounts	(7,839,029)	(7,839,029)	(7,375,220)
Less: Financial assets at amortised cost - self supporting loans	0	(35,069)	0
Less: Current assets not expected to be received at end of year			
- Current financial assets at amortised cost - self supporting loans	(70,871)	0	0
Add: Current liabilities not expected to be cleared at the end of the year			
- Current portion of lease liabilities	59,583	59,583	55,503
- Current portion of borrowings	354,119	354,119	0
- Current portion of employee benefit provisions held in reserve	0	964,977	969,198
<b>Total adjustments to net current assets</b>	2(a) (7,496,198)	(6,495,419)	(6,350,519)

**(c) Non-cash amounts excluded from operating activities**

	Adopted Budget Estimates 30 June 2025	YTD Budget Estimates 31 May 2025	YTD Actual 31 May 2025
	\$	\$	\$
<b>Adjustments to operating activities</b>			
Less: Profit on asset disposals	0	0	(38,684)
Less: Fair value adjustments to financial assets at amortised cost	7,822	5,327	5,327
Add: Loss on asset disposals	0	0	7,580
Add: Depreciation	3,189,993	3,053,173	2,225,680
Non-cash movements in non-current assets and liabilities:			
- Employee provisions	137,609	0	0
<b>Total non-cash amounts excluded from operating activities</b>	<b>3,335,424</b>	<b>3,058,500</b>	<b>2,199,903</b>

**CURRENT AND NON-CURRENT CLASSIFICATION**

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the local governments' operational cycle.

AASB 101.10(e) **TOWN OF COTTESLOE**  
AASB 101.51 **NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
AASB 101.112 **FOR THE PERIOD ENDED 31 MAY 2025**

FM Reg 34 (2)(b) **3 EXPLANATION OF MATERIAL VARIANCES**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date actual materially.

The material variance adopted by Council for the 2024-25 year is \$25,000 and 15.00% whichever is the greater.

Description	Var. \$ \$	Var. % %	
<b>Revenue from operating activities</b>			
<b>Other revenue</b>	36,171	30.25%	▲
Timing variance in reimbursements received for emergency services levy.		Timing	
<b>Expenditure from operating activities</b>			
<b>Materials and contracts</b>	1,328,104	16.70%	▲
Expected to run under budget as some operational projects will be carried forward into the next financial year.		Permanent	
<b>Other expenditure</b>	64,034	24.51%	▲
Timing variance related to maintenance expenses, donations and bad debts written off.		Timing	
<b>Non cash amounts excluded from operating activities</b>	(858,597)	(28.07%)	▼
Timing variance due to depreciation.		Timing	
<b>Inflows from investing activities</b>			
<b>Proceeds from capital grants, subsidies and contributions</b>	(343,118)	(55.44%)	▼
Timing variance related to road grants.		Timing	
<b>Proceeds from disposal of assets</b>	43,763	50.89%	▲
Unplanned sale of assets.		Permanent	
<b>Outflows from investing activities</b>			
<b>Payments for property, plant and equipment</b>	339,888	36.56%	▲
Completion of North Cottesloe Beach Toilets has been delayed due to variations.		Timing	
<b>Payments for construction of infrastructure</b>	1,022,037	50.44%	▲
Expected to run under budget as some capital projects will be carried forward into the next financial year.		Permanent	
<b>Outflows from financing activities</b>			
<b>Transfer to reserves</b>	(130,963)	(64.92%)	▼
Timing variance related to the recognition of interest earned.			
<b>Surplus or deficit after imposition of general rates</b>	3,080,508	109.90%	▲

**TOWN OF COTTESLOE**  
**SUPPLEMENTARY INFORMATION**  
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**BASIS OF PREPARATION - SUPPLEMENTARY INFORMATION**

Supplementary information is presented for information purposes. The information does not comply with the disclosure requirements of the Australian Accounting Standards.

**TOWN OF COTTESLOE  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 31 MAY 2025**

**1 KEY INFORMATION**

**Funding Surplus or Deficit Components**

<b>Funding surplus / (deficit)</b>				
	<b>Adopted Budget</b>	<b>YTD Budget (a)</b>	<b>YTD Actual (b)</b>	<b>Var. \$ (b)-(a)</b>
<b>Opening</b>	<b>\$3.33 M</b>	<b>\$3.33 M</b>	<b>\$3.37 M</b>	<b>\$0.04 M</b>
<b>Closing</b>	<b>\$0.10 M</b>	<b>\$2.80 M</b>	<b>\$5.88 M</b>	<b>\$3.08 M</b>

Refer to Statement of Financial Activity

<b>Cash and cash equivalents</b>			<b>Payables</b>			<b>Receivables</b>		
	<b>\$13.92 M</b>	<b>% of total</b>		<b>\$1.75 M</b>	<b>% Outstanding</b>		<b>\$0.69 M</b>	<b>% Collected</b>
<b>Unrestricted Cash</b>	<b>\$6.54 M</b>	<b>47.0%</b>	<b>Trade Payables</b>	<b>\$0.46 M</b>		<b>Rates Receivable</b>	<b>\$0.63 M</b>	<b>94.6%</b>
<b>Restricted Cash</b>	<b>\$7.38 M</b>	<b>53.0%</b>	<b>0 to 30 Days</b>		<b>33.4%</b>	<b>Trade Receivable</b>	<b>\$0.69 M</b>	<b>% Outstanding</b>
			<b>Over 30 Days</b>		<b>66.6%</b>	<b>Over 30 Days</b>		<b>81.6%</b>
			<b>Over 90 Days</b>		<b>1.8%</b>	<b>Over 90 Days</b>		<b>49.3%</b>

Refer to 3 - Cash and Financial Assets

Refer to 9 - Payables

Refer to 7 - Receivables

**Key Operating Activities**

<b>Amount attributable to operating activities</b>				<b>Rates Revenue</b>			<b>Grants and Contributions</b>			<b>Fees and Charges</b>		
<b>Adopted Budget</b>	<b>YTD Budget (a)</b>	<b>YTD Actual (b)</b>	<b>Var. \$ (b)-(a)</b>	<b>YTD Actual</b>	<b>\$11.34 M</b>	<b>% Variance</b>	<b>YTD Actual</b>	<b>\$0.17 M</b>	<b>% Variance</b>	<b>YTD Actual</b>	<b>\$5.53 M</b>	<b>% Variance</b>
<b>(\$0.21 M)</b>	<b>\$1.44 M</b>	<b>\$3.61 M</b>	<b>\$2.17 M</b>	<b>YTD Budget</b>	<b>\$11.34 M</b>	<b>(0.0%)</b>	<b>YTD Budget</b>	<b>\$0.15 M</b>	<b>12.0%</b>	<b>YTD Budget</b>	<b>\$5.25 M</b>	<b>5.3%</b>

Refer to Statement of Financial Activity

Refer to 13 - Grants and Contributions

Refer to Statement of Financial Activity

**Key Investing Activities**

<b>Amount attributable to investing activities</b>				<b>Proceeds on sale</b>			<b>Asset Acquisition</b>			<b>Capital Grants</b>		
<b>Adopted Budget</b>	<b>YTD Budget (a)</b>	<b>YTD Actual (b)</b>	<b>Var. \$ (b)-(a)</b>	<b>YTD Actual</b>	<b>\$0.13 M</b>	<b>%</b>	<b>YTD Actual</b>	<b>\$1.00 M</b>	<b>% Spent</b>	<b>YTD Actual</b>	<b>\$0.28 M</b>	<b>% Received</b>
<b>(\$2.24 M)</b>	<b>(\$2.20 M)</b>	<b>(\$1.14 M)</b>	<b>\$1.06 M</b>	<b>Adopted Budget</b>	<b>\$0.14 M</b>	<b>(5.3%)</b>	<b>Adopted Budget</b>	<b>\$2.52 M</b>	<b>(60.1%)</b>	<b>Adopted Budget</b>	<b>\$1.23 M</b>	<b>(77.6%)</b>

Refer to Statement of Financial Activity

Refer to 6 - Disposal of Assets

Refer to 5 - Capital Acquisitions

Refer to 5 - Capital Acquisitions

**Key Financing Activities**

<b>Amount attributable to financing activities</b>				<b>Borrowings</b>			<b>Reserves</b>			<b>Lease Liability</b>		
<b>Adopted Budget</b>	<b>YTD Budget (a)</b>	<b>YTD Actual (b)</b>	<b>Var. \$ (b)-(a)</b>	<b>Principal repayments</b>	<b>(\$0.35 M)</b>		<b>Reserves balance</b>	<b>\$7.38 M</b>		<b>Principal repayments</b>	<b>(\$0.07 M)</b>	
<b>(\$0.78 M)</b>	<b>\$0.23 M</b>	<b>\$0.04 M</b>	<b>(\$0.19 M)</b>	<b>Interest expense</b>	<b>(\$0.13 M)</b>		<b>Net Movement</b>	<b>(\$0.46 M)</b>		<b>Interest expense</b>	<b>(\$0.05 M)</b>	
				<b>Principal due</b>	<b>\$1.75 M</b>					<b>Principal due</b>	<b>\$1.07 M</b>	

Refer to Statement of Financial Activity

Refer to 10 - Borrowings

Refer to 4 - Cash Reserves

Refer to Note 11 - Lease Liabilities

This information is to be read in conjunction with the accompanying Financial Statements and notes.



**TOWN OF COTTESLOE**  
**SUPPLEMENTARY INFORMATION**  
**FOR THE PERIOD ENDED 31 MAY 2025**

**2 KEY INFORMATION - GRAPHICAL**



This information is to be read in conjunction with the accompanying Financial Statements and Notes.



**TOWN OF COTTESLOE  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 31 MAY 2025**

**Financial assets at amortised cost**

**3 CASH AND FINANCIAL ASSETS AT AMORTISED COST**

Description	Classification	Unrestricted	Reserve Accounts	Total	Trust	Institution	Interest Rate	Maturity Date
		\$	\$	\$	\$			
Cash on hand				1,300				
Municipal Bank Account	Cash and cash equivalents	1,338,372		1,338,372		NAB		At Call
Municipal Bank Account	Cash and cash equivalents	0	629,227	629,227		NAB		At Call
Term Deposit ***5968	Cash and cash equivalents	0	1,945,993	1,945,993		WBC	5.11%	11/06/2025
Term Deposit ***5396	Financial assets at amortised cost	7,237		7,237		NAB	4.80%	11/11/2025
Term Deposit ***5397	Financial assets at amortised cost	7,162		7,162		NAB	4.80%	11/11/2025
Term Deposit ***2109	Cash and cash equivalents	1,844,827		1,844,827		CBA	4.41%	24/06/2025
Term Deposit ***2109	Cash and cash equivalents	0	500,000	500,000		CBA	4.41%	24/06/2025
Term Deposit ***2109	Cash and cash equivalents	0	500,000	500,000		CBA	4.44%	29/07/2025
Term Deposit ***6482	Cash and cash equivalents	1,845,690		1,845,690		NAB	4.50%	22/07/2025
Term Deposit ***2109	Cash and cash equivalents	1,500,000		1,500,000		CBA	4.25%	17/06/2025
Term Deposit ***2109	Cash and cash equivalents	0	300,000	300,000		CBA	4.30%	24/06/2025
Term Deposit ***6435	Cash and cash equivalents	0	300,000	300,000		WBC	4.56%	29/07/2025
Term Deposit ***6443	Cash and cash equivalents	0	800,000	800,000		WBC	4.56%	26/08/2025
Term Deposit ***2095	Financial assets at amortised cost	0	800,000	800,000		WBC	4.38%	1/10/2025
Term Deposit ***210	Financial assets at amortised cost	0	800,000	800,000		NAB	4.25%	28/10/2025
Term Deposit ***2108	Financial assets at amortised cost	0	800,000	800,000		WBC	4.37%	26/11/2025
Term Deposit ***2109	Cash and cash equivalents	0		0	293,838	CBA	4.14%	22/07/2025
<b>Total</b>		<b>6,543,288</b>	<b>7,375,220</b>	<b>13,918,508</b>	<b>293,838</b>			
<b>Comprising</b>								
Cash and cash equivalents		6,528,889	4,975,220	11,504,109	293,838			
Financial assets at amortised cost - Term Deposits		14,399	2,400,000	2,414,399	0			
		<b>6,543,288</b>	<b>7,375,220</b>	<b>13,918,508</b>	<b>293,838</b>			

**KEY INFORMATION**

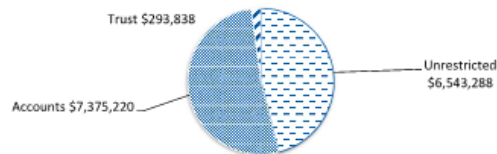
Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

Bank overdrafts are reported as short term borrowings in current liabilities in the statement of net current assets.

The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 8 - Other assets.



**TOWN OF COTTESLOE**  
**SUPPLEMENTARY INFORMATION**  
**FOR THE PERIOD ENDED 31 MAY 2025**

**4 RESERVE ACCOUNTS**

Reserve account name	Budget				Actual			
	Opening	Transfers	Transfers	Closing	Opening	Transfers	Transfers	Closing
	Balance	In (+)	Out (-)	Balance	Balance	In (+)	Out (-)	Balance
	\$	\$	\$	\$	\$	\$	\$	\$
<b>Reserve accounts restricted by legislation</b>								
Payment in lieu of parking plan reserve	12,613	612	0	13,225	12,613	573	0	13,186
<b>Reserve accounts restricted by Council</b>								
Active transport reserve	235,129	211,413	(30,000)	416,542	235,129	10,674	0	245,803
Civic centre reserve	291,048	14,127	(29,000)	276,175	291,048	12,100	(28,978)	274,170
Foreshore redevelopment reserve	3,575,980	173,575	0	3,749,555	3,575,980	162,343	0	3,738,323
Green infrastructure and sustainabilities initiatives reserve	203,767	109,891	(124,292)	189,366	203,767	9,039	(6,117)	206,689
Information technology reserve	396,635	79,252	(406,209)	69,678	396,635	3,992	(400,627)	0
Infrastructure reserve	755,043	367,645	(74,490)	1,048,198	755,043	32,933	(74,490)	713,486
Leave reserve	207,728	60,122	0	267,850	207,728	9,431	0	217,159
Legal reserve	160,714	7,801	0	168,515	160,714	7,296	0	168,010
Library reserve	249,817	12,126	0	261,943	249,817	11,341	0	261,158
Property reserve	308,015	398,986	(287,685)	419,316	308,015	9,086	(201,393)	115,708
Public open space reserve	746,739	36,246	(141,028)	641,957	746,739	33,901	(19,291)	761,349
Recreation precinct reserve	15,298	743	0	16,041	15,298	695	0	15,993
Right of way reserve	194,653	9,448	(65,618)	138,483	194,653	7,243	(65,618)	136,278
Sculpture and artworks reserve	126,890	6,159	0	133,049	126,890	5,761	0	132,651
Shark barrier reserve	145,431	12,059	0	157,490	145,431	6,602	0	152,033
Waste management reserve	213,529	10,365	0	223,894	213,529	9,694	0	223,223
	<b>7,839,029</b>	<b>1,510,570</b>	<b>(1,158,322)</b>	<b>8,191,277</b>	<b>7,839,029</b>	<b>332,704</b>	<b>(796,514)</b>	<b>7,375,220</b>

**TOWN OF COTTESLOE  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 31 MAY 2025**

**INVESTING ACTIVITIES**

**5 CAPITAL ACQUISITIONS**

Capital acquisitions	Adopted		YTD Actual	YTD Variance
	Budget	YTD Budget		
	\$	\$	\$	\$
Buildings - non-specialised	737,106	621,279	228,633	(392,646)
Furniture and equipment	131,218	90,526	75,836	(14,690)
Plant and equipment	292,000	217,777	285,225	67,448
<b>Acquisition of property, plant and equipment</b>	<b>1,160,324</b>	<b>929,582</b>	<b>589,694</b>	<b>(339,888)</b>
Infrastructure - roads	446,492	343,918	120,274	(223,644)
Infrastructure - car parks	190,636	84,944	94,180	9,236
Infrastructure - drainage	34,000	26,634	27,000	366
Infrastructure - footpaths	453,058	436,495	20,147	(416,348)
Infrastructure - parks and ovals	479,225	331,959	101,322	(230,637)
Infrastructure - right of way	65,618	65,618	65,618	0
Infrastructure - other	848,250	736,744	575,734	(161,010)
<b>Acquisition of infrastructure</b>	<b>2,517,279</b>	<b>2,026,312</b>	<b>1,004,275</b>	<b>(1,022,037)</b>
<b>Total of PPE and Infrastructure.</b>	<b>3,677,603</b>	<b>2,955,894</b>	<b>1,593,969</b>	<b>(1,361,925)</b>
<b>Total capital acquisitions</b>	<b>3,677,603</b>	<b>2,955,894</b>	<b>1,593,969</b>	<b>(1,361,925)</b>
<b>Capital Acquisitions Funded By:</b>				
Capital grants and contributions	1,228,261	618,853	275,735	(343,118)
Other (disposals & C/Fwd)	137,000	86,000	129,763	43,763
Reserve accounts				
Active transport reserve	30,000	0	0	0
Civic centre reserve	29,000	(25,000)	28,978	53,978
Green infrastructure and sustainability initiatives reserve	124,292	(4,292)	6,117	10,409
Information technology reserve	406,209	(383,258)	400,627	783,885
Infrastructure reserve	74,490	(6,490)	74,490	80,980
Property reserve	287,685	(245,240)	201,393	446,633
Public open space reserve	141,028	(123,028)	19,291	142,319
Right of way reserve	65,618	(65,618)	65,618	131,236
Contribution - operations	1,154,020	3,103,967	391,957	(2,712,010)
<b>Capital funding total</b>	<b>3,677,603</b>	<b>2,955,894</b>	<b>1,593,969</b>	<b>(1,361,925)</b>

**KEY INFORMATION**

**Initial recognition**

An item of property, plant and equipment or infrastructure that qualifies for recognition as an asset is measured at its cost.

Upon initial recognition, cost is determined as the amount paid (or other consideration given) to acquire the assets, plus costs incidental to the acquisition. The cost of non-current assets constructed by the Town includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads. For assets acquired at zero cost or otherwise significantly less than fair value, cost is determined as fair value at the date of acquisition.

Assets for which the fair value as at the date of acquisition is under \$5,000 are not recognised as an asset in accordance with *Local Government (Financial Management) Regulation 17A(5)*. These assets are expensed immediately.

Where multiple individual low value assets are purchased together as part of a larger asset or collectively forming a larger asset exceeding the threshold, the individual assets are recognised as one asset and capitalised.

Individual assets that are land, buildings and infrastructure acquired between scheduled revaluation dates of the asset class in accordance with the Town's revaluation policy, are recognised at cost and disclosed as being at reportable value.

**Measurement after recognition**

Plant and equipment including furniture and equipment and right-of-use assets (other than vested improvements) are measured using the cost model as required under *Local Government (Financial Management) Regulation 17A(2)*. Assets held under the cost model are carried at cost less accumulated depreciation and any impairment losses being their reportable value.

**Reportable Value**

In accordance with *Local Government (Financial Management) Regulation 17A(2)*, the carrying amount of non-financial assets that are land and buildings classified as property, plant and equipment, investment properties, infrastructure or vested improvements that the local government controls.

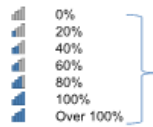
Reportable value is for the purpose of *Local Government (Financial Management) Regulation 17A(4)* is the fair value of the asset at its last valuation date minus (to the extent applicable) the accumulated depreciation and any accumulated impairment losses in respect of the non-financial asset subsequent to its last valuation date.

TOWN OF COTTESLOE  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 31 MAY 2025

INVESTING ACTIVITIES

5 CAPITAL ACQUISITIONS (CONTINUED) - DETAILED

Capital expenditure total  
Level of completion indicators



Percentage Year to Date Actual to Annual Budget expenditure where the expenditure over budget highlighted in red.

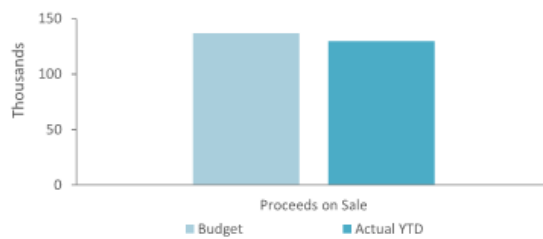
		Account Description	Adopted		YTD Actual	Variance (Under)/Over
			Budget	YTD Budget		
		Jarrad Street Carpark Footpath Renewal (Boatshed)	62,000	0	0	0
		Cottesloe Carpark No.1 Patching	35,000	29,424	18,270	11,154
		Cottesloe Carpark No.2 Strategy - WIP	93,636	55,520	75,910	(20,390)
		Drainage Installation	34,000	26,634	27,000	(366)
		Eric Street Shared Path (Marine Parade to Curtin Avenue)	30,000	20,001	0	20,001
		Footpath and Kerb Renewal	23,058	16,494	20,147	(3,653)
		Marine Parade Shared path upgrade	400,000	400,000	0	400,000
		Inground sensors	71,568	55,887	41,218	14,669
		Replace Bore and Pump at Napier Street and Curtin Avenue Intersection	4,292	4,292	4,292	0
		Reticulation Upgrade Marine Parade (Vera Street to North Street)	55,000	36,669	33,972	2,697
		Upgrade Reticulation System at Jasper Green (improve pressure)	15,000	12,768	9,664	3,104
		Renewal of Shade Shelters (Main Beach)	19,140	19,140	19,140	0
		Beach Access Path Upgrades & Modifications	60,000	47,744	30,378	17,366
		Groyne Access Ramp Works	150,000	100,005	28,663	71,342
		Supply and install handrail at stairs in front of Cottesloe Surf Lifesaving Club Boatshed	6,490	4,327	6,490	(2,163)
		Anderson Pavilion Protection Fence	8,290	5,527	0	5,527
		Forest Street Compacting bin	0	0	5,400	(5,400)
		Foreshore Retaining Wall	68,000	62,000	59,208	2,792
		Shark Barrier	400,000	400,000	400,000	0
		Skate Park Signage & John Black Dune Park drink fountain	86,330	64,666	21,330	43,336
		Beach Access Path Upgrade (Detail Design)	50,000	33,335	5,125	28,210
		Office Refurbishment Stage 2	115,000	76,671	2,109	74,562
		Renewal of Shade Sails	12,220	8,147	1,680	6,467
		Replace three lighting towers in the upper lawn area of the Civic Centre	15,000	10,001	8,917	1,084
		Harvey Field (Broome Street) Playground Upgrade	290,422	195,456	15,639	179,817
		Andrews Place Playground Softfall Replacement	19,291	19,291	19,291	0
		Dutch Inn Playground Steel Shelter	18,000	12,000	605	11,395
		Civic Centre Playground Upgrade Project (Detail Design)	36,000	24,001	7,261	16,740
		Harvey Field - cricket net & basketball hoop renewal	14,000	9,334	0	9,334
		ROW 4B	65,618	65,618	65,618	0
		Marine Parade Raised Platform (Dutch Inn)	20,000	20,000	0	20,000
		Healthy Streets Project	126,000	84,004	16,062	67,942
		MRRG Project - Railway Street (Perth Street to Burt Street)	83,000	55,336	88,940	(33,604)
		Roads to Recovery Project - TBC	52,725	35,152	0	35,152
		Marine Parade Lighting	5,000	4,908	4,724	184
		Brixton Street Resurfacing	15,000	10,001	0	10,001
		Deane Street Resurfacing	103,767	103,767	0	103,767
		Marine Parade (Forrest Street) Speed Cushions	11,000	8,250	9,768	(1,518)
		Marine Parade Crossings Linemarking	30,000	22,500	780	21,720
		Anderson Pavilion Development (C/Fwd)	91,201	35,450	35,450	0
		149 Marine Parade Toilet Upgrade	187,000	187,000	184,916	2,084
		Civic Centre Conservation Renewal	43,905	22,158	411	21,747
		South Cottesloe Toilet	300,000	300,000	856	299,144
		Photocopier	25,000	0	0	0
		Office Accommodation	29,000	28,992	28,978	14
		Civic Centre Building Hydrotap	5,650	5,647	5,641	6
		Fleet and Plant Replacement	292,000	217,777	285,225	(67,448)
			<b>3,677,603</b>	<b>2,955,894</b>	<b>1,593,969</b>	<b>1,361,926</b>

**TOWN OF COTTESLOE  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 31 MAY 2025**

**OPERATING ACTIVITIES**

**6 DISPOSAL OF ASSETS**

Asset Ref.	Asset description	Budget				YTD Actual			
		Net Book		Profit	(Loss)	Net Book		Profit	(Loss)
		Value	Proceeds			Value	Proceeds		
		\$	\$	\$	\$	\$	\$	\$	\$
	<b>Plant and equipment</b>								
1450	Bobcat	25,000	25,000	0	0	9,626	31,818	22,192	0
1724	Ride on mower	36,355	36,355	0	0	32,081	36,355	4,274	0
1500	Ride on mower	3,645	3,645	0	0		9,545	9,545	0
1505	Suzuki Swift	11,000	11,000	0	0			0	0
1610	Ford Ranger Ute	21,000	21,000	0	0	26,898	19,318	0	(7,580)
1504	Water Truck	40,000	40,000	0	0			0	0
1720	Subaru Outback	0	0	0	0	30,054	32,727	2,673	0
		<b>137,000</b>	<b>137,000</b>	<b>0</b>	<b>0</b>	<b>98,659</b>	<b>129,763</b>	<b>38,684</b>	<b>(7,580)</b>

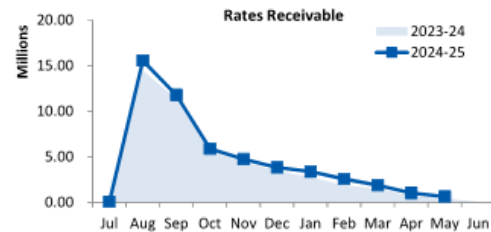


**TOWN OF COTTESLOE  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 31 MAY 2025**

**OPERATING ACTIVITIES**

**7 RECEIVABLES**

Rates receivable	30 June 2024	31 May 2025
	\$	\$
Opening arrears previous year	216,324	267,438
Levied this year	12,493,659	11,339,715
Less - collections to date	(12,442,545)	(10,978,533)
<b>Net rates collectable</b>	<b>267,438</b>	<b>628,620</b>
% Collected	97.9%	94.6%



Receivables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Receivables - general	0	99,505	96,509	78,522	266,793	541,329
Percentage	0.0%	18.4%	17.8%	14.5%	49.3%	
<b>Balance per trial balance</b>						
Trade receivables		99,505	96,509	78,522	266,793	541,329
GST receivable			146,788			146,788
Receivables for employee related provisions					6,360	6,360
<b>Total receivables general outstanding</b>						<b>694,477</b>

Amounts shown above include GST (where applicable)

**KEY INFORMATION**

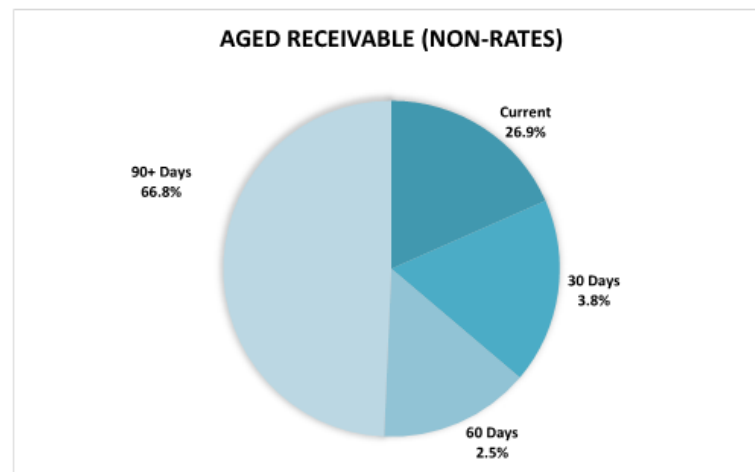
Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Trade receivables are recognised at original invoice amount less any allowances for uncollectable amounts (i.e. impairment). The carrying amount of net trade receivables is equivalent to fair value as it is due for settlement within 30 days.

**Classification and subsequent measurement**

Receivables which are generally due for settlement within 30 days except rates receivables which are expected to be collected within 12 months are classified as current assets. All other receivables such as, deferred pensioner rates receivable after the end of the reporting period are classified as non-current assets.

Trade and other receivables are held with the objective to collect the contractual cashflows and therefore the Town measures them subsequently at amortised cost using the effective interest rate method.



**TOWN OF COTTESLOE  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 31 MAY 2025**

**OPERATING ACTIVITIES**

**8 OTHER CURRENT ASSETS**

	Opening Balance 1 July 2024	Asset Increase	Asset Reduction	Closing Balance 31 May 2025
	\$	\$	\$	\$
<b>Other current assets</b>				
<b>Other financial assets at amortised cost</b>				
Financial assets at amortised cost	5,382,147		(2,967,748)	2,414,399
Financial assets at amortised cost - self supporting loans	35,069		(35,069)	0
Financial assets at fair values through other comprehensive income	35,802		(17,627)	18,175
<b>Inventory</b>				
Visitor centre stock	31,261			31,261
Other inventories - Provision for Obsolescence	(22,301)			(22,301)
<b>Other assets</b>				
Prepayments	232,772		(232,772)	0
Accrued income	11,523		(11,099)	424
Contract assets	207,534		(207,534)	0
<b>Total other current assets</b>	<b>5,913,807</b>	<b>0</b>	<b>(3,471,849)</b>	<b>2,441,958</b>
<b>Amounts shown above include GST (where applicable)</b>				

**KEY INFORMATION**

**Other financial assets at amortised cost**

The Town classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

**Inventory**

Inventories are measured at the lower of cost and net realisable value.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

**TOWN OF COTTESLOE  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 31 MAY 2025**

**OPERATING ACTIVITIES**

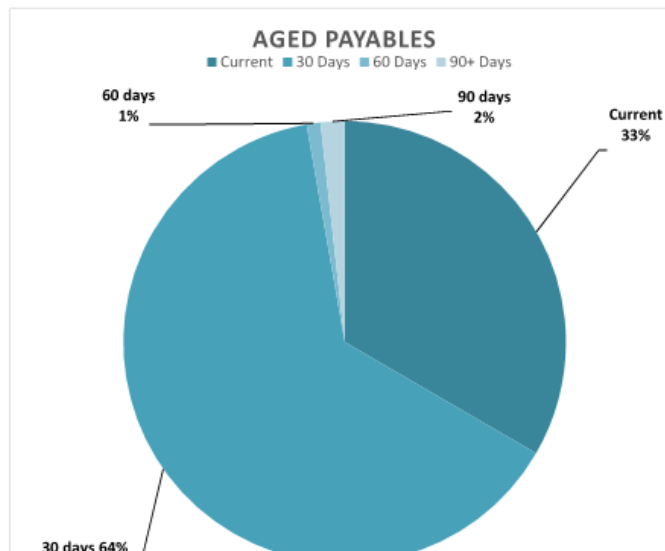
**9 PAYABLES**

Payables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Payables - general	0	157,013	300,661	(4,737)	8,241	461,178
Percentage	0.0%	33.4%	63.9%	1.0%	1.8%	
<b>Balance per trial balance</b>						
Sundry creditors		157,013	300,661	(4,737)	8,242	461,178
Bonds and deposits held		(26,676)	41,873	14,957	888,796	918,950
Income received in advance					101,901	101,901
Accrued expenses					213,001	213,001
Contract retention					53,784	53,784
<b>Total payables general outstanding</b>						<b>1,748,814</b>

Amounts shown above include GST (where applicable)

**KEY INFORMATION**

Trade and other payables represent liabilities for goods and services provided to the Town prior to the end of the period that are unpaid and arise when the Town becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition. The carrying amounts of trade and other payables are considered to be the same as their fair values, due to their short-term nature.





**TOWN OF COTTESLOE  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 31 MAY 2025**

**FINANCING ACTIVITIES**

**10 BORROWINGS**

**Repayments - borrowings**

Information on borrowings Particulars	Loan No.	1 July 2024	Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual	Budget	Actual	Budget	Actual	Budget
		\$	\$	\$	\$	\$	\$	\$
JOINT LIBRARY	107	2,037,001	(319,050)	(319,050)	1,717,951	1,717,951	(127,499)	(127,499)
		2,037,001	(319,050)	(319,050)	1,717,951	1,717,951	(127,499)	(127,499)
<b>Self supporting loans</b>								
COTTESLOE TENNIS CLUB	108	71,096	(35,069)	(35,069)	36,027	36,027	(1,691)	(1,691)
		71,096	(35,069)	(35,069)	36,027	36,027	(1,691)	(1,691)
<b>Total</b>		<b>2,108,097</b>	<b>(354,119)</b>	<b>(354,119)</b>	<b>1,753,978</b>	<b>1,753,978</b>	<b>(129,190)</b>	<b>(129,190)</b>
Current borrowings		354,119			0			
Non-current borrowings		1,753,978			1,753,978			
		<b>2,108,097</b>			<b>1,753,978</b>			

All debenture repayments were financed by general purpose revenue.

Self supporting loans are financed by repayments from third parties.

**KEY INFORMATION**

The City has elected to recognise borrowing costs as an expense when incurred regardless of how the borrowings are applied.

Fair values of borrowings are not materially different to their carrying amounts, since the interest payable on those borrowings is either close to current market rates or the borrowings are of a short term nature.

**TOWN OF COTTESLOE**  
**SUPPLEMENTARY INFORMATION**  
**FOR THE PERIOD ENDED 31 MAY 2025**

**FINANCING ACTIVITIES**

**11 LEASE LIABILITIES**

**Movement in carrying amounts**

Information on leases Particulars	Lease No.	1 July 2024	Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual	Budget	Actual	Budget	Actual	Budget
		\$	\$	\$	\$	\$	\$	\$
Depot facility	1	1,129,858	(66,954)	(67,000)	1,062,904	1,062,858	(46,498)	(46,500)
Telephone system	3	342	(148)	(342)	194	0	9	0
Folding machine (New)	4	6,149	(3,933)	(4,299)	2,216	1,850	(181)	(189)
<b>Total</b>		<b>1,136,349</b>	<b>(71,035)</b>	<b>(71,641)</b>	<b>1,065,314</b>	<b>1,064,708</b>	<b>(46,670)</b>	<b>(46,689)</b>
Current lease liabilities		59,583			55,503			
Non-current lease liabilities		1,076,766			1,009,811			
		<b>1,136,349</b>			<b>1,065,314</b>			

All lease repayments were financed by general purpose revenue.

0

**KEY INFORMATION**

At inception of a contract, the Town assesses if the contract contains or is a lease. A contract is or contains a lease, if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration. At the commencement date, a right of use asset is recognised at cost and lease liability at the present value of the lease payments that are not paid at that date. The lease payments are discounted using that date. The lease payments are discounted using the interest rate implicit in the lease, if that rate can be readily determined. If that rate cannot be readily determined, the Town uses its incremental borrowing rate.

All contracts classified as short-term leases (i.e. a lease with a remaining term of 12 months or less) and leases of low value assets are recognised as an operating expense on a straight-line basis over the term of the lease.

TOWN OF COTTESLOE  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 31 MAY 2025

INVESTING ACTIVITIES

14 CAPITAL GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Capital grant/contribution liabilities					Capital grants, subsidies and contributions revenue					
	Liability	Increase in Liability	Decrease in Liability	Liability	Current Liability	Adopted Budget	YTD	Annual	Budget	YTD Revenue	
	1 July 2024	(As revenue)		31 May 2025	31 May 2025	Revenue	Budget	Budget	Variations	Expected	Actual
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Capital grants and subsidies</b>											
Anderson Pavillion Development (C/Fwd)				0		26,057	0	26,057		26,057	0
DPIRD - Dept Fisheries				0		400,000	400,000	400,000		400,000	400,000
Eric Street Shared Path (Marine Parade to Curtin Avenue)				0		242,507	(155,651)	(155,651)		(155,651)	(155,651)
LRCI Program				0		90,422	51,883	90,422		90,422	0
MRRG Improvement - Railway St (Perth St to Burt St)				0		83,000	39,569	83,000		83,000	21,373
Road Safety Council				0		20,000	9,535	20,000		20,000	0
Roads to Recovery				0		90,163	25,136	52,725		52,725	0
Healthy Streets Project				0		0	47,674	100,000		100,000	0
Marine Parade Shared Path Upgrade Project				0		0	190,695	400,000		400,000	0
	0	0	0	0	0	952,149	608,841	1,016,553	0	1,016,553	265,722
<b>Capital contributions</b>											
Cash in lieu of public open space				0	0	11,708	10,013	11,708		11,708	10,013
LGIS (Civic Centre Conservation Renewal)				0	0	200,000	0	200,000		200,000	0
	0	0	0	0	0	211,708	10,013	211,708	0	211,708	10,013
<b>TOTALS</b>	0	0	0	0	0	1,163,857	618,854	1,228,261	0	1,228,261	275,735

**TOWN OF COTTESLOE  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 31 MAY 2025**

**OPERATING ACTIVITIES**

**12 OTHER CURRENT LIABILITIES**

	Note	Opening Balance 1 July 2024 \$	Liability transferred from/(to) non current \$	Liability Increase \$	Liability Reduction \$	Closing Balance 31 May 2025 \$
<b>Other current liabilities</b>						
<b>Other liabilities</b>						
Contract liabilities		62,663	0		(402)	62,261
<b>Total other liabilities</b>		62,663	0	0	(402)	62,261
<b>Employee Related Provisions</b>						
Annual leave		711,871	0	13,342		725,213
Long service leave		463,921	0		(12,829)	451,092
<b>Total Provisions</b>		1,175,792	0	13,342	(12,829)	1,176,305
<b>Total other current liabilities</b>		<b>1,238,455</b>	<b>0</b>	<b>13,342</b>	<b>(13,231)</b>	<b>1,238,566</b>

Amounts shown above include GST (where applicable)

A breakdown of contract liabilities and associated movements is provided on the following pages at Note 13

**KEY INFORMATION**

**Provisions**

Provisions are recognised when the Town has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

**Employee Related Provisions**

**Short-term employee benefits**

Provision is made for the Town's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Town's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the calculation of net current assets.

**Other long-term employee benefits**

The Town's obligations for employees' annual leave and long service leave entitlements are recognised as employee related provisions in the statement of financial position.

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur. The Town's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Town does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

**Contract liabilities**

An entity's obligation to transfer goods or services to a customer for which the entity has received consideration (or the amount is due) from the customer.

**Capital grant/contribution liabilities**

Grants to acquire or construct recognisable non-financial assets to identified specifications be constructed to be controlled by the Town are recognised as a liability until such time as the Town satisfies its obligations under the agreement.

TOWN OF COTTESLOE  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 31 MAY 2025

OPERATING ACTIVITIES

13 GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Unspent grant, subsidies and contributions liability					Grants, subsidies and contributions revenue					
	Liability 1 July 2024	Increase in Liability	Decrease in Liability (As revenue)	Liability 31 May 2025	Current Liability 31 May 2025	Adopted Budget Revenue	YTD Budget	Annual Budget	Budget Variations	Expected	YTD Revenue Actual
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Grants and subsidies</b>											
Coastal Adaptation and Protection Grants (DoT)				0		17,704	0	17,704		17,704	30,000
Direct Grant (MRWA)				0		33,822	33,822	33,822		33,822	33,822
Financial Assistance Grants - General (WALGGC)				0		188,998	33,305	33,305		33,305	33,305
Financial Assistance Grants - Local Road (WALGGC)				0		106,152	10,703	10,703		10,703	10,703
Sanitation				0		2,651	0	2,651		2,651	0
Australia Day				0		15,000	12,000	12,000		12,000	10,305
Urban Canopy (WALGA)				0		11,770	33,336	33,336		33,336	33,336
	0	0	0	0	0	376,097	123,166	143,521	0	143,521	151,471
<b>Contributions</b>											
Community stewardship				0		7,341	0	10,000		10,000	9,418
Cottesloe RSL Sub Branch				0		4,000	375	500		500	0
Hire facilities damage				0		500	5,000	5,000		5,000	4,795
MRWA street lighting utilities				0		15,000	2,034	15,000		15,000	2,034
Parking Facilities				0		45,000	18,750	25,000		25,000	0
Salary Subsidy				0		0	3,885	3,885			3,884
PTA Bus Stop Infrastructure Partnership				0		1,000	0	1,000		1,000	0
	0	0	0	0	0	72,841	30,044	60,385	0	56,500	20,131
<b>TOTALS</b>	0	0	0	0	0	448,938	153,210	203,906	0	200,021	171,602

**TOWN OF COTTESLOE  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 31 MAY 2025**

**14 INVESTMENT IN ASSOCIATES**

**(a) Investment in associate**

The table below reflects the financial results of the Town's investment in associates as reported by the associate.

Aggregate carrying amount of interests in associates accounted for using the equity method are reflected in the table below.

**Carrying amount at 1 July**  
**Carrying amount at 30 June**

<b>Adopted</b>		
<b>Budget Revenue</b>	<b>YTD Budget</b>	<b>YTD Revenue Actual</b>
<b>\$</b>	<b>\$</b>	<b>\$</b>
0	0	633,255
0	0	633,255

**KEY INFORMATION**

**Investments in associates**

An associate is an entity over which the Town has the power to participate in the financial and operating policy decisions of the investee but not control or joint control of those policies.

Investments in associates are accounted for using the equity method. The equity method of accounting, is whereby the investment is initially recognised at cost and adjusted thereafter for the post-acquisition change in the Town's share of net assets of the associate. In addition, the Town's share of the profit or loss of the associate is included in the Town's profit or loss.

**TOWN OF COTTESLOE  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 31 MAY 2025**

**15 TRUST FUND**

Funds held at balance date which are required by legislation to be credited to the trust fund and which are not included in the financial statements are as follows:

Description	Opening Balance 1 July 2024	Amount Received	Amount Paid	Closing Balance 31 May 2025
	\$	\$	\$	\$
Cash in lieu of public open space	280,195	12,787	0	292,982
Abandoned Vehicles	850	6	0	856
	<b>281,045</b>	<b>12,793</b>	<b>0</b>	<b>293,838</b>

**TOWN OF COTTESLOE  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 31 MAY 2025**

**16 BUDGET AMENDMENTS**

Amendments to original budget since budget adoption. Surplus/(Deficit)

Description	Council Resolution	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
		\$	\$	\$	\$
<b>Budget adoption</b>					
Seaview golf club stage 2 feasibility study	22/10/2024			(75,000)	(75,000)
Transfer from Property Reserve	22/10/2024		75,000		0
Detailed design - Healthy Streets - Broome St & Marmion St treatments	26/11/2024			(100,000)	(100,000)
MRWA grant funding for healthy streets project - Detailed design	26/11/2024		100,000		0
Sculpture by the Sea events operating expense	17/12/2024		70,000		70,000
Grant to Sculpture by the Sea Incorporated	17/12/2024			(5,000)	65,000
Closing surplus from Audited 2023/2024 Annual Financial Statements	25/02/2025		1,119,269		1,184,269
Increase Interim Rate	25/03/2025		25,000		1,209,269
Rates - Other immaterial budget amendments	25/03/2025		19,220		1,228,489
Decrease FAG General received in advance in 2023/2024	25/03/2025			(155,693)	1,072,796
Decrease FAG Road received in advance in 2023/2024	25/03/2025			(95,449)	977,347
Grants - Other immaterial budget amendments	25/03/2025		6,110		983,457
Increase revenue on additional domestic general waste collection	25/03/2025		69,545		1,053,002
Decrease revenue on Development Application Fee	25/03/2025			(50,000)	1,003,002
Increase revenue on Building Licence Fees	25/03/2025		50,000		1,053,002
Decrease other revenue - waste fees & charges general waste service	25/03/2025			(25,000)	1,028,002
Increase revenue on Work Zone Permit	25/03/2025		30,000		1,058,002
Fees and charges - Other immaterial budget amendments	25/03/2025		32,875		1,090,877
Increase Interest income on Municipal Investments	25/03/2025		65,000		1,155,877
Increase Interest income on Reserve Investments	25/03/2025		51,261		1,207,138
Interest revenue - Other immaterial budget amendments	25/03/2025		14,000		1,221,138
Other revenue - Other immaterial budget amendments	25/03/2025		14,150		1,235,288
Fair value adjustments to financial assets - Other immaterial budget amendments	25/03/2025			(7,822)	1,227,466
Increase agency staff hire costs - Town Planning & Regional Devel	25/03/2025			(46,760)	1,180,706
Decrease salaries & wages for operating project - Natural Areas Management Plan	25/03/2025		30,000		1,210,706
Transfer labour costs from foreshore maintenance to foreshore general waste collection	25/03/2025			(56,000)	1,154,706
Transfer labour costs from Parks and Reserves maintenance to general waste collection	25/03/2025			(62,000)	1,092,706
Transfer labour costs from foreshore maintenance to foreshore general waste collection	25/03/2025		56,000		1,148,706
Transfer labour costs from Parks and Reserves maintenance to general waste collection	25/03/2025		62,000		1,210,706
Employee costs - Other immaterial budget amendments	25/03/2025			(56,000)	1,154,706
Increase audit & associated expenses	25/03/2025			(86,680)	1,068,026
Increase plant operation costs - Repairs	25/03/2025			(30,000)	1,038,026
Increase Seaview Golf Club Strategy Stage 1	25/03/2025			(120,000)	918,026
Increase Town Planning Scheme 4	25/03/2025			(25,000)	893,026
Decrease Sculpture by the Sea Cottesloe Cat services	25/03/2025		30,000		923,026

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## FOR THE PERIOD ENDED 31 MAY 2025

## 16 BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

Description	Council Resolution	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
		\$	\$	\$	\$
Increase ERP implementation for approved variations	25/03/2025			(31,000)	892,026
Decrease Depot Waste Removal, cost savings as the Town is now managing its own green waste at the Operations Centre	25/03/2025		25,000		917,026
Materials and contracts - Other immaterial budget amendments	25/03/2025		24,300		941,326
Utility charges - Other immaterial budget amendments	25/03/2025			(5,700)	935,626
Increase Right of Use Depreciation - Depot Lease	25/03/2025			(58,574)	877,052
Finance costs - Other immaterial budget amendments	25/03/2025			(12,366)	864,686
Insurance - Other immaterial budget amendments	25/03/2025			(5,765)	858,921
Other expenditure - Other immaterial budget amendments	25/03/2025		0		858,921
Decrease LRCI Grant funding for Eric Street Shared Path (Marine Parade to Curtin Avenue)	25/03/2025			(242,507)	616,414
Contract asset write off for Eric Street Shared Path LRCI grant	25/03/2025			(155,651)	460,763
Decrease Roads to Recovery grant	25/03/2025			(37,438)	423,325
New capital project: Marine Parade Shared Path Upgrade Project	25/03/2025		400,000		823,325
Increase Proceeds from Sale of fixed asset	25/03/2025		33,000		856,325
Increase South Cottesloe Toilet, additional budget	25/03/2025			(100,000)	756,325
Seaview Golf Club Strategy reclassified as operating	25/03/2025		75,000		831,325
New capital project: Office Refurbishment Stage 2	25/03/2025			(115,000)	716,325
Purchase of plant and equipment - Other immaterial budget amendments	25/03/2025		5,400		721,725
Purchase of furniture and equipment - Other immaterial budget amendments	25/03/2025			(9,650)	712,075
OCM Nov 2024 (210/2024): Additional for Healthy Street Footpath design	25/03/2025			(26,000)	686,075
New capital project: Marine Parade Crossings Line marking Removal and Re-Installation	25/03/2025			(30,000)	656,075
Reduced Roads to Recovery projects to match the confirmed roads to recovery allocation	25/03/2025		37,438		693,513
Purchase and construction of infrastructure (roads) - Other immaterial budget amendments	25/03/2025			(26,618)	666,895
Increase Carpark No 2 Strategy	25/03/2025			(30,000)	636,895
New capital project: Marine Parade Shared Path Upgrade Project	25/03/2025			(400,000)	236,895
Decrease Eric Street Shared Path (Marine Parade to Curtin Avenue)	25/03/2025		246,756		483,651
Decrease Reticulation Upgrade Marine Parade (Vera Street to North Street)	25/03/2025		25,000		508,651
Decrease Beach Access Path Upgrades & Modifications, project completed with surplus	25/03/2025		70,059		578,710
New capital project: John Black Dune Park Drink Fountain	25/03/2025			(65,000)	513,710
Purchase and construction of infrastructure (other) - Other immaterial budget amendments	25/03/2025			(12,397)	501,313
Transfers from reserve accounts - Other immaterial budget amendments	25/03/2025			(26,268)	475,045
Payments for principal portion of lease liabilities - Other immaterial budget amendments	25/03/2025			(12,058)	462,987
Increase transfer to Leave Reserve - Surplus	25/03/2025			(50,000)	412,987
Increase transfer to Active Transport Reserve - Marine Paraded Shared Path Upgrade Project	25/03/2025			(200,000)	212,987
Increase transfer to Information Technology Reserve - ERP Implementation Variations & HR Module	25/03/2025			(60,000)	152,987
Transfers to reserve accounts - Other immaterial budget amendments	25/03/2025			(51,261)	101,726
Reallocate from LRCI to fund the resurfacing project on Deane Street	25/03/2025			(103,767)	(2,041)
Resurfacing project on Deane Street	25/03/2025		103,767		101,726

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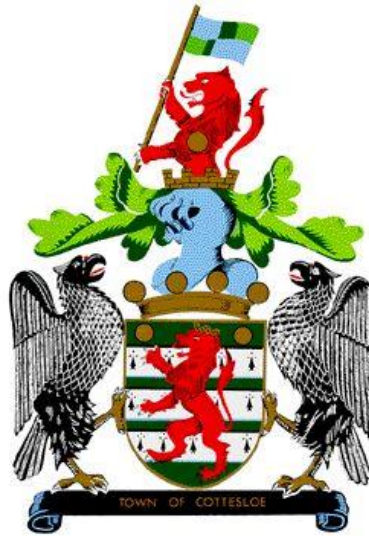
## FOR THE PERIOD ENDED 31 MAY 2025

## 16 BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

Description	Council Resolution	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
		\$	\$	\$	\$
Transfer from POS Reserve to fund the balance of the Harvey Field playground project	25/03/2025			(103,767)	(2,041)
Increase balance of Harvey Field playground project	25/03/2025		103,767		101,726
Reduction of budget from solar panel project	22/04/2025		20,000		121,726
Increase transfer to Property Reserve	22/04/2025			(8,000)	113,726
New project - foreshore carpark 1 handrail replacement	22/04/2025			(12,000)	101,726
Transfer from Property reserve	22/04/2025			(33,945)	67,781
Increase budget for feasibility study of SVGC	22/04/2025		33,945		101,726
		0	2,861,383	(2,759,657)	101,726

# **TOWN OF COTTESLOE**



## **ORDINARY COUNCIL MEETING**

# **ATTACHMENT**

### **ITEM 10.1.2A: PAYMENT LISTING MAY 2025**

**TOWN OF COTTESLOE  
PAYMENT LISTING FOR MAY 2025**

DATE	PAYEE	DESCRIPTION	AMOUNT
13/05/2025	4Park Pty Ltd T/as ForPark Australia	Playground equipment supplies	\$2,075.70
13/05/2025	A Basini	Infrastructure bond refund	\$1,500.00
02/05/2025	A J Everett	Rates refund	\$741.13
13/05/2025	A Page	Infrastructure bond refund	\$1,000.00
13/05/2025	A Paterson	Infrastructure bond refund	\$1,500.00
13/05/2025	A Robinson	Event bond refund	\$1,000.00
13/05/2025	A Smith	Event bond refund	\$1,000.00
29/05/2025	Active Transport & Tilt Tray Services WA	Towing services	\$264.00
02/05/2025	Alinta Energy	Gas utility costs	\$110.10
13/05/2025	Alsco Pty Ltd	Hygiene services	\$911.23
13/05/2025	AMPAC Debt Recovery (WA) Pty Ltd	Debt recovery services	\$8.25
29/05/2025	AMS Technology Group Pty Ltd	Air conditioning services	\$1,419.00
14/05/2025	AMS Technology Group Pty Ltd	Air conditioning services	\$665.50
29/05/2025	Anjalie Group Pty Ltd T/as The Lawncare Man	Turf maintenance services	\$660.00
14/05/2025	Australasian Events Pty Ltd T/as Ace Security and Events Services	Security event services	\$892.32
14/05/2025	Australasian Performing Right Assoc. Ltd	Music licence fees	\$376.71
13/05/2025	Australia Post	Daily mail delivery and collection	\$2,042.37
13/05/2025	Australia Post	Reply paid postal services	\$129.00
29/05/2025	Australian Electoral Commission	General bond refund	\$1,000.00
29/05/2025	Australian Institute of Management	Training course	\$1,672.00
22/05/2025	Australian Services Union	Payroll deduction	\$185.50
08/05/2025	Australian Services Union	Payroll deduction	\$185.50
08/05/2025	Australian Taxation Office	Payroll deduction	\$127,766.00
22/05/2025	Australian Taxation Office	Payroll deduction	\$50,251.00
13/05/2025	B Hutchens	General bond refund	\$200.00
13/05/2025	B Sanderson	Event bond refund	\$1,000.00
29/05/2025	B Zito	General bond refund	\$2,000.00
14/05/2025	Bee Delighted Pty Ltd	Catering services	\$863.50
02/05/2025	Blackwood & Sons	Plant parts	\$604.94
29/05/2025	Boatshed Market Pty Ltd T/A Boatshed Fresh Food	Catering services	\$720.00
13/05/2025	Boatshed Market Pty Ltd T/A Boatshed Fresh Food	Catering services	\$460.00
02/05/2025	Bob Jane T-Mart	Vehicle parts	\$833.00
14/05/2025	Bob Jane T-Mart	Vehicle repair services	\$454.00
29/05/2025	Boral Resources (W.A) Ltd	Concrete supplies	\$1,195.43
02/05/2025	Boral Resources (W.A) Ltd	Concrete supplies	\$515.79

29/05/2025	Bug Busters	Pest treatment services	\$440.00
02/05/2025	Bug Busters	Pest treatment services	\$275.00
13/05/2025	Built Pty Ltd	Infrastructure bond refund	\$1,500.00
29/05/2025	Bunnings Group Limited	Miscellaneous items	\$723.21
02/05/2025	Bunnings Group Ltd	Tool costs	\$1,348.01
13/05/2025	Bunnings Group Ltd	Road safety equipment	\$864.55
13/05/2025	C Edmondson	Event bond refund	\$1,000.00
13/05/2025	C Heald	Event bond refund	\$1,000.00
13/05/2025	C Hill	Event bond refund	\$1,000.00
13/05/2025	C Kirby	Event bond refund	\$1,000.00
29/05/2025	Cat Welfare Society Inc T/A Cat Haven	Cat adoption reports	\$33.00
29/05/2025	Christopher Kent Consulting Pty Ltd aka CK Consulting Pty Ltd	Consultancy services	\$17,325.00
29/05/2025	Chubb Fire & Security Pty Ltd	Fire and safety equipment service	\$636.60
02/05/2025	Chubb Fire & Security Pty Ltd	Fire and safety equipment service	\$316.88
13/05/2025	Coast Homes WA Pty Ltd	Infrastructure bond refund	\$1,500.00
02/05/2025	Cold Nips Pty Ltd	Event bond refund	\$1,000.00
05/05/2025	Commonwealth Bank of Australia	Bank fees	\$332.62
23/05/2025	Commonwealth Bank of Australia	Term deposit	\$293,838.28
02/05/2025	Corsign WA Pty Ltd	Reflective safety product services	\$1,540.00
14/05/2025	Corsign WA Pty Ltd	Signage services	\$343.20
13/05/2025	Cottage & Engineering Surveys Unit Trust T/as Cottage & Engineering Surveys	Surveying services	\$2,200.00
02/05/2025	Cottesloe Surf Veterans (Inc)	Catering services	\$600.00
02/05/2025	CSCH Pty Ltd t/as Charles Service Company	Cleaning services and consumable costs	\$18,104.36
29/05/2025	CSCH Pty Ltd t/as Charles Service Company	Cleaning services	\$16,809.12
29/05/2025	D Hayes	General bond refund	\$1,000.00
29/05/2025	D U Electrical Pty Ltd	Electrical services	\$323.40
02/05/2025	Datacom Solutions (AU) Pty Ltd	Consultancy services	\$3,806.00
29/05/2025	Datacom Solutions (AU) Pty Ltd	Software licence charges	\$39,838.26
14/05/2025	Deaf Services Limited T/as Deaf Connect	Interpreter services	\$390.43
29/05/2025	Denaya Nominees Pty Ltd T/as Merit Consulting Group	Infrastructure bond refund	\$1,500.00
22/05/2025	Department of Human Services	Payroll deduction	\$1,106.32
08/05/2025	Department of Human Services	Payroll deduction	\$1,106.32
20/05/2025	Department of Mines, Industry Regulation and Safety	Building service levies	\$10,483.14
13/05/2025	Department of Transport	Disclosure of information fees	\$4,818.45
14/05/2025	Diamond Hire	Excavator hire services	\$905.80
29/05/2025	Dormakaba Australia Pty Ltd	Automatic door services	\$242.00
29/05/2025	Drainflow Services Pty Ltd	Street sweeping services	\$7,598.25
02/05/2025	Drainflow Services Pty Ltd	Drain cleaning services	\$3,148.75
13/05/2025	Drainflow Services Pty Ltd	Street sweeping services	\$2,689.50

02/05/2025	E Ferris	Event bond refund	\$1,000.00
02/05/2025	E Group Holdings Pty Ltd T/as E Fire & Safety	Fire detection maintenance services	\$220.00
13/05/2025	E McCracken	Event bond refund	\$1,000.00
13/05/2025	E Telenta	Event bond refund	\$1,000.00
13/05/2025	E White	Event bond refund	\$1,000.00
14/05/2025	Eco Shark Barrier Pty Ltd	Shark barrier services	\$78,001.00
02/05/2025	Econisis Pty Ltd	Consultancy services	\$2,695.00
20/05/2025	EG Productions Pty Limited	Event bond refund	\$20,000.00
29/05/2025	Electricity Generation and Retail Corporation	Electricity services	\$11,119.32
21/05/2025	Fines Enforcement Registry	Fines enforcement fees	\$378.00
29/05/2025	FJ Fitz & Co Pty Ltd T/A FJ Fitzsimmons & Co	Asphalt repair and installation services	\$1,100.00
22/05/2025	Fleet Choice Pty Ltd	Payroll deduction	\$374.57
08/05/2025	Fleet Choice Pty Ltd	Payroll deduction	\$374.57
06/05/2025	Flexi Staff Group Pty Ltd T/as Flexi Staff	Temporary staff	\$13,421.98
15/05/2025	Flexi Staff Group Pty Ltd T/as Flexi Staff	Temporary staff	\$2,420.88
08/05/2025	Fortnightly payroll	Staff wages	\$266,214.33
22/05/2025	Fortnightly payroll	Staff wages	\$171,715.95
29/05/2025	Galvins Plumbing Supplies	Plumbing supplies	\$910.01
02/05/2025	Galvins Plumbing Supplies	Plumbing supplies	\$309.65
14/05/2025	Gas Assets Pty Ltd T/as Gecko Contracting Turf & Landscape Maintenance	Horticulture services	\$1,375.00
29/05/2025	Gas Assets Pty Ltd T/as Gecko Contracting Turf & Landscape Maintenance	Turf maintenance services	\$825.00
29/05/2025	Geveko Markings Australia Pty Ltd	Line marking supplies	\$858.11
02/05/2025	GPC Asia Pacific Pty Ltd T/as Repco	Vehicle parts	\$557.11
02/05/2025	Green Skills Inc	Watering services	\$2,515.73
29/05/2025	Greenshed Pty Ltd Trading as Living Turf	Turf maintenance services	\$2,223.10
29/05/2025	Guardian Tactile Systems	Tactile systems supply and installation	\$750.92
13/05/2025	Hames Sharley (WA) Pty Ltd	Consultancy services	\$3,905.00
14/05/2025	Hayat, Muhammad Munawar T/as Lawnmower Mobile Service	Plant equipment maintenance services	\$300.00
29/05/2025	Hays Specialist Recruitment (Aust.) P/L	Temporary staff	\$15,548.80
14/05/2025	Hays Specialist Recruitment (Aust.) P/L	Temporary staff	\$7,218.84
13/05/2025	Hays Specialist Recruitment (Aust.) P/L	Temporary staff	\$5,276.51
02/05/2025	Hays Specialist Recruitment (Aust.) P/L	Temporary staff	\$2,042.24
29/05/2025	Helene Pty Ltd T/as LO-GO Appointments	Temporary staff	\$16,578.77
02/05/2025	Helene Pty Ltd T/as LO-GO Appointments	Temporary staff	\$7,314.27
13/05/2025	Helene Pty Ltd T/as LO-GO Appointments	Temporary staff	\$3,651.45
29/05/2025	HiTech Security (WA) Pty Ltd	Video surveillance supply and installation	\$6,310.91
29/05/2025	Horizon West Landscape & Irrigation Pty Ltd	Reticulation services	\$35,915.00
29/05/2025	Illion Australia Pty Ltd T/as illion Tenderlink	Tender support services	\$177.10
02/05/2025	Illion Australia Pty Ltd T/as illion Tenderlink	Consultancy services	\$177.10

02/05/2025	Integrated Management Consultants Pty Ltd Trading as Melville Mazda	Vehicle service	\$957.00
14/05/2025	Integrated Management Consultants Pty Ltd Trading as Melville Mazda	Vehicle services	\$461.00
29/05/2025	IPN Medical Centres Pty Ltd T/as Cottesloe Medical Centre	Pre-medical appointments	\$462.50
29/05/2025	Iron Mountain Australia Group Pty Ltd	Storage services	\$423.57
29/05/2025	J Cummins	General bond refund	\$1,000.00
29/05/2025	J Krstevska	General bond refund	\$1,000.00
13/05/2025	J O'Dell	Event bond refund	\$1,000.00
02/05/2025	J Yen	Event bond refund	\$1,000.00
13/05/2025	Jalito Pty Ltd T/as Highway Dry Cleaners	Dry cleaning services	\$160.06
02/05/2025	K Kyriakakis	Rates refund	\$435.41
02/05/2025	K Marshall	Staff reimbursement - catering supplies	\$241.26
13/05/2025	K Staebler	Event bond refund	\$1,000.00
13/05/2025	K Wagner	Event bond refund	\$1,000.00
14/05/2025	Kennards Hire Pty Ltd	Hire services	\$510.00
29/05/2025	Kerb 2 Kerb Concreting Pty Ltd	Kerbing repairs	\$5,830.00
02/05/2025	Kerb 2 Kerb Concreting Pty Ltd	Kerbing repair and installation	\$5,500.00
02/05/2025	Kleen West Distributors	Commercial cleaning products	\$1,777.99
29/05/2025	KPMG	Temporary staff	\$12,997.60
13/05/2025	KPMG	Temporary staff	\$4,642.00
02/05/2025	L Dowsett	Event bond refund	\$200.00
13/05/2025	L Griffiths	Infrastructure bond refund	\$1,500.00
13/05/2025	L Kadima	Event bond refund	\$1,000.00
13/05/2025	L Nicolaisen	Event bond refund	\$1,000.00
29/05/2025	Landgate - VGO	Gross rental valuations	\$4,072.41
29/05/2025	Lock, Stock & Farrell Locksmith Pty Ltd	Purchase keys	\$175.02
02/05/2025	M Hunter	General bond refund	\$1,000.00
29/05/2025	M Waters	General bond refund	\$1,000.00
13/05/2025	Mahjae Pty Ltd trading as Whitney Consulting	Consultancy services	\$8,799.45
02/05/2025	Major Motors Pty Ltd	Vehicle service and repair	\$985.60
29/05/2025	Major Motors Pty Ltd	Vehicle purchase - Isuzu NPR 65-190 Truck	\$124,439.17
29/05/2025	Managed IT Pty Ltd	IT services and licences	\$36,156.45
29/05/2025	Mantrac Pty Ltd atf the Manoni Family Trust T/As Mantrac	Arborist services	\$2,079.00
14/05/2025	Marketforce Pty Ltd	Printing services	\$401.50
13/05/2025	Marketforce Pty Ltd	Name badge costs	\$332.20
02/05/2025	MAWARD PTY LTD t/as Vanguard grafx	Signage services	\$2,800.00
14/05/2025	MAWARD PTY LTD t/as Vanguard grafx	Printing services	\$220.00
02/05/2025	McLeods Lawyers Pty Ltd	Legal services	\$2,791.80
29/05/2025	McLeods Lawyers Pty Ltd	Legal services	\$2,609.42
20/05/2025	McLeods Lawyers Pty Ltd	Legal services	\$2,478.96

29/05/2025	MEC 929 Pty Ltd T/A Murphy's Electrical Company	Electrical services	\$10,509.40
14/05/2025	MEC 929 Pty Ltd T/A Murphy's Electrical Company	Electrical services	\$129.80
13/05/2025	Microcom Pty Ltd Trading as MetroCount	Welded battery pack purchase	\$49.50
02/05/2025	Miraplex Group Pty Ltd	Footpath upgrade works	\$13,647.34
13/05/2025	Miraplex Group Pty Ltd	Retaining wall remediation services	\$71,959.76
29/05/2025	Moore Australia Audit (WA)	Auditing services	\$770.00
02/05/2025	Mosman Park Men's Community Shed Inc	Hiring fees - Barbecue equipment	\$350.00
14/05/2025	My Business App Pty Ltd T/as Engagement Hub	Survey consultancy services	\$852.50
27/05/2025	National Australia Bank	Term deposit	\$800,000.00
19/05/2025	National Australia Bank	Bank transfer from Municipal to Reserve account	\$416,662.04
30/05/2025	National Australia Bank	Bank fees	\$959.44
30/05/2025	National Australia Bank	Bank fees	\$873.81
30/05/2025	National Australia Bank	Bank fees	\$111.55
15/05/2025	National Australia Bank	Bank fees	\$45.51
19/05/2025	National Australia Bank	Bank fees	\$24.40
30/05/2025	National Australia Bank	Bank fees	\$7.00
20/05/2025	National Australia Day Council Limited	Reimbursement - unused funds	\$1,864.17
14/05/2025	NH Enterprises T/as Perth Better Homes	Playground equipment maintenance services	\$1,254.00
02/05/2025	NH Enterprises T/as Perth Better Homes	Playground equipment repairs	\$638.00
13/05/2025	Nu-Trac Rural Contracting	Beach cleaning services	\$13,937.00
29/05/2025	O Ashby	Staff reimbursement - ANZAC Day items	\$200.79
13/05/2025	Omnicom Media Group Australia Pty Ltd aka Marketforce	Advertising services	\$2,348.50
02/05/2025	Omnicom Media Group Australia Pty Ltd aka Marketforce	Advertising services	\$1,308.29
29/05/2025	Omnicom Media Group Australia Pty Ltd aka Marketforce	Advertising services	\$1,121.21
02/05/2025	Oncall Plumbing & Gas Pty Ltd	Plumbing services	\$600.00
14/05/2025	Oncall Plumbing & Gas Pty Ltd	Plumbing repair services	\$400.00
13/05/2025	Oncall Plumbing & Gas Pty Ltd	Fountain supply & repair	\$350.00
13/05/2025	One Tribe Healing	Refund for cancelled event booking	\$2,330.00
29/05/2025	P Wilden	General bond refund	\$1,000.00
02/05/2025	Paperbark Technologies Pty Ltd	Arborist services	\$1,320.00
16/05/2025	Penny Julienne	Refund: Duplicate payment	\$74.80
13/05/2025	Perth Aquatic, Seed, & Ecological Services Pty Ltd	Pond services	\$479.00
02/05/2025	Perth Irrigation Centre	Irrigation supplies	\$1,140.00
29/05/2025	Pipeline Irrigation	Irrigation repair services	\$8,239.00
14/05/2025	Pipeline Irrigation	Reticulation services	\$2,800.60
02/05/2025	Pipeline Irrigation	Irrigation services	\$1,870.00
14/05/2025	Power Music Productions	Audio visual hire service	\$975.70
14/05/2025	Pretzos Holdings Pty Ltd T/as Coastline Mowers	Plant equipment parts	\$165.60
29/05/2025	Printec WA Pty Ltd	Photocopier cartridge supplies	\$660.00



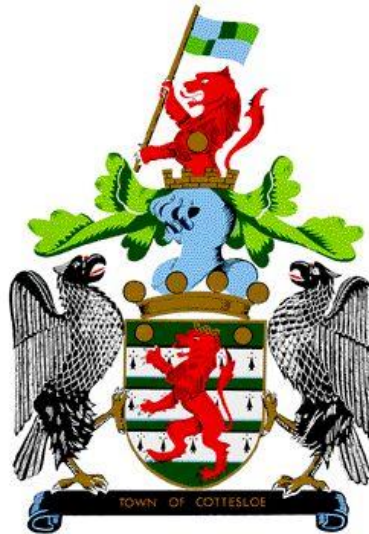
29/05/2025	Proficiency Group Pty Ltd T/As Information Proficiency & Sigma Data Solutions	Consultancy services	\$660.00
29/05/2025	Programmed Property Services Pty Ltd	Refurbishment costs	\$35,534.40
29/05/2025	PRW Contracting Pty Ltd T/A Claremont Asphalt	Drain repair and installation	\$14,740.00
02/05/2025	PRW Contracting Pty Ltd T/A Claremont Asphalt	Repair asphalt surfaces	\$4,290.00
13/05/2025	Quadient Finance Australia Pty Ltd	Folding machine lease	\$411.40
02/05/2025	Quadient Finance Australia Pty Ltd	Folding machine lease	\$411.40
29/05/2025	R C Meyerowitz	General bond refund	\$1,000.00
13/05/2025	R Donaldson	Event bond refund	\$1,000.00
13/05/2025	R Fernandes	Event bond refund	\$1,000.00
13/05/2025	R Jacobsen	Event bond refund	\$1,000.00
29/05/2025	R Keenan	General bond refund	\$500.00
02/05/2025	R Koteka	Partial Refund: Cancelled venue booking	\$1,765.00
20/05/2025	R Triboli Pisi	Event bond refund	\$1,000.00
02/05/2025	Relationships Australia Western Australia Incorporated	Counselling services	\$660.00
13/05/2025	Ricoh Australia Pty Ltd	Photocopying services	\$1,364.95
02/05/2025	S Boswood	Event bond refund	\$1,000.00
13/05/2025	S Lyall	Rates refund	\$189.88
02/05/2025	Safety Zone Australia Pty Ltd	Protective clothing	\$82.50
13/05/2025	Scotts Scrubbing & Sweeping Services Pty Ltd	High pressure cleaning services	\$4,620.00
02/05/2025	Securex Pty Ltd	Security alarm monitoring	\$171.60
02/05/2025	Seek Limited	Advertising services	\$1,122.00
29/05/2025	Seek Limited	Advertising services	\$599.50
13/05/2025	SJF Work Advice Pty Ltd	Consultancy services	\$343.75
13/05/2025	Softwoods Timberyards Pty Ltd T/A Patio Living	Infrastructure bond refund	\$1,000.00
14/05/2025	South East Regional Centre for Urban Landcare Inc T/As Sercul	Weeding services	\$1,897.50
02/05/2025	Specs, Quirino T/as Specs Fabrications	Vehicle repair services	\$1,660.79
29/05/2025	St John Ambulance Western Australia Ltd	First Aid course	\$340.00
29/05/2025	Stainless Steel Holdings Pty Ltd T/as G & R Stainless Steel Contractor	Building repair services	\$2,398.00
13/05/2025	Stantec Australia Pty Ltd	Consultancy services	\$26,812.50
29/05/2025	Stantec Australia Pty Ltd	Consultancy services	\$24,267.65
29/05/2025	Stone Supplies WA Pty Ltd T/A Creation Landscape Supplies	Lawn mix supplies	\$1,623.90
13/05/2025	Stone Supplies WA Pty Ltd T/A Creation Landscape Supplies	Street repair products	\$246.90
02/05/2025	Stone Supplies WA Pty Ltd T/A Creation Landscape Supplies	Limestone base supplies	\$153.00
13/05/2025	StrataGreen	Gardening supplies	\$785.28
02/05/2025	Strategy 8 Pty Ltd T/as Michael Goh Photography	Photography services	\$480.00
08/05/2025	SuperChoice Services Pty Ltd	Superannuation contributions	\$51,224.20
22/05/2025	SuperChoice Services Pty Ltd	Superannuation contributions	\$43,829.75
29/05/2025	Superior Nominees Pty Ltd T/as Miracle Recreation Equipment	Playground equipment repairs	\$330.00
29/05/2025	Surf Life Saving Western Australia	Lifeguard services	\$37,076.75

29/05/2025	Systems Edge Management Services Pty Ltd	Consultancy services	\$5,380.38
13/05/2025	Talis Consultants Pty Ltd	Consultancy services	\$1,650.00
29/05/2025	Technology One Ltd T/A Digital Mapping Solutions	Subscription fees	\$8,734.78
29/05/2025	Telstra Limited	Communication services	\$1,902.85
13/05/2025	Telstra Limited	Communication services	\$1,833.22
02/05/2025	Telstra Limited	Communication services	\$285.10
14/05/2025	Telstra Limited	Communication services	\$199.95
13/05/2025	The Fruit Box Group Pty Ltd	Catering supplies	\$285.84
29/05/2025	The Trustee for Downundr T/as Down Under Stump Grinding	Stump grinding services	\$220.00
13/05/2025	The Trustee for Fenton Family Trust T/as Compact Earthmoving Solutions	Earth moving hire services	\$977.90
29/05/2025	The Trustee for Green Family Trust T/as Kit Bag	Protective gear	\$650.00
29/05/2025	The Trustee for Holt Investments Trust T/as Holty's Hiab	Hiab hire services	\$528.00
13/05/2025	The Trustee for MAJ Trust T/as Sheridan's badges and engraving	Engraving services	\$85.80
29/05/2025	The Trustee for Rico Family Trust T/as Solo Resource Recovery	Waste collection service	\$112,681.48
02/05/2025	The Trustee for Rico Family Trust T/as Solo Resource Recovery	Waste collection services	\$92,892.07
02/05/2025	The Trustee for Safety Xpress Unit Trust T/as Safetyxpress	Road safety installation services	\$10,744.27
29/05/2025	The Trustee for The Cameron Family Trust T/as AndCam Training	Training course	\$1,800.00
29/05/2025	The Trustee for the Condon Family Trust aka Air Cond-On	Air conditioning services	\$633.77
29/05/2025	The Trustee for The Pipeco Unit Trust T/as Pipeco WA	Consultancy services	\$10,433.50
02/05/2025	Total Tools Commercial Pty Ltd	Reticulation supplies	\$692.07
13/05/2025	Town of Cottesloe	Tool costs	\$291.10
14/05/2025	T-Quip	Replenish petty cash	\$755.60
02/05/2025	T-Quip	Vehicle parts	\$996.00
13/05/2025	T-Quip	Plant equipment parts	\$923.23
29/05/2025	T-Quip	Plant equipment service	\$734.50
02/05/2025	Trade West Industrial Supplies Pty Ltd T/as Trade West	Plant equipment parts	\$362.35
14/05/2025	Trustee for Parakletos Family Trust T/as O'Connor Lawnmower and Chains	Playground equipment costs	\$1,518.00
02/05/2025	Ultimate Co Pty Ltd	Plant equipment maintenance services	\$35.10
02/05/2025	Ultimo Catering & Events Pty Ltd	ANZAC Day flower supply and arrangement services	\$2,096.00
29/05/2025	Ultimo Catering & Events Pty Ltd	Catering services	\$649.90
13/05/2025	Ultimo Catering & Events Pty Ltd	Catering services	\$429.95
29/05/2025	V Cobby	Catering services	\$398.95
13/05/2025	Valrose Pty Ltd	Staff reimbursement - catering supplies	\$590.75
29/05/2025	Valrose Pty Ltd	Project management services	\$12,211.85
29/05/2025	WA Treasury Corporation	Project management services	\$8,819.67
29/05/2025	Water Corporation	Loan repayments	\$18,380.01
13/05/2025	West Australian Local Government Assoc.	Water charges	\$17,552.70
02/05/2025	West Australian Newspaper Ltd	Training courses	\$1,199.00
		Newspaper subscription	\$209.99

29/05/2025	West Coast Shade Pty Ltd	Shade sail services	\$3,300.00
02/05/2025	Western Metropolitan Regional Council	Waste disposal charges	\$163,413.27
29/05/2025	Western Metropolitan Regional Council	Waste disposal charges	\$21,336.11
02/05/2025	Western Tree Surgeon Pty Ltd	Arborist services	\$9,900.00
27/05/2025	Westpac Banking Corporation	Term deposit	\$800,000.00
23/05/2025	Westpac Banking Corporation	Term deposit	\$800,000.00
13/05/2025	Weststar Constructions Pty Ltd	Painting services	\$3,965.50
14/05/2025	Weststar Constructions Pty Ltd	Signage services	\$1,958.00
13/05/2025	WGPL Property Pty Ltd	Infrastructure bond refund	\$1,500.00
13/05/2025	Whitaker Shelley Maree	Infrastructure bond refund	\$1,500.00
02/05/2025	Winc Australia Pty Limited	General office supplies	\$868.43
13/05/2025	Winc Australia Pty Limited	General office supplies	\$587.81
29/05/2025	Winc Australia Pty Limited	Miscellaneous items	\$309.61
02/05/2025	Woodlands Distributors Pty Ltd	Dog waste bag supplies	\$3,669.60
02/05/2025	Work Clobber	Staff uniform purchases	\$591.00
29/05/2025	Work Clobber	Safety gear	\$214.70
29/05/2025	Young's Plumbing Service Pty Ltd	Plumbing repair services	\$1,460.70
14/05/2025	Young's Plumbing Service Pty Ltd	Plumbing services	\$408.50
02/05/2025	Young's Plumbing Service Pty Ltd	Plumbing services	\$311.11
02/05/2025	Z Burton	Event bond refund	\$500.00
29/05/2025	Zipform Pty Ltd	Printing services	\$1,774.69
29/05/2025	ZircoDATA Pty Ltd	Storage fees	\$458.29
<b>SUB - TOTAL EFT'S AND CHEQUES</b>			<b>\$5,338,518.27</b>
5/05/2025	National Australia Bank Business Visa	Credit card - <b>April 2025</b>	\$7,573.41
	Adobe	Software licence charges	\$32.99
	Lucid Software	Software licence charges	\$633.60
	Boatshed	Catering services	\$384.65
	Starlink	Internet services	\$139.00
	Kmart	Items for ANZAC Day	\$69.00
	Adobe	Software licence charges	\$839.78
	Queensland State Government	Queensland registration searches	\$201.50
	Queensland State Government	Queensland registration searches	\$181.35
	All Tech Cabinets	Civic Centre office fit out	\$2,320.23
	Woolworths	Catering for ANZAC Day	\$198.50
	Adobe	Software licence charges	\$87.99
	OfficeWorks	Signage support: ANZAC day	\$68.48
	International association for public participation	Training course	\$890.00

	Van's Café	Catering services	\$653.29	
	International association for public participation	Individual membership	\$330.00	
	Mailchimp	Software licence charges	\$61.59	
	Woolworths online	Catering: Anzac Day breakfast	\$453.45	
	National Australia Bank	Credit card & international fees	\$28.01	
<b>SUB - TOTAL CREDIT CARD PAYMENTS</b>				<b>\$7,573.41</b>
13/05/2025	Viva Energy Australia Pty Ltd	Fuel card - <b>April 2025</b>	\$6,542.22	
	Card Number 11066564	Fuel purchases - 1GIB711	\$54.97	
	Card Number 11066560	Fuel purchases - 1GVU588	\$111.66	
	Card Number 11075429	Fuel purchases - 1HND285	\$193.92	
	Card Number 11066565	Fuel purchases - 1HOH345	\$516.78	
	Card Number 11066571	Fuel purchases - 1HRH174	\$217.04	
	Card Number 11066576	Fuel purchases - 1HVS060	\$199.51	
	Card Number 110665798	Fuel purchases - 1HZF134	\$196.01	
	Card Number 11066570	Fuel purchases - 1HZF136	\$303.91	
	Card Number 11066580	Fuel purchases - 1HZM771	\$517.69	
	Card Number 11066562	Fuel purchases - 1ICU511	\$231.81	
	Card Number 11066574	Fuel purchases - 1EXZ241	\$383.16	
	Card Number 11075428	Fuel purchases - 1GIZ365	\$387.83	
	Card Number 11075432	Fuel purchases - 1GRD368	\$369.30	
	Card Number 11066563	Fuel purchases - 1GWK670	\$189.53	
	Card Number 11066559	Fuel purchases - 1GXJ065	\$215.13	
	Card Number 11075430	Fuel purchases - 1HIY954	\$220.21	
	Card Number 11066566	Fuel purchases - 1HJT268	\$437.01	
	Card Number 11102758	Fuel purchases - 1HRG905	\$291.45	
	Card Number 11066581	Fuel purchases - 1HTF613	\$296.75	
	Card Number 11075431	Fuel purchases - 1HWK612	\$180.20	
	Card Number 11066556	Fuel purchases - 1HWL927	\$389.68	
	Card Number 110754337	Fuel purchases - 1IGH329	\$293.16	
	Card Number 11252987	Fuel purchases - 1IKR539	\$287.49	
	Card Number 11066569	Fuel purchases - PETROL	\$58.02	
<b>SUB - TOTAL FUEL CARD PAYMENTS</b>				<b>\$6,542.22</b>
<b>GRAND TOTAL</b>				<b>\$5,352,633.90</b>

# **TOWN OF COTTESLOE**



## **ORDINARY COUNCIL MEETING**

# **ATTACHMENT**

### **ITEM 10.1.3A: 2025/2026 DELEGATED AUTHORITY REGISTER**

## TOWN OF COTTESLOE



## DELEGATED AUTHORITY REGISTER 2025/2026

Adopted by Council

## Delegated Authority Register 2025/2026

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## Statutory Delegations

## 1. Local Government Act 1995

1.1 Administration and Enforcement of Local Laws	
Function Delegated	Authority to administer and enforce the Town's Local Laws.
Statutory Power Delegated	Local Government Act 1995 Section 3.18 Performing executive functions
	<p><b>3.18. Performing executive functions</b></p> <p>(1) A local government is to administer its local laws and may do all other things that are necessary or convenient to be done for, or in connection with, performing its functions under this Act.</p> <p>(2) In performing its executive functions, a local government may provide services and facilities.</p> <p>(3) A local government is to satisfy itself that services and facilities that it provides —</p> <p>(a) integrate and coordinate, so far as practicable, with any provided by the Commonwealth, the State or any public body; and</p> <p>(b) do not duplicate, to an extent that the local government considers inappropriate, services or facilities provided by the Commonwealth, the State or any other body or person, whether public or private; and</p> <p>(c) are managed efficiently and effectively.</p>
Power Originally Assigned To	The Local Government
Statutory Power of Delegation	Local Government Act 1995 Section 5.42 Delegation of some power or duties to the Chief Executive Officer
Power Delegated To	Chief Executive Officer
Chief Executive Officer's Sub Delegation to	The Chief Executive Officer may on delegate these functions to other subordinate members of staff and any matter sub delegated must be in writing and a record retained in the Town's Central Records system
Conditions on Delegations (if any)	To be exercised in accordance with the Town's Policies and Local Laws

<b>1.2 Performance of Executive Functions Relating to Land</b>	
<b>Function Delegated</b>	Authority to perform executive functions relating to land.
<b>Statutory Power Delegated</b>	<i>Local Government Act 1995</i> Section 3.21 Duties when performing functions
	<p><b>3.21. Duties when performing functions</b></p> <p>(1) <i>In performing its executive functions, a local government, so far as is reasonable and practicable, is to —</i></p> <p>(a) <i>ensure that —</i></p> <p>(i) <i>the lawful use of any land, thoroughfare or premises is not obstructed, and any reasonable request that a person makes to avoid such obstruction is met; and</i></p> <p>(ii) <i>as little harm or inconvenience is caused and as little damage is done as is possible; and</i></p> <p>(iii) <i>danger to any person or property does not arise from anything done on land; and</i></p> <p>(iv) <i>anything belonging to it, or to a person who has exercised a power of entry on its behalf, that has been left on any land, premises or thing entered is removed as soon as practicable unless this Act expressly allows it to be left there;</i></p> <p><i>and</i></p> <p>(b) <i>ensure that —</i></p> <p>(i) <i>buildings, fences, and other structures are not disturbed nor damaged; and</i></p> <p>(ii) <i>when it enters land that is fenced, it enters through the existing and usual openings in the fence unless it is expressly authorised to open the fence; and</i></p> <p>(iii) <i>any physical damage done to any land, premises or thing, is immediately made good unless compensation has been or is to be paid.</i></p> <p>(2) <i>Subsection (1)(b) does not apply to any land, premises or thing that is local government property.</i></p>
<b>Power Originally Assigned To</b>	The Local Government

<b>Statutory Power of Delegation</b>	<i>Local Government Act 1995</i> Section 5.42 Delegation of some power or duties to the Chief Executive Officer
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	The Chief Executive Officer may on delegate these functions to other subordinate members of staff and any matter sub delegated must be in writing and a record retained in the Town's Central Records system.
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.

<b>1.3 Powers to be Exercised by Authorised Persons in Relation to Land</b>	
<b>Function Delegated</b>	Authority to exercise powers by authorised persons in relation to land.
<b>Statutory Power Delegated</b>	<p><i>Local Government Act 1995</i></p> <p>Section 3.24 Authorising persons under this Subdivision</p> <p>Section 3.25 Notices requiring certain things to be done by owner or occupier of land</p> <p>Section 3.26(3) Additional powers when notices given</p>
	<p><b>3.24. Authorising persons under this Subdivision</b></p> <p><i>The powers given to a local government by this Subdivision can only be exercised on behalf of the local government by a person expressly authorised by it to exercise those powers.</i></p> <p><b>3.25. Notices requiring certain things to be done by owner or occupier of land</b></p> <p>(1) <i>A local government may give a person who is the owner or, unless Schedule 3.1 indicates otherwise, the occupier of land a notice in writing relating to the land requiring the person to do anything specified in the notice that —</i></p> <p style="padding-left: 40px;">(a) <i>is prescribed in Schedule 3.1, Division 1; or</i></p> <p style="padding-left: 40px;">(b) <i>is for the purpose of remedying or mitigating the effects of any offence against a provision prescribed in Schedule 3.1, Division 2.</i></p> <p>(2) <i>Schedule 3.1 may be amended by regulations.</i></p> <p>(3) <i>If the notice is given to an occupier who is not the owner of the land, the owner is to be informed in writing that the notice was given.</i></p> <p>(4) <i>A person who is given a notice under subsection (1) is not prevented from complying with it because of the terms on which the land is held.</i></p> <p>(5) <i>A person who is given a notice under subsection (1) may apply to the State Administrative Tribunal for a review of the decision to give the notice.</i></p> <p>(6) <i>A person who fails to comply with a notice under subsection (1) commits an offence.</i></p> <p><b>3.26. Additional powers when notices given</b></p> <p>(3) <i>The local government may recover the cost of anything it does under subsection (2) as a debt due from the person who failed to comply with the notice.</i></p>

<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	<i>Local Government Act 1995</i> Section 5.42 Delegation of some power or duties to the Chief Executive Officer Section 5.44 Chief Executive Officer may delegate powers and duties to other employees
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Engineering Services Directory Development and Regulatory Services Manager Building and Health
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.

<b>1.4 Powers of Entry to Land</b>	
<b>Function Delegated</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. Enter on to land to perform any function of the local government under the Act (s.3.28)</li> <li>2. Give notice of entry (s.3.32)</li> <li>3. Seek and execute an entry under warrant (s3.33)</li> <li>4. Execute entry in an emergency (s.3.34)</li> </ol>
<b>Statutory Power Delegated</b>	<p><i>Local Government Act 1995</i>            Section 3.28 When this Subdivision Applies            Section 3.33 Entry under warrant            Section 3.34 Entry in emergency</p>
	<p><b>3.28. When this Subdivision applies</b></p> <p><i>The powers of entry conferred by this Subdivision may be used for performing any function that a local government has under this Act if entry is required for the performance of the function or in any other case in which entry is authorised by this Act other than by a local law.</i></p> <p><b>3.33. Entry under warrant</b></p> <p>(1) <i>In the circumstances described in subsection (2), a justice may by warrant authorise a local government by its employees, together with such other persons as are named or described in the warrant, or a police officer, to enter any land, premises or thing using such force as is necessary.</i></p> <p>(2) <i>A warrant may be granted under subsection (1) where a justice is satisfied that the entry is reasonably required by a local government for the purpose of performing any of its functions, but —</i></p> <ol style="list-style-type: none"> <li>(a) <i>entry has been refused or is opposed or prevented; or</i></li> <li>(b) <i>entry cannot be obtained; or</i></li> <li>(c) <i>notice cannot be given under section 3.32 without unreasonable difficulty or without unreasonably delaying entry.</i></li> </ol> <p>(3) <i>A warrant granted under subsection (1) —</i></p> <ol style="list-style-type: none"> <li>(a) <i>is to be in the prescribed form; and</i></li> <li>(b) <i>is to specify the purpose for which the land, premises or thing may be entered; and</i></li> <li>(c) <i>continues to have effect until the purpose for which it was granted has been satisfied.</i></li> </ol>

	<p><b>3.34. Entry in emergency</b></p> <p>(1) <i>In an emergency a local government may lawfully enter any land, premises or thing immediately and without notice and perform any of its functions as it considers appropriate to deal with the emergency.</i></p> <p>(2) <i>For the purposes of this section, an emergency exists where the local government or its CEO is of the opinion that the circumstances are such that compliance with the requirements for obtaining entry other than under this section would be impractical or unreasonable because of, or because of the imminent risk of —</i></p> <p style="padding-left: 40px;">(a) <i>injury or illness to any person; or</i></p> <p style="padding-left: 40px;">(b) <i>a natural or other disaster or emergency; or</i></p> <p style="padding-left: 40px;">(c) <i>such other occurrence as is prescribed for the purposes of this section.</i></p> <p>(3) <i>A local government may use reasonable force to exercise the power of entry given by subsection (1).</i></p> <p>(4) <i>A local government may exercise the power of entry given by subsection (1) at any time while the emergency exists and for so long subsequently as is reasonably required.</i></p> <p>(5) <i>Although notice of an intended entry under this section is not generally required, a local government is to give notice of an intended entry of land under this section to the owner or occupier of the land where it is practicable to do so.</i></p>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	<i>Local Government Act 1995</i> Section 5.42 Delegation of some power or duties to the Chief Executive Officer. Section 5.44 Chief Executive Officer may delegate powers and duties to other employees
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	The Chief Executive Officer may on delegate these functions to other subordinate members of staff and any matter sub delegated must be in writing and a record retained in the Town's Central Records system
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.



1.5 Opening of Fences	
<b>Function Delegated</b>	Authority to give notice and effect entry by opening a fence.
<b>Statutory Power Delegated</b>	<i>Local Government Act 1995</i> Section 3.36 Opening Fences
	<p><b>3.36. Opening fences</b></p> <p>(1) <i>This section applies only if it is expressly stated in Schedule 3.2.</i></p> <p>(2) <i>Subsection (1) does not prevent regulations amending Schedule 3.2 from stating that this section applies, or excluding the application of this section, in relation to a particular matter.</i></p> <p>(3) <i>If this section applies and it is not practicable to enter land that is fenced through the existing and usual openings in the fence, the local government may, on giving 3 days' notice in writing to the owner or occupier of the land that it intends to do so, open the fence.</i></p> <p>(4) <i>If it opens the fence the local government is to provide at the opening an effective gate or, if the owner of the land agrees, a device across the gap in the fence that enables motor traffic to pass through the gap and prevents the straying of livestock through the gap.</i></p> <p>(5) <i>If a gate is provided a person who, without the occupier's consent, leaves the gate open when it is not in use commits an offence.</i></p> <p>(6) <i>If a gate is provided, when the local government no longer requires the opening, it is to immediately remove the gate and make good the fence unless the owner agrees to its retention.</i></p> <p>(7) <i>The owner and occupier may, in a particular case, relieve the local government of any obligation that it has under this section.</i></p>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	<i>Local Government Act 1995</i> Section 5.42 Delegation of some power or duties to the Chief Executive Officer Section 5.44 Chief Executive Officer may delegate powers and duties to other employees

<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Engineering Services Planning Officer
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.

<b>1.6 Authorising Employees to Impound Goods</b>	
<b>Function Delegated</b>	Authority to authorise employees to impound goods.
<b>Statutory Power Delegated</b>	<i>Local Government Act 1995</i> Section 3.39 Power to Remove and Impound
	<p><b>3.39. Power to remove and impound</b></p> <p>(1) <i>An employee authorised by a local government for the purpose may remove and impound any goods that are involved in a contravention that can lead to impounding.</i></p> <p>(2) <i>A person may use reasonable force to exercise the power given by subsection (1).</i></p>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	<i>Local Government Act 1995</i> Section 5.42 Delegation of some power or duties to the Chief Executive Officer Section 5.44 Chief Executive Officer may delegate powers and duties to other employees
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Development and Regulatory Services Manager Building and Health
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.

1.7 Withholding of Goods	
<b>Function Delegated</b>	Authority to withhold goods.
<b>Statutory Power Delegated</b>	<i>Local Government Act 1995</i> Section 3.46 Goods may be withheld until costs paid
	<p><b>3.46. Goods may be withheld until costs paid</b></p> <p>(1) <i>A local government may refuse to allow goods impounded under section 3.39 or 3.40A to be collected until the costs of removing, impounding and keeping them have been paid to the local government.</i></p> <p>(2) <i>A local government may refuse to allow goods removed under section 3.40 or 3.40A to be collected until the costs of removing and keeping them have been paid to the local government.</i></p>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	<i>Local Government Act 1995</i> Section 5.42 Delegation of some power or duties to the Chief Executive Officer Section 5.44 Chief Executive Officer may delegate powers and duties to other employees.
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Development and Regulatory Services Director Corporate and Community Services Manager Building and Health
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.

1.8 Disposal of Impounded Goods	
<b>Function Delegated</b>	Authority to dispose of impounded goods.
<b>Statutory Power Delegated</b>	<i>Local Government Act 1995</i> Section 3.47 Confiscated or uncollected goods, disposal of
	<p><b>3.47. Confiscated or uncollected goods, disposal of</b></p> <p>(1) <i>The local government may sell or otherwise dispose of any goods that have been ordered to be confiscated under section 3.43.</i></p> <p>(2) <i>The local government may sell or otherwise dispose of any vehicle that has not been collected within —</i></p> <p style="padding-left: 40px;">(a) <i>2 months of a notice having been given under section 3.40(3); or</i></p> <p style="padding-left: 40px;">(b) <i>7 days of a declaration being made under section 3.40A(4) that the vehicle is an abandoned vehicle wreck.</i></p> <p>(2a) <i>The local government may sell or otherwise dispose of impounded goods that have not been collected within the period specified in subsection (2b) of —</i></p> <p style="padding-left: 40px;">(a) <i>a notice having been given under section 3.42(1)(b) or 3.44; or</i></p> <p style="padding-left: 40px;">(b) <i>being impounded if the local government has been unable, after making reasonable efforts to do so, to give that notice to the alleged offender.</i></p> <p>(2b) <i>The period after which goods may be sold or otherwise disposed of under subsection (2a) is —</i></p> <p style="padding-left: 40px;">(a) <i>for perishable goods — 3 days;</i></p> <p style="padding-left: 40px;">(b) <i>for animals — 7 days;</i></p> <p style="padding-left: 40px;">(ca) <i>for prescribed non-perishable goods — one month;</i></p> <p style="padding-left: 40px;">(c) <i>for other non-perishable goods — 2 months.</i></p> <p>(3) <i>Section 3.58 applies to the sale of goods under this section as if they were property referred to in that section.</i></p> <p>(4) <i>Money received by a local government from the sale of goods under subsection (2a) is to be credited to its trust fund except to the extent required to meet the costs and expenses incurred by the local government in removing, impounding and selling the goods.</i></p>

	<p>(5) <i>Money received by a local government from the sale of a vehicle under subsection (2) is to be credited to its trust fund except to the extent required to meet the costs referred to in section 3.46 and the expenses incurred by the local government in selling the vehicle.</i></p> <p>(6) <i>Unless this section requires it to be credited to its trust fund, money received by a local government from the sale under this section of any goods is to be credited to its municipal fund.</i></p>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	<p><i>Local Government Act 1995</i></p> <p>Section 5.42 Delegation of some power or duties to the Chief Executive Officer</p> <p>Section 5.44 Chief Executive Officer may delegate powers and duties to other employees</p>
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	<p>Director Development and Regulatory Services</p> <p>Director Corporate and Community Services</p> <p>Coordinator Ranger Services</p>
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.

<b>1.9 Disposal of Sick or Injured Animals</b>	
<b>Function Delegated</b>	Authority to destroy and dispose of an animal that is determined to be too sick or injured to treat.
<b>Statutory Power Delegated</b>	<i>Local Government Act 1995</i> Section 3.47A Sick or injured animals, disposal of.
	<p><b>3.47A. Sick or injured animals, disposal of</b></p> <p>(1) <i>If an impounded animal is ill or injured to such an extent that treating it is not practicable the local government may humanely destroy the animal and dispose of the carcass.</i></p> <p>(2) <i>A local government must not destroy an animal under subsection (1) unless —</i></p> <p style="padding-left: 40px;">(a) <i>because of the state of the animal, destroying it is urgent; or</i></p> <p style="padding-left: 40px;">(b) <i>the local government has —</i></p> <p style="padding-left: 80px;">(i) <i>taken reasonable steps to notify the owner; and</i></p> <p style="padding-left: 80px;">(ii) <i>whether or not notice has been given under subparagraph (i), allowed the owner a reasonable opportunity to collect the animal.</i></p> <p>(3) <i>Subsection (2)(b) does not justify the destruction of an animal before it has been impounded for at least 7 days.</i></p>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	<i>Local Government Act 1995</i> Section 5.42 Delegation of some power or duties to the Chief Executive Officer Section 5.44 Chief Executive Officer may delegate powers and duties to other employees
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Development and Regulatory Services  Coordinator Ranger Services Town Rangers
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.

<b>1.10 Recovery of Costs Associated with Impounded Goods</b>	
<b>Function Delegated</b>	Authority to recover costs associated with impounded goods.
<b>Statutory Power Delegated</b>	<i>Local Government Act 1995</i> Section 3.48 Impounded expenses, recovery of
	<p><b>3.48. Impounding expenses, recovery of</b></p> <p><i>If goods are removed and impounded under section 3.39 and the alleged offender is convicted, the local government may, by action in a court of competent jurisdiction, recover from the alleged offender —</i></p> <ul style="list-style-type: none"> <li><i>(a) if the goods are not sold under section 3.47, the expenses incurred by the local government in removing and impounding them and in disposing of them if they are disposed of under section 3.47; and</i></li> <li><i>(b) if the goods are confiscated and sold under section 3.47, the amount, if any, by which the money received from the sale and credited to the municipal fund under section 3.47(6) is insufficient to meet expenses incurred by the local government in removing, impounding, and selling them; and</i></li> <li><i>(c) if the goods are not confiscated but are sold under section 3.47, the amount, if any, by which the money received from the sale is insufficient to meet the costs and expenses referred to in section 3.47(4) or (5), as the case requires.</i></li> </ul>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	<i>Local Government Act 1995</i> Section 5.42 Delegation of some power or duties to the Chief Executive Officer Section 5.44 Chief Executive Officer may delegate powers and duties to other employees
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Corporate and Community Services Director Development and Regulatory Services Manager Building and Health
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Local Government Act and relevant Local Laws.



<b>1.11 Closure of Certain Thoroughfares to Vehicles</b>	
<b>Function Delegated</b>	The authority to close certain thoroughfares to vehicles.
<b>Statutory Power Delegated</b>	<i>Local Government Act 1995</i> Section 3.50 Closing of certain thoroughfares to vehicles.
	<p><b>3.50. Closing certain thoroughfares to vehicles</b></p> <p>(1) <i>A local government may close any thoroughfare that it manages to the passage of vehicles, wholly or partially, for a period not exceeding 4 weeks.</i></p> <p>(1a) <i>A local government may, by local public notice, order that a thoroughfare that it manages is wholly or partially closed to the passage of vehicles for a period exceeding 4 weeks.</i></p> <p>(2) <i>The order may limit the closure to vehicles of any class, to particular times, or to such other case or class of case as may be specified in the order and may contain exceptions.</i></p> <p>[(3) <i>deleted</i>]</p> <p>(4) <i>Before it makes an order wholly or partially closing a thoroughfare to the passage of vehicles for a period exceeding 4 weeks or continuing the closure of a thoroughfare, the local government is to —</i></p> <p style="padding-left: 40px;">(a) <i>give local public notice of the proposed order giving details of the proposal, including the location of the thoroughfare and where, when, and why it would be closed, and inviting submissions from any person who wishes to make a submission; and</i></p> <p style="padding-left: 40px;">(b) <i>give written notice to each person who —</i></p> <p style="padding-left: 80px;">(i) <i>is prescribed for the purposes of this section; or</i></p> <p style="padding-left: 80px;">(ii) <i>owns land that is prescribed for the purposes of this section;</i></p> <p style="padding-left: 40px;"><i>and</i></p> <p style="padding-left: 40px;">(c) <i>allow a reasonable time for submissions to be made and consider any submissions made.</i></p> <p>(5) <i>The local government is to send to the Commissioner of Main Roads appointed under the Main Roads Act 1930 a copy of the contents of the notice required by subsection (4)(a).</i></p>

	<p>(6) <i>An order under this section has effect according to its terms, but may be revoked by the local government, or by the Minister, by order of which local public notice is given.</i></p> <p>[(7) <i>deleted</i>]</p> <p>(8) <i>If, under subsection (1), a thoroughfare is closed without giving local public notice, the local government is to give local public notice of the closure as soon as practicable after the thoroughfare is closed.</i></p> <p>(9) <i>The requirement in subsection (8) ceases to apply if the thoroughfare is reopened.</i></p>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	Local Government Act 1995 Section 5.42 Delegation of some power or duties to the Chief Executive Officer
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Engineering Services Manager Projects and Assets
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.

<b>1.12 Closure of Thoroughfares for Repairs or Maintenance</b>	
<b>Function Delegated</b>	Authority to close thoroughfares for repairs or maintenance.
<b>Statutory Power Delegated</b>	<i>Local Government Act 1995</i> Section 3.50A Partial closure of thoroughfare for repairs or maintenance.
	<p><b>3.50A. Partial closure of thoroughfare for repairs or maintenance</b></p> <p><i>Despite section 3.50, a local government may partially and temporarily close a thoroughfare, without giving local public notice, if the closure —</i></p> <ul style="list-style-type: none"> <li><i>(a) is for the purpose of carrying out repairs or maintenance; and</i></li> <li><i>(b) is unlikely to have a significant adverse effect on users of the thoroughfare.</i></li> </ul>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	<i>Local Government Act 1995</i> Section 5.42 Delegation of some power or duties to the Chief Executive Officer
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Engineering Services Manager Projects and Assets
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.

<b>1.13 Inviting Tenders for Goods and Services Under Contract</b>	
<b>Function Delegated</b>	Authority to invite tenders for goods and services under contract.
<b>Statutory Power Delegated</b>	<i>Local Government Act 1995</i> Section 3.57 Tenders for providing goods or services
	<p><b>3.57. Tenders for providing goods or services</b></p> <p>(1) <i>A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.</i></p> <p>(2) <i>Regulations may make provision about tenders.</i></p>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	<i>Local Government Act 1995</i> Section 5.42 Delegation of some power or duties to the Chief Executive Officer
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Engineering Services Director Corporate and Community Services Director Development and Regulatory Services Manager Building and Health
<b>Conditions on Delegations (if any)</b>	<p>Specific policy guidance contained within:</p> <ul style="list-style-type: none"> <li>Purchasing Policy</li> </ul> <p>Delegation only to be used where a specific budget allocation exists for the project or works that the tender is called for.</p>

<b>1.14 Waive, Grant Concessions or Write Off Individual Debts to a Maximum of \$1,000</b>	
<b>Function Delegated</b>	Waive, grant concessions or write off individual debts to a maximum of \$5,000 in relation to any amount of money which is owed to the Town.  <i>Note: Section 6.12(2) of the Local Government Act 1995 does not allow money owed to the Town in respect of rates and services charges to be waived or for a concession in relation to such money to be granted.</i>
<b>Statutory Power Delegated</b>	<i>Local Government Act 1995</i> <b>Section 6.12 Power to defer, grant discounts, waive or write off debts</b>
	<p>1. 6.12. Power to defer, grant discounts, waive or write off debts</p> <p>(1) Subject to subsection (2) and any other written law, a local government may —</p> <p>(a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or</p> <p>(b) waive or grant concessions in relation to any amount of money; or</p> <p>(c) write off any amount of money,</p> <p>which is owed to the local government.</p> <p>* Absolute majority required.</p> <p>(2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.</p> <p>(3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.</p> <p>(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.</p>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	<i>Local Government Act 1995</i> Section 5.42 Delegation of some power or duties to the Chief Executive Officer
<b>Power Delegated To</b>	Chief Executive Officer

<b>Chief Executive Officer's Sub Delegation to</b>	Director Corporate and Community Services Director Development and Regulatory Services Director Engineering Services
<b>Conditions on Delegations (if any)</b>	<ol style="list-style-type: none"><li>1. Sub-delegates may only write off or waive fees and charges related to their operational areas and responsibilities.</li><li>2. Limited to individual or cumulative debts valued below \$500 To be exercised in accordance with the Town's Policies and Local Laws.</li></ol>

<b>1.15 Investing Funds not Required</b>	
<b>Function Delegated</b>	The authority to invest funds held in the Municipal or Trust fund that is not, for the time being, required for any other purpose.
<b>Statutory Power Delegated</b>	<i>Local Government Act 1995</i> Section 6.14 Power to invest
	<p><b>6.14. Power to invest</b></p> <p>(1) <i>Money held in the municipal fund or the trust fund of a local government that is not, for the time being, required by the local government for any other purpose may be invested as trust funds may be invested under the Trustees Act 1962 Part III.</i></p> <p>(2A) <i>A local government is to comply with the regulations when investing money referred to in subsection (1).</i></p> <p>(2) <i>Regulations in relation to investments by local governments may —</i></p> <ul style="list-style-type: none"> <li><i>(a) make provision in respect of the investment of money referred to in subsection (1); and</i></li> <li><i>[(b) deleted]</i></li> <li><i>(c) prescribe circumstances in which a local government is required to invest money held by it; and</i></li> <li><i>(d) provide for the application of investment earnings; and</i></li> <li><i>(e) generally provide for the management of those investments.</i></li> </ul>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	<i>Local Government Act 1995</i> Section 5.42 Delegation of some power or duties to the Chief Executive Officer
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Corporate and Community Services Finance Manager
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws. Specific Policy guidance is contained within: <ul style="list-style-type: none"> <li>• Management of Investments Policy</li> </ul>

<b>1.16 Make Agreements with Persons Regarding Payment of Rates</b>	
<b>Function Delegated</b>	Authority to make agreements with persons regarding payment of rates.
<b>Statutory Power Delegated</b>	<i>Local Government Act 1995</i> Section 6.49 Agreement as to payment of rates and service charges
	<b>6.49. Agreement as to payment of rates and service charges</b>  <i>A local government may accept payment of a rate or service charge due and payable by a person in accordance with an agreement made with the person.</i>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	<i>Local Government Act 1995</i> Section 5.42 Delegation of some power or duties to the Chief Executive Officer Section 5.44 Chief Executive Officer may delegate powers and duties to other employees
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Corporate and Community Services Finance Manager
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws. Specific policy guidance is contained within: <ul style="list-style-type: none"> <li>• Rates Recovery Policy</li> </ul>



<b>1.17 Action Taken When Rates are Unpaid for at Least Three Years</b>	
<b>Function Delegated</b>	<p>Authority to take possession of land and hold the land against a person having an estate of interest in the land where any rates or service charges in respect of the rateable land have been unpaid for at least three years.</p> <p>Authority to lodge (and withdraw) a caveat to preclude dealings in respect of land where payment of rates or services charges imposed on the land is in arrears.</p>
<b>Statutory Power Delegated</b>	<p><i>Local Government Act 1995</i></p> <p>Section 6.56 Rates or service charges recoverable in court</p> <p>Section 6.64 Actions to be taken.</p>
	<p><b>6.56 Rates or service charges recoverable in court</b></p> <p>(1) <i>If a rate or service charge remains unpaid after it becomes due and payable, the local government may recover it, as well as the costs of proceedings, of any, for that recovery, in a court of competent jurisdiction.</i></p> <p>(2) <i>Rates of service charges due by the same person to the local government may be included in one writ, summons, or other process.</i></p> <p><b>6.64. Actions to be taken</b></p> <p>(1) <i>If any rates or service charges which are due to a local government in respect of any rateable land have been unpaid for at least 3 years the local government may, in accordance with the appropriate provisions of this Subdivision take possession of the land and hold the land as against a person having an estate or interest in the land and —</i></p> <p style="padding-left: 40px;">(a) <i>from time to time lease the land; or</i></p> <p style="padding-left: 40px;">(b) <i>sell the land; or</i></p> <p style="padding-left: 40px;">(c) <i>cause the land to be transferred to the Crown; or</i></p> <p style="padding-left: 40px;">(d) <i>cause the land to be transferred to itself.</i></p> <p>(2) <i>On taking possession of any land under this section, the local government is to give to the owner of the land such notification as is prescribed and then to affix on a conspicuous part of the land a notice, in the form or substantially in the form prescribed.</i></p>

	<i>(3) Where payment of rates or service charges imposed in respect of any land is in arrears the local government has an interest in the land in respect of which it may lodge a caveat to preclude dealings in respect of the land, and may withdraw caveats so lodged by it.</i>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	<i>Local Government Act 1995</i> Section 5.42 Delegation of some power or duties to the Chief Executive Officer
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Nil
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws. Specific Policy guidance contained within: <ul style="list-style-type: none"> <li>• Rates Recovery Policy</li> </ul>

<b>1.18 Dealing with Objections to the Rates Record</b>	
<b>Function Delegated</b>	<p>Authority to extend the time for a person to make an objection to a rate record.</p> <p>Authority to consider an objection to a rate record and either allow it or disallow it wholly or in part.</p>
<b>Statutory Power Delegated</b>	<p><i>Local Government Act 1995</i> Section 6.76 (4,5 and 6) Grounds for objection</p>
	<p><b>6.76. Grounds of objection</b></p> <p>(4) <i>The local government may, on application by a person proposing to make an objection, extend the time for making the objection for such period as it thinks fit.</i></p> <p>(5) <i>The local government is to promptly consider any objection and may either disallow it or allow it, wholly or in part.</i></p> <p>(6) <i>After making a decision on the objection the local government is to promptly serve upon the person by whom the objection was made written notice of its decision on the objection and a statement of its reason for that decision.</i></p>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	<p><i>Local Government Act 1995</i> Section 5.42 Delegation of some power or duties to the Chief Executive Officer Section 5.44 Chief Executive Officer may delegate powers and duties to other employees</p>
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Corporate and Community Services (Appeal right remains to the Chief Executive Officer)
<b>Conditions on Delegations (if any)</b>	<p>To be exercised in accordance with the Town's Policies and Local Laws.</p> <p>The original decision maker is not to be the person who reviews an appeal.</p>

<b>1.19 Appointment of Authorised Persons</b>	
<b>Function Delegated</b>	<p>Authority to appoint persons or classes or persons for the purposes of fulfilling prescribed functions within the <i>Local Government Act 1995</i> and other Acts, Regulations and Local Laws as listed below:</p> <ul style="list-style-type: none"> <li>• <i>Litter Act 1979</i></li> <li>• <i>Bush Fires Act 1954</i></li> <li>• <i>Local Government (Miscellaneous Provisions) Act 1960</i></li> <li>• <i>Control of Vehicles (Off Road Areas) Act 1978</i></li> <li>• <i>Beach and Beach Reserves Local Law 2012</i></li> <li>• <i>Dogs Local Law 2023</i></li> <li>• <i>Fencing Local Law 2001</i></li> <li>• <i>Local Government Property Local Law 2001</i></li> <li>• <i>Parking and Parking Facilities Local Law 2023.</i></li> <li>• <i>Local Government (Uniform Local Provisions) Regulations 1996</i></li> </ul>
<b>Statutory Power Delegated</b>	<p><i>Local Government Act 1995</i> Section 9.10 Appointment of authorised persons</p>
	<p><b>9.10. Appointment of authorised persons</b></p> <p>(1) <i>The local government may, in writing, appoint persons or classes of persons to be authorised for the purposes of performing particular functions.</i></p> <p>(2) <i>The local government is to issue to each person so authorised a certificate stating that the person is so authorised, and the person is to produce the certificate whenever required to do so by a person who has been or is about to be affected by any exercise of authority by the authorised person.</i></p>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	<p><i>Local Government Act 1995</i> Section 5.42 Delegation of some power or duties to the Chief Executive Officer</p>
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Nil
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.

1.20 Power to Sign	
<b>Function Delegated</b>	Power to sign documents required by Landgate or Department of Lands, to access or update records for administrative purposes.
<b>Statutory Power Delegated</b>	<i>Local Government Act 1995</i> Section 9.49A Execution of Documents
	<p><b>9.49A. Execution of documents</b></p> <p>(1) A document is duly executed by a local government if —</p> <ul style="list-style-type: none"> <li>(a) the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or</li> <li>(b) it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.</li> </ul> <p>(2) The common seal of a local government is not to be affixed to any document except as authorised by the local government.</p> <p>(3) The common seal of the local government is to be affixed to a document in the presence of —</p> <ul style="list-style-type: none"> <li>(a) the mayor or president; and</li> <li>(b) the chief executive officer or a senior employee authorised by the chief executive officer,</li> </ul> <p>each of whom is to sign the document to attest that the common seal was so affixed.</p> <p>(4) A local government may, by resolution, authorise the chief executive officer, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.</p> <p>(5) A document executed by a person under an authority under subsection (4) is not to be regarded as a deed unless the person executes it as a deed and is permitted to do so by the authorisation.</p> <p>(6) A document purporting to be executed in accordance with this section is to be presumed to be duly executed unless the contrary is shown.</p> <p>(7) When a document is produced bearing a seal purporting to be the common seal of the local government, it is to be</p>

	<i>presumed that the seal is the common seal of the local government unless the contrary is shown.</i>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	<i>Local Government Act 1995</i> Section 5.42 Delegation of some power or duties to the Chief Executive Officer
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Nil
<b>Conditions on Delegations (if any)</b>	<p>This delegation is limited to the signing of the following documents;</p> <ul style="list-style-type: none"> <li>• Applications for duplicate documents from LandGate;</li> <li>• Easements required as a result of a planning condition imposed on a Development Approval;</li> <li>• Restrictive Covenants in favour of the Town of Cottesloe that result from a condition on a Development Approval;</li> <li>• Easements or restrictive covenants in favour of the Town required to satisfy a condition imposed by the WA Planning Commission on a subdivision/amalgamation approval;</li> <li>• Any document required to register a lease (or other agreement) where the lease document (or other agreement) has been approved by Council.</li> </ul>

<b>1.21 Attendance at Events and Functions</b>	
<b>Function Delegated</b>	Approval of elected members to attend events or functions of a minor nature in terms of cost, or where short notice does not permit full Council approval to be obtained. The following criteria must be met: <ul style="list-style-type: none"> <li>• The total cost of attendance is to be \$500 or less, and</li> <li>• The notice provided must be such that there is not the ability to have the request for attendance submitted to an Ordinary meeting of Council.</li> </ul>
<b>Statutory Power Delegated</b>	<i>Local Government Act 1995</i> Council Policy Pol/106
	<p><i>In making a decision on attendance at an event, the CEO should consider:</i></p> <ul style="list-style-type: none"> <li><i>a) who is providing the invitation or ticket to the event;</i></li> <li><i>b) the location of the event in relation to the Town of Cottesloe</i></li> <li><i>c) the role of the Elected Member or CEO when attending the event (participant, observer, presenter) and value of their contribution;</i></li> <li><i>d) whether the event is sponsored by the local government;</i></li> <li><i>e) the benefit of Town of Cottesloe representation at the event;</i></li> <li><i>f) the number of invitations/tickets received; and</i></li> <li><i>g) the cost to attend the event, including the cost of the ticket/s (or estimated value of the event per invitation) and any other expenses such as travel and accommodation.</i></li> <li><i>h) that it is not to restrict the ability to participate in Council meetings or to be used as a mechanism to avoid conflict of interest provisions where significant matters are likely to come before Council from the provider of the invitation.</i></li> </ul> <p><i>Decisions to attend events in accordance with this Policy may be made by simple majority or by the CEO in accordance with this delegation.</i></p>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	<i>Local Government Act 1995</i> Policy Pol/106

<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Nil
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.



## 2. Local Government (Financial Management) Regulations 1996

<b>2.1 Power to Make Payments from the Municipal and Trust Funds</b>	
<b>Function Delegated</b>	The authority to make payments from the Municipal and Trust funds.
<b>Statutory Power Delegated</b>	<i>Local Government (Financial Management) Regulations 1996</i> Section 12(1)(a) Payments From Municipal Fund and Trust Fund, Restrictions on Making
	<p><b>12. Payments from municipal fund or trust fund, restrictions on making</b></p> <p>(1) A payment may only be made from the municipal fund or the trust fund —</p> <p>(a) if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or</p>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	<i>Local Government Act 1995</i> Section 5.42 Delegation of some power or duties to the Chief Executive Officer Section 5.43 Limitations on delegation to the Chief Executive Officer Section 5.44 Chief Executive Officer may delegate powers and duties to other employees
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Corporate and Community Services Director Engineering Services Director Development and Regulatory Services Finance Manager
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies, Local Laws and adopted Budget.

### 3. Local Government (Uniform Local Provisions) Regulation 1996

3.1 Obstruction of Public Thoroughfare by Things Placed and Left	
<b>Function Delegated</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. Determine a sum sufficient for a deposit to cover the cost of repairing damage to the thoroughfare resulting from granting permission for obstruction of a thoroughfare, if the damage is not made good by the applicant.</li> <li>2. Determine if protective structures, necessary for public safety, are kept and maintained to the satisfaction of the local government.</li> <li>3. Determine if repair of damage to a thoroughfare is to the satisfaction of the local government.</li> </ol>
<b>Statutory Power Delegated</b>	<p><i>Local Government (Uniform Local Provisions) Regulation 1996</i> Regulation 6 Obstruction of public thoroughfare by things placed and left</p>
	<p><b>6. Obstruction of public thoroughfare by things placed and left — Sch. 9.1 cl. 3(1)(a)</b></p> <p>(1) <i>A person must not, without lawful authority, place on a public thoroughfare anything that obstructs it.</i> <i>Penalty: a fine of \$5 000 and a daily penalty of \$500 for each day during which the obstruction continues.</i></p> <p>(2) <i>A person may apply to the local government for permission to place on a specified part of public thoroughfare one or more specified things that may obstruct the public thoroughfare.</i></p> <p>(3) <i>Permission granted by the local government under this regulation —</i></p> <ol style="list-style-type: none"> <li>(a) <i>must be in writing; and</i></li> <li>(b) <i>must specify the period for which it is granted; and</i></li> <li>(c) <i>must specify each condition imposed under subregulation (4); and</i></li> <li>(d) <i>may be renewed from time to time; and</i></li> <li>(e) <i>may be cancelled by giving written notice to the person to whom the permission was granted.</i></li> </ol> <p>(4) <i>The local government may impose such conditions as it thinks fit on granting permission under this regulation including, but not limited to, any of the following —</i></p>

	<p>(a) conditions relating to the erection of hoardings, fences, walkways or other structures for the protection of the public thoroughfare or public safety (<b>protective structures</b>);</p> <p>(b) conditions about the placement of things in the public thoroughfare including conditions about the depositing of building materials or waste, or storage or other facilities in the public thoroughfare;</p> <p>(c) a condition imposing a charge for any damage to the public thoroughfare resulting from the placement of a thing on the public thoroughfare;</p> <p>(d) a condition requiring the applicant to deposit with the local government a sum sufficient in the opinion of the CEO of the local government to cover the cost of repairing damage to the public thoroughfare resulting from the placement of a thing or a protective structure, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant.</p> <p>(5) It is a condition of the permission granted under this regulation that —</p> <p>(a) placed things and protective structures are sufficiently illuminated every night from sunset to sunrise to prevent mishaps; and</p> <p>(b) protective structures are kept and maintained in good condition, to the satisfaction of the CEO of the local government, during such time as the CEO thinks necessary for the public safety and convenience; and</p> <p>(c) placed things or protective structures are removed within a reasonable time after the person granted the permission is required in writing to do so by the local government; and</p> <p>(d) damage to the public thoroughfare resulting from the placement of a thing or a protective structure is repaired to the satisfaction of the CEO of the local government within a reasonable time after the person granted the permission is required in writing to do so by the local government.</p>
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	<p>(6) <i>The local government may, when renewing permission granted under this regulation or at any other time, vary any condition imposed by it under subregulation (4) and the variation takes effect when written notice of it is given to the person to whom the permission was granted.</i></p> <p>(7) <i>A person granted permission under this regulation must comply with each condition of the permission.</i>  <i>Penalty: a fine of \$5 000 and a daily penalty of \$500 for each day during which the offence continues.</i></p> <p>(8) <i>The local government may charge a person granted permission under this regulation a fee of not more than \$1.00 for each month or part of a month for each m<sup>2</sup> of public thoroughfare that is enclosed by a hoarding or fence in accordance with the permission.</i></p> <p>(9) <i>For the purposes of section 3.37 of the Act, a contravention of subregulation (1) or (7) is a contravention that can lead to impounding of goods comprising a placed and left thing or structure.</i></p>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	<p><i>Local Government Act 1995</i></p> <p>Section 5.42 Delegation of some powers or duties of the Chief Executive Officer</p> <p>Section 5.44 Chief Executive Officer may delegate powers and duties to other employees</p>
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	<p>Director Development and Regulatory Services</p> <p>Director Engineering Services</p> <p>Manager Building and Health</p> <p>Coordinator Ranger Services</p> <p>Town Rangers</p> <p>Compliance Officer</p> <p>Regulatory Compliance Officer</p>
<b>Conditions on Delegations (if any)</b>	<p>To be exercised in accordance with the Town's Policies and Local Laws.</p> <p>Specific guidance is contained within;</p> <ul style="list-style-type: none"> <li>Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law</li> </ul>

<b>3.2 Obstruction of Public Thoroughfare by Fallen Things</b>	
<b>Function Delegated</b>	The authority to request the person who is the owner or occupier of the land to remove anything that has fallen from the land, or from anything on the land and is obstructing a public thoroughfare.
<b>Statutory Power Delegated</b>	<i>Local Government (Uniform Local Provisions) Regulation 1996</i> Regulation 7(A) Obstruction of Public Thoroughfare by Fallen Things
	<p><b>7A. Obstruction of public thoroughfare by fallen things — Sch. 9.1 cl. 3(1)(b)</b></p> <p><i>A person who is the owner or occupier of land must, when requested by the local government to do so, remove any thing that —</i></p> <p style="padding-left: 40px;">(a) <i>has fallen from the land, or from anything on the land; and</i></p> <p style="padding-left: 40px;">(b) <i>is obstructing a public thoroughfare.</i></p> <p><i>Penalty: a fine of \$5 000 and a daily penalty of \$500 for each day during which the offence continues.</i></p>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	<i>Local Government Act 1995</i> Section 5.44 Chief Executive Officer may delegate powers and duties to other employees
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Development and Regulatory Services Director Engineering Services Manager Building and Health Coordinator Ranger Services Town Rangers Compliance Officer Regulatory Compliance Officer
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.  Specific guidance is contained within: <ul style="list-style-type: none"> <li>Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law</li> </ul>

<b>3.3 Encroaching of Public Thoroughfare</b>	
<b>Function Delegated</b>	The power to request a person who is the owner of land on which a structure is erected, or a tree or other plant is growing, to remove any part of the structure, tree or plant that is encroaching, without lawful authority, on a public thoroughfare.
<b>Statutory Power Delegated</b>	<i>Local Government (Uniform Local Provisions) Regulation 1996</i> Regulation 7 Encroaching on Public Thoroughfare
	<p><b>7. Encroaching on public thoroughfare — Sch. 9.1 cl. 3(2)</b></p> <p><i>A person who is the owner or occupier of land on which a structure is erected or a tree or other plant is growing must, when requested by the local government to do so, remove any part of the structure, tree or plant that is encroaching, without lawful authority, on a public thoroughfare.</i></p> <p><i>Penalty: a fine of \$5 000 and a daily penalty of \$500 for each day during which the offence continues.</i></p>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	<i>Local Government Act 1995</i> Section 5.44 Chief Executive Officer may delegate powers and duties to other employees
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Development and Regulatory Services Director Engineering Services Manager Building and Health Coordinator Ranger Services Town Rangers Compliance Officer Regulatory Compliance Officer
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.

<b>3.4 Dangerous Excavation in or Near Public Thoroughfare</b>	
<b>Function Delegated</b>	<p>Authority to fill in or fence an excavation or request the owner or occupier to fill in or fence an excavation, on land that adjoins a thoroughfare if it considered to be dangerous.</p> <p>Grant permission, and impose conditions as though fit, to make or make leave an excavation of specified dimensions and in a specified way in a specified part or a public thoroughfare or on a specified part of land adjoining a public thoroughfare.</p>
<b>Statutory Power Delegated</b>	<p><i>Local Government (Uniform Local Provisions) Regulation 1996</i> Regulation 11(4),(6) and (8) Dangerous excavation in or near public thoroughfare.</p>
	<p><b>11. Dangerous excavation in or near public thoroughfare — Sch. 9.1 cl. 6</b></p> <p>(1) <i>If there is, in a public thoroughfare or land adjoining a public thoroughfare, an excavation that the local government considers to be dangerous, the local government may —</i></p> <ul style="list-style-type: none"> <li>(a) <i>fill in or fence the excavation; or</i></li> <li>(b) <i>in writing request the owner or occupier of the land to fill in or securely fence the excavation.</i></li> </ul> <p>(2) <i>A person to whom a request is made under subregulation (1)(b) must comply with the request.</i> <i>Penalty: a fine of \$5 000.</i></p> <p>(3) <i>A person must not, without lawful authority, make or make and leave an excavation in a public thoroughfare or land adjoining a public thoroughfare.</i> <i>Penalty: a fine of \$5 000 and a daily penalty of \$500 for each day during which the offence continues.</i></p> <p>(4) <i>A person may apply to the local government for permission to make or make and leave an excavation of specified dimensions and in a specified way in a specified part of a public thoroughfare or on a specified part of land adjoining a public thoroughfare.</i></p> <p>(5) <i>Permission granted by the local government under this regulation —</i></p> <ul style="list-style-type: none"> <li>(a) <i>must be in writing; and</i></li> <li>(b) <i>must specify the period for which it is granted; and</i></li> <li>(c) <i>must specify each condition imposed under subregulation (6); and</i></li> </ul>

	<p>(d) may be renewed from time to time; and</p> <p>(e) may be cancelled by giving written notice to the person to whom the permission was granted.</p> <p>(6) The local government may impose such conditions as it thinks fit on granting permission under this regulation including, but not limited to, any of the following —</p> <p>(a) conditions relating to the erection of hoardings, fences, walkways or other structures for the protection of the public thoroughfare, adjoining land or public safety (<b>protective structures</b>);</p> <p>(b) a condition imposing a charge for any damage to the public thoroughfare or adjoining land resulting from the excavation;</p> <p>(c) a condition requiring the applicant to deposit with the local government a sum sufficient in the opinion of the CEO of the local government to cover the cost of repairing damage to the public thoroughfare or adjoining land resulting from the excavation or a protective structure, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant.</p> <p>(7) It is a condition of the permission granted under this regulation that —</p> <p>(a) the excavation is securely fenced off from the public thoroughfare or adjoining land; and</p> <p>(b) protective structures are sufficiently illuminated every night from sunset to sunrise to prevent mishaps; and</p> <p>(c) protective structures are kept and maintained in good condition, to the satisfaction of the CEO of the local government, during such time as the CEO thinks necessary for the public safety and convenience; and</p> <p>(d) the excavation is filled in or protective structures are removed within a reasonable time after the person granted the permission is required in writing to do so by the local government; and</p> <p>(e) damage to the public thoroughfare or adjoining land resulting from the excavation or a protective</p>
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	<p><i>structure is repaired to the satisfaction of the CEO of the local government within a reasonable time after the person granted the permission is required in writing to do so by the local government.</i></p> <p>(8) <i>The local government may, when renewing permission granted under this regulation or at any other time, vary any condition imposed by it under subregulation (6) and the variation takes effect when written notice of it is given to the person to whom the permission was granted.</i></p> <p>(9) <i>A person granted permission under this regulation must comply with each condition of the permission.</i></p> <p><i>Penalty: a fine of \$5 000 and a daily penalty of \$500 for each day during which the offence continues.</i></p> <p>(10) <i>The local government may charge a person granted permission under this regulation a fee of not more than \$1.00 for each month or part of a month for each m<sup>2</sup> of public thoroughfare that is enclosed by a hoarding or fence in accordance with the permission.</i></p> <p>(11) <i>For the purposes of section 3.37 of the Act, a contravention of subregulation (3) or (9) is a contravention that can lead to impounding of goods comprising a protective structure or other thing placed in or near the excavation.</i></p>
<b>Power Originally Assigned To</b>	Local Government
<b>Statutory Power of Delegation</b>	<p><b>Local Government Act 1995</b></p> <p>Section 5.42 Delegation of some powers or duties of the Chief Executive Officer</p> <p>Section 5.44 Chief Executive Officer may delegate powers and duties to other employees</p>
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	<p>Director Development and Regulatory Services</p> <p>Director Engineering Services</p> <p>Manager Projects and Assets</p> <p>Manager Parks and Operations</p> <p>Manager Building and Health</p>
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.

## Statutory Delegations – Other Legislation

## 4. Dog Act 1976

4.1 Appointment of Authorised Persons	
Function Delegated	Authority to appoint persons to exercise the powers conferred on an authorised person by the <i>Dog Act 1976</i> .
Statutory Power Delegated	<p><i>Dog Act 1976</i></p> <p><i>The Dog Act 1976 confers a range of powers on a person once authorised, including but not limited to;</i></p> <ul style="list-style-type: none"> <li>• <i>The power to seize dogs;</i></li> <li>• <i>The power to issue infringements for breaches of the Act;</i></li> <li>• <i>The power to initiate prosecutions; and</i></li> <li>• <i>The power to declare a dog a dangerous dog.</i></li> <li>• <i>Registration of dogs</i></li> </ul>
	<p><b>29. Power to seize dogs</b></p> <p>(1) <i>A local government shall, in writing, appoint persons to exercise on behalf of the local government the powers conferred on an authorised person by this Act.</i></p>
Power Originally Assigned To	The Local Government
Statutory Power of Delegation	<p><i>Dog Act 1976</i></p> <p>Section 10AA Delegation of local government powers and duties</p>
Power Delegated To	Chief Executive Officer
Chief Executive Officer's Sub Delegation to	Director Development and Regulatory Services
Conditions on Delegations (if any)	To be exercised in accordance with the Town's Policies and Local Laws.

## 5. Cat Act 2011

5.1 Appointment of Authorised Persons	
<b>Function Delegated</b>	<p>The authority to:</p> <ol style="list-style-type: none"> <li>1. Appoint persons or classes of person to be authorised for the purposes of performing particular functions under the <i>Cat Act 2011</i>.</li> <li>2. Determine the conditions on any authorisation.</li> <li>3. Cancel or vary an authorisation.</li> </ol>
<b>Statutory Power Delegated</b>	<p><i>Cat Act 2011</i> Section 48 Authorised Persons</p>
	<p><b>48. Authorised persons</b></p> <p>(1) <i>A local government may, in writing, appoint persons or classes of persons to be authorised for the purposes of performing particular functions under this Act.</i></p> <p>(2) <i>A person who is not an employee of a local government cannot be appointed to be an authorised person for the purposes of section 62.</i></p> <p>(3) <i>An authorisation under this section may be made on such conditions as the local government determines, in writing given to the authorised person.</i></p> <p>(4) <i>The local government may, in writing given to the authorised person, at any time, cancel an authorisation under this section or add, vary or cancel a condition of an authorisation.</i></p> <p>(5) <i>The local government is to issue to each authorised person appointed under subsection (1) a certificate stating that the person is an authorised person for the purposes of this Act.</i></p> <p>(6) <i>An authorised person appointed under subsection (1) must —</i></p> <ol style="list-style-type: none"> <li><i>(a) carry the certificate at all times when exercising powers or performing functions as an authorised person; and</i></li> <li><i>(b) produce for inspection the certificate at the reasonable request of any person; and</i></li> <li><i>(c) if he or she ceases to be an authorised person, return the certificate to the local government as soon as is practicable.</i></li> </ol> <p><i>Penalty: a fine of \$5 000.</i></p>

<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	<i>Cat Act 2011</i> Section 44 Delegation by Local Government Section 45 Delegation by Chief Executive Officer of local government
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Development and Regulatory Services
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.

## 6. Food Act 2008

6.1 Prohibition Order	
<b>Function Delegated</b>	Authority to serve a Prohibition Order on the proprietor of a food business in accordance with Section 65 of the <i>Food Act 2008</i> .
<b>Statutory Power Delegated</b>	<i>Food Act 2008</i> Section 65 Prohibition Order
	<p><b>65. Prohibition order</b></p> <p>(1) <i>If the CEO or another enforcement agency believes on reasonable grounds —</i></p> <ul style="list-style-type: none"> <li>(a) <i>that any of the circumstances specified in section 62(a), (b), (c) or (d) exist; and</i></li> <li>(b) <i>that —</i> <ul style="list-style-type: none"> <li>(i) <i>the proprietor of a food business has not complied with an improvement notice within the time required by section 63 for compliance; or</i></li> <li>(ii) <i>the issue of the order is necessary to prevent or mitigate a serious danger to public health,</i></li> </ul> </li> </ul> <p><i>the CEO or other enforcement agency may serve a prohibition order on the proprietor of the food business in accordance with this Part.</i></p> <p>(2) <i>A prohibition order must take the form of an order that —</i></p> <ul style="list-style-type: none"> <li>(a) <i>no food intended for sale is to be handled on specified premises or a specified part of specified premises;</i></li> <li>(b) <i>no food intended for sale is to be conveyed in a specified vehicle;</i></li> <li>(c) <i>specified equipment is not to be used in connection with food intended for sale;</i></li> <li>(d) <i>no food intended for sale is to be handled by a food business in a specified way or for a specified purpose; or</i></li> <li>(e) <i>no other specified activities in relation to food intended for sale are to be carried out on specified premises or a specified part of specified premises,</i></li> </ul> <p><i>until the proprietor of the food business has been given a certificate of clearance under section 66 stating that —</i></p>

	<p>(f) <i>the premises, part of the premises, vehicle or equipment may be used for the handling or conveyance of food intended for sale, or in connection with such food;</i></p> <p>(g) <i>food intended for sale may be handled in the specified way or for the specified purpose; or</i></p> <p>(h) <i>the specified activities in relation to food intended for sale may be carried out,</i></p> <p><i>as the case may be.</i></p> <p>(3) <i>A prohibition order must state that it is issued under this section.</i></p> <p>(4) <i>A prohibition order may include ancillary or incidental directions.</i></p>
<b>Power Originally Assigned To</b>	Enforcement Agency (the Local Government)
<b>Statutory Power of Delegation</b>	<i>Food Act 2008</i> Section 118 Functions of enforcement agencies and delegation
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Development and Regulatory Services Manager Building and Health Environmental Health Officers
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.

<b>6.2 Certificate of Clearance of Prohibition Order</b>	
<b>Function Delegated</b>	Authority to give a Certificate of Clearance, where inspection demonstrates compliance with a Prohibition Order and any Improvement Notices.
<b>Statutory Power Delegated</b>	<i>Food Act 2008</i> Section 66 Certificate of clearance to be given in certain circumstances
	<p><b>66. Certificate of clearance to be given in certain circumstances</b></p> <p><i>The CEO or other enforcement agency that made the prohibition order must give a certificate of clearance if, after an inspection of the premises, part of the premises, vehicle or equipment, or the handling of food in the way or for the purpose, or the activities, specified in the order, the CEO or agency finds, by the CEO's or agency's own inspection or the report of an authorised officer, that —</i></p> <ul style="list-style-type: none"> <li><i>(a) the premises are not, or the part of the premises, vehicle or equipment, or the handling of food by the food business in the specified way or for the specified purpose, or the carrying out of the specified activities is not, a serious danger to public health; and</i></li> <li><i>(b) the person on whom the prohibition order was served has complied with the prohibition order and any improvement notices served on the person.</i></li> </ul>
<b>Power Originally Assigned To</b>	Enforcement Agency (The Local Government)
<b>Statutory Power of Delegation</b>	<i>Food Act 2008</i> Section 118 Functions of enforcement agencies and delegation
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Development and Regulatory Services Manager Building and Health Environmental Health Officers
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.

<b>6.3 Registration of Food Businesses</b>	
<b>Function Delegated</b>	Authority to Register a Food Business.
<b>Statutory Power Delegated</b>	<i>Food Act 2008</i> Section 110 Registration of food businesses
	<p><b>110. Registration of food businesses</b></p> <p>(1) <i>The appropriate enforcement agency may register a food business in respect of any premises for the purposes of this Part.</i></p> <p>(2) <i>The proprietor of a food business may apply, in the approved form, to the appropriate enforcement agency for the registration of the food business in respect of any premises under this Part.</i></p> <p>(3) <i>The application must be accompanied by —</i></p> <ul style="list-style-type: none"> <li>(a) <i>if required by the appropriate enforcement agency — the design and fit-out specifications, in a form approved by the appropriate enforcement agency, of the premises, if food is to be handled in the course of conducting the food business at those premises;</i></li> <li>(b) <i>any other information that the appropriate enforcement agency requires to determine the priority classification of the food business; and</i></li> <li>(c) <i>subject to subsection (4), the fee, if any, prescribed by the regulations.</i></li> </ul> <p>(4) <i>If the appropriate enforcement agency is a local government —</i></p> <ul style="list-style-type: none"> <li>(a) <i>any fee prescribed by the regulations for the purposes of subsection (3)(c) does not apply to an application to the agency under this section; and</i></li> <li>(b) <i>the fee for an application to the agency under this section may be imposed and recovered by the agency under the Local Government Act 1995 Part 6 Division 5 Subdivision 2.</i></li> </ul> <p>(5) <i>The appropriate enforcement agency may, after considering an application for registration —</i></p> <ul style="list-style-type: none"> <li>(a) <i>grant the application, with or without conditions; or</i></li> <li>(b) <i>refuse the application.</i></li> </ul>



	<p>(6) <i>If the appropriate enforcement agency grants an application for registration, the appropriate enforcement agency must issue the applicant with a certificate of registration, in the approved form, that specifies the premises in respect of which the registration is granted and sets out any conditions to which the registration is subject.</i></p> <p>(7) <i>A condition to which the registration is subject may relate only to compliance with this Act.</i></p> <p>(8) <i>If the appropriate enforcement agency refuses an application for the registration of a food business in respect of any premises, the appropriate enforcement agency must give notice of the refusal in writing to the applicant setting out the reasons for the refusal.</i></p>
<b>Power Originally Assigned To</b>	Enforcement Agency (The Local Government)
<b>Statutory Power of Delegation</b>	<i>Food Act 2008</i> Section 118 Functions of enforcement agencies and delegation
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Development and Regulatory Services Manager Building and Health Environmental Health Officers
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.

<b>6.4 Variation of Conditions of Cancellation of Registration of Food Businesses</b>	
<b>Function Delegated</b>	Authority to vary the conditions of cancellation of registration of a food business.
<b>Statutory Power Delegated</b>	<i>Food Act 2008</i> Section 112 Variation of conditions or cancellation of registration of food businesses
	<p><b>112. Variation of conditions or cancellation of registration of food businesses</b></p> <p>(1) <i>The appropriate enforcement agency may vary the conditions of, or cancel, the registration of a food business in respect of any premises under this Part.</i></p> <p>(2) <i>The registration of a food business in respect of any premises may be cancelled on one or more of the following grounds —</i></p> <p style="padding-left: 40px;">(a) <i>any annual or other fee —</i></p> <p style="padding-left: 80px;">(i) <i>prescribed by the regulations in relation to the registration of the food business in respect of those premises has not been paid by the time the regulations require the payment to be made; or</i></p> <p style="padding-left: 80px;">(ii) <i>if subsection (3) applies — imposed by the appropriate enforcement agency in relation to the registration of the food business in respect of those premises has not been paid by the time the agency requires the payment to be made;</i></p> <p style="padding-left: 40px;">(b) <i>the food business has ceased to be conducted at those premises;</i></p> <p style="padding-left: 40px;">(c) <i>at the request of the holder of the certificate of registration that specifies those premises.</i></p> <p>(3) <i>If the appropriate enforcement agency is a local government, then for the purposes of subsection (2)(a) in relation to the registration of a food business in respect of any premises —</i></p> <p style="padding-left: 40px;">(a) <i>any annual or other fee prescribed by the regulations for the purposes of that provision does not apply to the registration of the food business in respect of those premises by the agency; and</i></p>

	<p>(b) <i>an annual or other fee in relation to the registration of the food business in respect of those premises by the agency —</i></p> <p>(i) <i>may be imposed and recovered by the agency under the Local Government Act 1995 Part 6 Division 5 Subdivision 2; and</i></p> <p>(ii) <i>must be paid by the time the agency requires the payment to be made.</i></p> <p>(4) <i>The appropriate enforcement agency may vary the conditions of, or cancel, the registration of a food business in respect of any premises only —</i></p> <p>(a) <i>after having given the holder of the certificate of registration that specifies those premises —</i></p> <p>(i) <i>written reasons for the agency's intention to vary or cancel; and</i></p> <p>(ii) <i>an opportunity to make submissions;</i> <i>and</i></p> <p>(b) <i>after having considered any submissions duly made by that person.</i></p> <p>(5) <i>Subsection (4) does not apply to the cancellation of the registration at the request of the holder of the certificate of registration that specifies the relevant premises.</i></p> <p>(6) <i>A variation of the conditions of, or the cancellation of, the registration of a food business in respect of any premises —</i></p> <p>(a) <i>must be by notice in writing;</i></p> <p>(b) <i>must be served on the holder of the certificate of registration that specifies those premises; and</i></p> <p>(c) <i>takes effect on the day on which the notice is served or on a later day specified in the notice.</i></p>
<b>Power Originally Assigned To</b>	Enforcement Agency (The Local Government)
<b>Statutory Power of Delegation</b>	<i>Food Act 2008</i> Section 118 Functions of enforcement agencies and delegation
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Development and Regulatory Services Manager Building and Health Environmental Health Officers
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.

<b>6.5 Appoint Authorised Officers and Designated Officer to Carry Out the Provisions of the Act</b>	
<b>Function Delegated</b>	The authority to appoint authorised and designated officers.
<b>Statutory Power Delegated</b>	<i>Food Act 2008</i> 122 Appointment of Authorised Officers
	<p><b>122. Appointment of authorised officers</b></p> <p>(1) <i>An enforcement agency may appoint a person to be an authorised officer for the purposes of this Act if —</i></p> <p style="padding-left: 40px;">(a) <i>the enforcement agency, having regard to any guidelines issued by the CEO under subsection (2), considers the person has appropriate qualifications and experience to perform the functions of an authorised officer; or</i></p> <p style="padding-left: 40px;">(b) <i>the person holds office as an environmental health officer under the Health Act 1911.</i></p> <p>(2) <i>The CEO may issue guidelines that describe the qualifications and experience that are appropriate for a person to be appointed as an authorised officer.</i></p> <p>(3) <i>Each enforcement agency must prepare and maintain a list of authorised officers appointed by the agency.</i></p>
<b>Power Originally Assigned To</b>	Enforcement Agency (The Local Government)
<b>Statutory Power of Delegation</b>	<i>Food Act 2008</i> Section 118 Functions of enforcement agencies and delegation
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Nil
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.

<b>6.6 Certificates of Authority</b>	
<b>Function Delegated</b>	The power to issue authorised and designated officers with certificates of authority.
<b>Statutory Power Delegated</b>	<i>Food Act 2008</i> 123 Certificates of authority
	<p><b>123. Certificates of authority</b></p> <p>(1) <i>An enforcement agency must provide each authorised officer appointed by the agency with a certificate of authority as an authorised officer.</i></p> <p>(2) <i>The certificate of authority must —</i></p> <ul style="list-style-type: none"> <li>(a) <i>state that it is issued under this Act;</i></li> <li>(b) <i>state the name of the person to whom it is issued and bear a photograph or digital image of that person and the person's signature;</i></li> <li>(c) <i>state the date, if any, on which it expires;</i></li> <li>(d) <i>specify any conditions or limitations to which the person's authority is subject; and</i></li> <li>(e) <i>bear the signature of the person by whom it is issued and state the capacity in which the person is acting in issuing the certificate.</i></li> </ul> <p>(3) <i>An authorised officer is required to produce the certificate of authority —</i></p> <ul style="list-style-type: none"> <li>(a) <i>if asked to do so by the proprietor of a food business whose premises are entered by the authorised officer; or</i></li> <li>(b) <i>if asked to do so by a person whom the authorised officer requires to produce anything or to answer any question.</i></li> </ul>
<b>Power Originally Assigned To</b>	Enforcement Agency (The Local Government)
<b>Statutory Power of Delegation</b>	<i>Food Act 2008</i> Section 118 Functions of enforcement agencies and delegation
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Nil
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.

<b>6.7 Institution of Proceedings</b>	
<b>Function Delegated</b>	The power to institute legal proceedings on a person or corporate body for non-compliance with the Act.
<b>Statutory Power Delegated</b>	<i>Food Act 2008</i> Section 125 Institution of Proceedings
	<p><b>125. Institution of proceedings</b></p> <p>(1) <i>Proceedings for an offence under this Act may only be instituted —</i></p> <p style="padding-left: 40px;">(a) <i>unless paragraph (b) applies — within 12 months after the date on which the offence is alleged to have been committed; or</i></p> <p style="padding-left: 40px;">(b) <i>if the proceedings are in respect of a sample of food — within 6 months after the date on which the sample was obtained.</i></p> <p>(2) <i>The court may extend the time referred to in subsection (1) for the institution of proceedings.</i></p>
<b>Power Originally Assigned To</b>	Enforcement Agency (The Local Government)
<b>Statutory Power of Delegation</b>	<i>Food Act 2008</i> Section 118 Functions of enforcement agencies and delegation
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Development and Regulatory Services Manager Building and Health
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.

## 7. Regulatory Services

7.1 Graffiti Vandalism Act 2016	
<b>Function Delegated</b>	Giving notices to remove or removing graffiti on private property.
<b>Statutory Power Delegated</b>	<i>Graffiti Vandalism Act 2016</i> Sections 16 to 18
	<p><b>16. Delegation by local government</b></p> <p>(1) <i>The local government may delegate to its CEO the exercise of any of its powers or the discharge of any of its duties under another provision of this Part.</i></p> <p>(2) <i>A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.</i></p> <p>(3) <i>A decision to delegate under this section is to be made by an absolute majority.</i></p> <p><b>17. Delegation by CEO of local government</b></p> <p>(1) <i>A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under another provision of this Part other than this power of delegation.</i></p> <p>(2) <i>A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.</i></p> <p>(3) <i>This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 16, but in the case of such a power or duty —</i></p> <p style="padding-left: 40px;">(a) <i>the CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and</i></p> <p style="padding-left: 40px;">(b) <i>the exercise of that power or the discharge of that duty by the CEO's delegate,</i></p> <p><i>are subject to any conditions imposed by the local government on its delegation to the CEO.</i></p> <p>(4) <i>Subsection (3)(b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.</i></p>

	<p>(5) <i>In subsections (3) and (4) —</i>  <b>conditions</b> includes qualifications, limitations or exceptions.</p> <p style="text-align: center;"><b>Division 2 — Notices</b></p> <p><b>18. Notice requiring removal of graffiti</b></p> <p>(1) <i>This section applies to graffiti that is —</i></p> <ul style="list-style-type: none"> <li>(a) <i>applied to property with the consent of the owner or occupier; and</i></li> <li>(b) <i>visible from a public place; and</i></li> <li>(c) <i>considered by the local government to be unsightly or offensive.</i></li> </ul> <p>(2) <i>A local government may give a notice in writing to a person who is the owner of property or the occupier of a place on which graffiti described in subsection (1) is applied, requiring the person to ensure that the graffiti is obliterated in a manner acceptable to the local government within a time set out in the notice.</i></p> <p>(3) <i>If the notice is given to an occupier of land who is not the owner of the property, the owner is to be informed in writing that the notice was given.</i></p> <p>(4) <i>A person who is given a notice under subsection (2) is not prevented from complying with it because of the terms on which the land is occupied.</i></p> <p>(5) <i>A person who fails to comply with a notice under subsection (2), without a reasonable excuse, commits an offence.</i></p> <p><i>Penalty:</i></p> <ul style="list-style-type: none"> <li>(a) <i>a fine of \$5 000;</i></li> <li>(b) <i>a further fine of \$500 in respect of each day or part of a day during which the offence continues.</i></li> </ul>
<b>Power Originally Assigned To</b>	Local Government
<b>Statutory Power of Delegation</b>	Graffiti Vandalism Act 2016 Sections 16 to 18
<b>Power Delegated To</b>	Chief Executive Officer



<b>Chief Executive Officer's Sub Delegation to</b>	Director Development and Regulatory Services Manager Building and Health
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.

<b>7.2 Public Health Act 2016</b>	
<b>Function Delegated</b>	Authority to designate authorised officers.
<b>Statutory Power Delegated</b>	<i>Public Health Act 2016</i> Section 24 Designating Authorised Officers
	<p><b>24. Designation of authorised officers</b></p> <p>(1) <i>An enforcement agency may designate a person or class of persons as authorised officers —</i></p> <p style="padding-left: 40px;">(a) <i>for the purposes of this Act or another specified Act; or</i></p> <p style="padding-left: 40px;">(b) <i>for the purposes of the specified provisions of this Act or another specified Act; or</i></p> <p style="padding-left: 40px;">(c) <i>for the purposes of the provisions of this Act or another specified Act other than the specified provisions of that Act.</i></p> <p>(2) <i>The Chief Health Officer may designate a person or class of persons under subsection (1) only if the person or, as the case requires, the persons in that class are public health officials.</i></p> <p>(3) <i>An enforcement agency that is a local government may designate under subsection (1) —</i></p> <p style="padding-left: 40px;">(a) <i>an environmental health officer or environmental health officers as a class; or</i></p> <p style="padding-left: 40px;">(b) <i>a person who is not an environmental health officer or a class of persons who are not environmental health officers; or</i></p> <p style="padding-left: 40px;">(c) <i>a mixture of the two.</i></p> <p>(4) <i>Enforcement agencies that are local governments may act jointly in the designation of persons or classes of persons as authorised officers.</i></p>
<b>Power Originally Assigned To</b>	Local Government
<b>Statutory Power of Delegation</b>	<i>Public Health Act 2016</i> Section 24 Designating Authorised Officers
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Development and Regulatory Services
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.

<b>7.3 Health (Asbestos) Regulations 1992</b>	
<b>Function Delegated</b>	Appointing Authorised and Approved Officers.
<b>Statutory Power Delegated</b>	<i>Health (Asbestos) Regulations 1992</i> Regulation 15D
	<p><b>15D. Infringement notices</b></p> <p>(1) <i>The offences specified in Schedule 1 are offences for which an infringement notice may be issued under the Criminal Procedure Act 2004 Part 2.</i></p> <p>(2) <i>The modified penalty specified opposite an offence in Schedule 1 is the modified penalty for that offence for the purposes of the Criminal Procedure Act 2004 section 5(3).</i></p> <p>(3) <i>The Chief Health Officer may, in writing, appoint persons or classes of persons to be authorised officers or approved officers for the purposes of the Criminal Procedure Act 2004 Part 2.</i></p> <p>(4) <i>The Chief Health Officer must issue to each authorised officer a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices.</i></p> <p>(5) <i>A local government may, in writing, appoint persons or classes of persons to be authorised officers or approved officers for the purposes of the Criminal Procedure Act 2004 Part 2.</i></p> <p>(6) <i>Each local government that appoints a person as an authorised officer under subregulation (5) must issue to the officer a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices.</i></p> <p>(7) <i>A local government may delegate a power or duty conferred or imposed on it by this regulation to the chief executive officer of the local government.</i></p> <p>(8) <i>For the purposes of the Criminal Procedure Act 2004 Part 2 —</i></p> <p style="padding-left: 40px;">(a) <i>the prescribed form of an infringement notice is set out in Schedule 2; and</i></p> <p style="padding-left: 40px;">(b) <i>the prescribed form of a notice to withdraw an infringement notice is set out in Schedule 3.</i></p>

<b>Power Originally Assigned To</b>	Local Government
<b>Statutory Power of Delegation</b>	<i>Health (Asbestos) Regulations 1992</i> Regulation 15D
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Development and Regulatory Services
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.

## 8. Liquor Control Act 1988

8.1 Authority to Issue Certificates of Local Government	
<b>Function Delegated</b>	The Power to issue a Section 39 Health Clearance Certificate for premises applying for a liquor licence.
<b>Statutory Power Delegated</b>	<i>Liquor Control Act 1988</i> Section 39 Certificate of Local Government as to whether premises comply with laws
	<p><b>39. Certificate of local government as to whether premises comply with laws</b></p> <p>(1) <i>An application made to the licensing authority for the grant or removal of a licence, or for a change in the use or condition of any premises shall be accompanied by a certificate from the local government for the district in which the premises to which the application relates are situated, or are to be situated, unless the licensing authority otherwise determines.</i></p> <p>(2) <i>A certificate referred to in subsection (1) shall state —</i></p> <p style="padding-left: 40px;">(a) <i>whether or not the premises comply with all relevant requirements of —</i></p> <p style="padding-left: 80px;">(i) <i>the Health Act 1911; and</i></p> <p style="padding-left: 80px;">(ia) <i>the Food Act 2008; and</i></p> <p style="padding-left: 80px;">(ii) <i>any written law applying to the sewerage or drainage of those premises; and</i></p> <p style="padding-left: 80px;">(iii) <i>the Local Government Act 1995; and</i></p> <p style="padding-left: 80px;">(iv) <i>the Building Act 2011;</i></p> <p style="padding-left: 40px;"><i>and</i></p> <p style="padding-left: 40px;">(b) <i>where the premises do not so comply, the manner in which the premises could be made to comply or that the premises could not reasonably be made to comply.</i></p> <p>(3) <i>The licensing authority may, where it is satisfied that it is desirable to do so, impose a condition on a licence relating to the submission, or further submission, to the licensing authority of a certificate referred to in subsection (1).</i></p>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	<i>Liquor Control Act 1988</i>

	Section 39(1) Certificate of Local Government as to Whether Premises Comply with Laws
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Development and Regulatory Services Manager Building and Health
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.  Specific guidance is contained within: <ul style="list-style-type: none"><li>• Liquor (Licensed Premises) Policy</li></ul>

8.2 Authority to Issue Certificates of Local Government	
<b>Function Delegated</b>	The Power to issue a Section 40 planning clearance certificate for premises applying for a liquor licence.
<b>Statutory Power Delegated</b>	<i>Liquor Control Act 1988</i> Section 40 Certificate of Planning Authority as to whether premises complies with planning laws.
	<p><b>40. Certificate of planning authority as to whether use of premises complies with planning laws</b></p> <p>(1) <i>An application made to the licensing authority for the grant or removal of a licence, or for a change in the use or condition of any premises must be supported by a certificate from the authority responsible for planning matters in the district in which the premises to which the application relates are situated, or are to be situated, unless the licensing authority otherwise determines.</i></p> <p>(2A) <i>The certificate referred to in subsection (1) is not required to be provided at the same time as the application but the application cannot be granted until the certificate has been provided to the licensing authority, unless the licensing authority otherwise determines.</i></p> <p>(2) <i>A certificate referred to in subsection (1) shall state that the proposed use of the premises —</i></p> <ul style="list-style-type: none"> <li><i>(a) will comply with the requirements of the written laws relating to planning specified; or</i></li> <li><i>(b) would comply with the requirements specified if consent were to be given by a specified authority, if it is known whether that authority will give the consent, and what specified conditions or specifications should be, or are likely to be, imposed; or</i></li> <li><i>(c) will not comply with the requirements specified for the reasons specified.</i></li> </ul> <p>(3) <i>In this section —</i> <b>specified</b> <i>means specified in the planning certificate.</i></p> <p>(4) <i>The licensing authority may, where it is satisfied that it is desirable to do so, impose a condition on a licence relating to the submission, or further submission, to the licensing authority of a certificate referred to in subsection (1).</i></p>

<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	<i>Liquor Control Act 1988</i> Section 40(1) Certificate of Planning Authority as to whether premises complies with planning laws
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Development and Regulatory Services Manager of Planning Coordinator Statutory Planning
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.  Specific guidance is contained within: <ul style="list-style-type: none"><li>• Liquor (Licensed Premises) Policy</li></ul>



## 9. Strata Titles Act 1985

9.1 Granting of Certificate	
<b>Function Delegated</b>	<p>Authority to issue prescribed Strata Title Local Government Certificate Form 15c Certificate of Approval under Section 25 of the <i>Strata Title Act 1985</i>.</p> <p>Power to determine applications for the issuing of a certificate of approval under Section 25 of the <i>Strata Title Act 1985</i> for a plan of subdivision, re-subdivision or consolidation, except those applications that:</p> <ul style="list-style-type: none"> <li>a) Propose the creation of a vacant lot;</li> <li>b) Propose vacant air strata's in multi-tiers strata scheme developments;</li> <li>c) In the opinion of the Western Australian Planning Commission as notified to the relevant local government in writing, or in the opinion of the relevant local government as notified to the Western Australian Planning Commission in writing, relate to: <ul style="list-style-type: none"> <li>i. A type of development; and/or</li> <li>ii. Land within an area</li> </ul> </li> </ul> <p>which is of state of regional significance, or in respect of which the Western Australian Planning Commission has determined is otherwise in the public interest for the Western Australian Planning Commission to determine the application.</p>
<b>Statutory Power Delegated</b>	<p><i>Strata Titles Act 1985</i> Certificate of Commission</p>
	<p><b>25. Certificate of Commission</b></p> <p>(1) <i>Subject to this section, every strata plan and every plan of re-subdivision or consolidation for a strata scheme lodged for registration under this Act shall be accompanied by a certificate of approval given by the Commission unless the proposed subdivision, re-subdivision or consolidation is exempt from the requirement of such a certificate by reason of regulations made under this section.</i></p> <p>(2) <i>The Governor may make regulations providing for the exemption of a proposed subdivision, re-subdivision or consolidation, or subdivisions, re-subdivisions or consolidations of any class or description or in any geographical area, from the requirement of a certificate of</i></p>

	<p>approval given by the Commission for the purposes of section 5B, 8A or 9.</p> <p>(3) <i>An application for a certificate under this section shall be made to the Commission in the prescribed form and manner and, where a building is to be constructed or modified for the purposes of the strata scheme or a proposed strata scheme, the application shall be made prior to the construction or modification of the building unless the Commission otherwise agrees in a particular case.</i></p> <p>(4) <i>A certificate granted by the Commission under this section shall certify the approval of the Commission to the subdivision, re-subdivision or consolidation, as the case may be, and shall be in the prescribed form and in the case of an application made prior to construction or modification of a building proposed to be divided into lots under the scheme, the Commission may grant a certificate unconditionally or subject to such conditions as are specified in the certificate.</i></p> <p>(5) <i>Without limiting section 25A, sections 135, 136, 146 and 147 of the Planning and Development Act 2005 do not apply to —</i></p> <ul style="list-style-type: none"> <li><i>(a) a subdivision effected by the registration of a strata plan; or</i></li> <li><i>(b) a re-subdivision effected by a plan of re-subdivision for a strata scheme; or</i></li> <li><i>(c) a consolidation effected by the registration of a plan of consolidation for a strata scheme; or</i></li> <li><i>(d) a transfer converting a lot within a strata scheme to common property.</i></li> </ul> <p><i>[(6) deleted]</i></p> <p>(7) <i>This section and the giving of a certificate of approval by the Commission for the purposes of this section shall be subject to the requirements of section 78 of the Heritage of Western Australia Act 1990.</i></p> <p>(8) <i>No exemption from the requirements of this section shall take effect where the land or any part of the land to which the strata scheme relates is land to which section 78 of the Heritage of Western Australia Act 1990 applies.</i></p>
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	<i>[Section 25 amended by No. 97 of 1990 s. 30; No. 84 of 1994 s. 46; No. 58 of 1995 s. 261; No. 55 of 2004 s. 1114; No. 38 of 2005 s. 15.]</i>
<b>Power Originally Assigned To</b>	Local Government
<b>Statutory Power of Delegation</b>	<i>Local Government Act 1995</i> Section 5.42 Delegation of some power or duties to the Chief Executive Officer <i>Planning and Development Act 2005</i> Section 16 Delegation by Commission
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Development and Regulatory Services Manager of Planning Coordinator Statutory Planning
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.

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**PLANNING AND DEVELOPMENT ACT 2005**  
**Instrument of Delegation**  
**Del 2009/03 Powers of Local Governments**

**Delegation to local governments of certain powers and functions of the Western Australian Planning Commission relating to the issuing of certificates of approval under section 25 of the *Strata Titles Act 1985***

**Preamble**

Under section 16 of the *Planning and Development Act 2005* (the Act) the Western Australian Planning Commission (the WAPC) may, by resolution published in the *Government Gazette*, delegate any function under the Act or any other written law to a local government, a committee established under the *Local Government Act 1995* or an employee of a local government.

In accordance with section 16(4) of the Act, a reference in this instrument to a function or a power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or imposed on the WAPC by the Act or any other written law as the case requires.

**Resolution under section 16 of the Act (delegation)**

On 26 May 2009, pursuant to section 16 of the Act, the WAPC RESOLVED—

A TO DELEGATE to local governments, and to members and officers of those local governments, its powers and functions under section 25 of the *Strata Titles Act 1985* as set out in clause 1 of Schedule, within their respective districts, subject to the conditions set out in clause 2 of Schedule 1.

TONY EVANS, Western Australian Planning Commission.

**SCHEDULE 1**

**1. Applications made under section 25 of the *Strata Titles Act 1985***

Power to determine applications for the issuing of a certificate of approval under section 25 of the *Strata Titles Act 1985* for a plan of subdivision, re-subdivision or consolidation, except those applications that—

- (a) propose the creation of a vacant lot;
- (b) propose vacant air stratas in multi-tiered strata scheme developments;
- (c) in the opinion of the WAPC as notified to the relevant local government in writing, or in the opinion of the relevant local government as notified to the WAPC in writing, relate to—
  - (i) a type of development; and/or
  - (ii) land within an area,

which is of state or regional significance, or in respect of which the WAPC has determined is otherwise in the public interest for the WAPC to determine the application.

**2. Reporting requirements**

A local government that exercises the power referred to in clause 1 is to provide WAPC with data on all applications determined under this Instrument of Delegation at the conclusion of each financial year in the format prescribed by the WAPC.

## 10. Local Planning Scheme No.3

10.1 The Power and Duties of Council Pursuant to the Operation of the Scheme	
<b>Function Delegated</b>	Authority to exercise powers under the Local Planning Scheme No.3, <i>Planning and Development Act 2005, Planning and Development (Local Planning Schemes) Regulations 2015, as amended, Planning and Development (Development Assessment Panels) Regulations 2011, as amended</i>
<b>Statutory Power Delegated</b>	Local Planning Scheme No.3
	<p><b>11.3 Delegation of functions</b></p> <p><b>11.3.1</b> The local government may, in writing and either generally or as otherwise provided by the instrument of delegation, delegate to a committee or the CEO, within the meaning of those expressions under the Local Government Act 1995, the exercise of any of its powers or the discharge of any of its duties under the Scheme, other than this power of delegation.</p> <p><b>11.3.2</b> The CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under clause 11.3.1.</p> <p><b>11.3.3</b> The exercise of the power of delegation under clause 11.3.1 requires a decision of an absolute majority as if the power had been exercised under the Local Government Act 1995.</p> <p><b>11.3.4</b> Sections 5.45 and 5.46 of the Local Government Act 1995 and the regulations referred to in section 5.46 apply to a delegation made under this clause as if the delegation were a delegation under Division 4 of Part 5 of that Act.</p>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	Local Government Act 1995 Section 5.42 Delegation of some power or duties to the Chief Executive Officer
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Development and Regulatory Services Manager of Planning Coordinator Statutory Planning Permanent Planning Officers

<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies. Prior to exercising delegation, Development Applications, excluding <i>prescribed single house developments</i> , are to be advertised to Elected Members for a period of seven days. Delegation will not be exercised in the case that two Elected Members request the matter be determined by Council.
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## 11. Building Act 2011

11.1 Approve or Refuse a Building Permit	
Function Delegated	Authority to grant or refuse a building permit.
Statutory Power Delegated	<p><i>Building Act 2011</i> Sections 20 Grant of building permit.</p> <p>This delegation also applies to other relevant sections of the <i>Building Act</i> including but not limited to Section 18, further information, Section 22, further grounds for not granting an application and Section 27, imposing and varying conditions. Additionally <i>Building Regulations 2012</i>, Sections 23 and 24 dealing with extensions of time during which a permit has effect and Regulation 26 appointment of a new responsible person.</p>
	<p><b>20. Grant of building permit</b></p> <p>(1) <i>A permit authority to which a certified application or an uncertified application is made must grant the building permit if it is satisfied —</i></p> <p>(a) <i>that the applicant has complied with section 16; and</i></p> <p>(b) <i>that the person mentioned in section 16(c) —</i></p> <p style="padding-left: 40px;">(i) <i>is a building service contractor who is entitled under the Registration Act section 11 to be named as the builder on the building permit; or</i></p> <p style="padding-left: 40px;">(ii) <i>has owner-builder approval under the Registration Act to carry out that work; or</i></p> <p style="padding-left: 40px;">(iiia) <i>is a public authority as defined in the Registration Act section 3; or</i></p> <p style="padding-left: 40px;">(iii) <i>is a person or in a class of persons prescribed for the purposes of the Registration Act section 7(2)(c) who may be named as the builder on the building permit,</i></p> <p style="padding-left: 40px;"><i>unless the building work is of a kind specified by the regulations; and</i></p> <p>(c) <i>that a certificate of design compliance for the building or incidental structure that is the subject of the application complies with section 19; and</i></p> <p>(d) <i>that the building surveyor who signed the certificate of design compliance —</i></p>

	<ul style="list-style-type: none"> <li>(i) <i>is entitled under the Registration Act to sign certificates of design compliance for buildings or incidental structures of the kind that is the subject of the application; and</i></li> <li>(ii) <i>is an independent building surveyor in relation to the application;</i></li> </ul> <p><i>and</i></p> <p>(e) <i>that the certificate of design compliance is issued by a person who —</i></p> <ul style="list-style-type: none"> <li>(i) <i>is a building service contractor who is entitled under the Registration Act section 11 to issue the certificate; or</i></li> <li>(iia) <i>is a public authority as defined in the Registration Act section 3; or</i></li> <li>(ii) <i>is a person or in a class of persons prescribed for the purposes of the Registration Act section 7(2)(c) who may issue the certificate;</i></li> </ul> <p><i>and</i></p> <p>(f) <i>that each technical certificate mentioned in section 16(i) is —</i></p> <ul style="list-style-type: none"> <li>(i) <i>signed by a person prescribed as a person who may sign the certificate; and</i></li> <li>(ii) <i>issued by a person prescribed as a person who may issue the certificate;</i></li> </ul> <p><i>and</i></p> <p>(g) <i>if a part of a building or incidental structure is proposed to be placed beyond the boundaries of the land on which the building work is proposed to be done, that there is compliance with section 76; and</i></p> <p>(h) <i>if the building work may adversely affect land beyond the boundaries of the land on which the work is proposed to be done, that there is compliance with section 77; and</i></p> <p>(i) <i>that either —</i></p> <ul style="list-style-type: none"> <li>(i) <i>a policy of insurance is in force in respect of the building work under the Home Building Contracts Act 1991 Part 3A Division 2; or</i></li> </ul>
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	<p>(ii) corresponding cover, as defined in the Home Building Contracts Act 1991 section 25A, is provided in respect of the building work; or</p> <p>(iii) the policy of insurance mentioned in subparagraph (i) or the cover mentioned in subparagraph (ii) is not required under the Home Building Contracts Act 1991 in respect of the building work;</p> <p>and</p> <p>(j) that the applicant satisfies any other insurance requirements prescribed by regulation or under any other written law in respect of the building work; and</p> <p>(k) that any building services levy required to be paid in respect of the building permit under regulations mentioned in the Building Services (Complaint Resolution and Administration) Act 2011 Part 7 Division 2 has been paid; and</p> <p>(l) if a levy is imposed by the Building and Construction Industry Training Levy Act 1990 in respect of the building work, that the levy has been paid; and</p> <p>(m) that the permit authority has complied with the provisions of the Heritage of Western Australia Act 1990 in relation to the application and that granting the building permit would not be inconsistent with an order, agreement or permit under that Act except to the extent allowed by that Act; and</p> <p>(n) that the applicant has obtained in relation to the building work each authority under a written law that is prescribed for the purposes of this paragraph; and</p> <p>(o) that the applicant has complied or is complying with each authority mentioned in paragraph (n); and</p> <p>(p) that the applicant, in relation to the building work, has complied or is complying with each provision of a written law that is prescribed for the purposes of this paragraph; and</p> <p>(q) that the applicant, in relation to the building work, has complied or is complying with each provision of a local government policy or requirement, not being a</p>
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	<p>written law, that is prescribed for the purposes of this paragraph; and</p> <p>(r) that each notification that is prescribed for the purposes of this paragraph to be given in relation to the building work has been given; and</p> <p>(s) that the applicant has complied with each other prescribed requirement for the granting of a building permit on the application.</p> <p>(2) A permit authority to which an application is made must not grant the building permit unless it is satisfied as to each of the matters mentioned in subsection (1)(a) to (s).</p> <p>[Section 20 amended by No. 37 of 2012 s. 7.].</p>
<b>Power Originally Assigned To</b>	Permit Authority (Local Government in accordance with s.6(3)3 of the <i>Building Act 2011</i> )
<b>Statutory Power of Delegation</b>	<i>Building Act 2011</i> Section 127 Delegation: special permit authorities and local governments
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Development and Regulatory Services Manager Building and Health
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.

<b>11.2 Approve or Refuse a Demolition Permit</b>	
<b>Function Delegated</b>	Authority to grant or refuse a demolition permit.
<b>Statutory Power Delegated</b>	<p><i>Building Act 2011</i> Section 21 Grant of Demolition Permit.</p> <p>This delegation also includes but is not limited to sections 18, 22 and 27 as well as regulations 16, 23 and 24 which are also relevant to demolition permits.</p>
	<p><b>21. Grant of demolition permit</b></p> <p>(1) <i>The permit authority to which an application for a demolition permit is made must grant the demolition permit if it is satisfied —</i></p> <ul style="list-style-type: none"> <li>(a) <i>that the applicant has complied with section 16; and</i></li> <li>(b) <i>if the person mentioned in section 16(c) is required under another written law to have an authority under that law to do the demolition work, that the person has that authority; and</i></li> <li>(c) <i>that the demolition work will comply with each applicable building standard; and</i></li> <li>(d) <i>if the demolition work may adversely affect land beyond the boundaries of the land on which the work is proposed to be done, that there is compliance with section 77; and</i></li> <li>(e) <i>that any part of the building or incidental structure that is the subject of the application which is proposed to remain as a permanent retaining or other protection structure is suitable for that purpose; and</i></li> <li>(f) <i>that the applicant satisfies the insurance requirements prescribed by regulation or under any other written law in respect of the demolition work; and</i></li> <li>(g) <i>that any building services levy required to be paid in respect of the demolition permit under regulations mentioned in the Building Services (Complaint Resolution and Administration) Act 2011 Part 7 Division 2 has been paid; and</i></li> <li>(h) <i>if a levy is imposed by the Building and Construction Industry Training Levy Act 1990 in respect of the demolition work, that the levy has been paid; and</i></li> </ul>

	<p>(i) that the permit authority has complied with the provisions of the <i>Heritage of Western Australia Act 1990</i> in relation to the application and that the demolition permit, if granted, would not be inconsistent with an order, agreement or permit under that Act except to the extent allowed by that Act; and</p> <p>(j) that the applicant has obtained in relation to the demolition work each authority under a written law that is prescribed for the purposes of this paragraph; and</p> <p>(k) that the applicant has complied or is complying with each authority mentioned in paragraph (j); and</p> <p>(l) that the applicant, in relation to the demolition work, has complied or is complying with each provision of a written law that is prescribed for the purposes of this paragraph; and</p> <p>(m) that the applicant, in relation to the demolition work, has complied or is complying with each provision of a local government policy or requirement, not being a written law, that is prescribed for the purposes of this paragraph; and</p> <p>(n) that each notification that is prescribed for the purposes of this paragraph to be given in relation to the demolition work has been given; and</p> <p>(o) that the applicant has complied with each other prescribed requirement for the granting of a demolition permit.</p> <p>(2) A permit authority to which an application for a demolition permit is made must not grant the demolition permit unless it is satisfied as to each of the matters mentioned in subsection (1)(a) to (o).</p>
<b>Power Originally Assigned To</b>	Permit Authority (Local Government in accordance with s.6(3)3 of the <i>Building Act 2011</i> )
<b>Statutory Power of Delegation</b>	<i>Building Act 2011</i> Section 127 Delegation: special permit authorities and local governments
<b>Power Delegated To</b>	Chief Executive Officer

<b>Chief Executive Officer's Sub Delegation to</b>	Director Development and Regulatory Services Manager Building and Health
<b>Conditions on Delegations (if any)</b>	Letters advising neighbours of demolition application are to be sent; and the officer issuing the permit is to ensure appropriate site signage and warnings have been put in place.

<b>11.3 Grant of Occupancy Permit/Building Permit Approval Certificate</b>	
<b>Function Delegated</b>	Authority to grant or modify an occupancy permit of building approval certificate.
<b>Statutory Power Delegated</b>	<i>Building Act 2011</i> Sections 58, 55 and 62 Grant of occupancy permit, building approval certificate
	<p><b>58. Grant of occupancy permit, building approval certificate</b></p> <p>(1) <i>A permit authority to which an application is made must grant or modify the occupancy permit or grant the building approval certificate applied for if it is satisfied —</i></p> <ul style="list-style-type: none"> <li>(a) <i>that the applicant has complied with section 54; and</i></li> <li>(b) <i>that the building surveyor who signed the certificate of construction compliance or certificate of building compliance —</i> <ul style="list-style-type: none"> <li>(i) <i>is entitled under the Registration Act to sign certificates of construction compliance or certificates of building compliance for buildings or incidental structures of a kind that is the subject of the application; and</i></li> <li>(ii) <i>is an independent building surveyor in relation to the application;</i></li> </ul> </li> </ul> <p><i>and</i></p> <ul style="list-style-type: none"> <li>(c) <i>that the certificate of construction compliance or certificate of building compliance is issued by a person who —</i> <ul style="list-style-type: none"> <li>(i) <i>is a building service contractor who is entitled under the Registration Act section 11 to issue the certificate; or</i></li> <li>(iia) <i>is a public authority as defined in the Registration Act section 3; or</i></li> <li>(ii) <i>is a person or in a class of persons prescribed for the purposes of the Registration Act section 7(2)(c) who may issue the certificate;</i></li> </ul> </li> </ul> <p><i>and</i></p> <ul style="list-style-type: none"> <li>(d) <i>that each technical certificate required by regulations mentioned in section 54(4)(b) is —</i> <ul style="list-style-type: none"> <li>(i) <i>signed by a person prescribed as a person who may sign the certificate; and</i></li> </ul> </li> </ul>

	<p>(ii) <i>issued by a person prescribed as a person who may issue the certificate;</i></p> <p><i>and</i></p> <p>(e) <i>if a part of the building or incidental structure encroaches beyond the boundaries of the land on which the building or structure is located, that each owner (within the meaning of section 76(2) where applicable) of the land into, onto, or over which the encroaching part is placed has consented to the encroaching part being so placed; and</i></p> <p>(f) <i>that there is no current legal proceeding that has been instituted by the permit authority or a local government for a breach or alleged breach of a written law relating to the building or incidental structure; and</i></p> <p>(g) <i>that each building order that has been made in relation to the building or incidental structure has been complied with; and</i></p> <p>(h) <i>that any building services levy required to be paid in respect of the occupancy permit or building approval certificate under regulations mentioned in the Building Services (Complaint Resolution and Administration) Act 2011 Part 7 Division 2 has been paid; and</i></p> <p>(i) <i>if the application is made under section 51, that any levy that would have been imposed by the Building and Construction Industry Training Levy Act 1990 in respect of the building work has been paid; and</i></p> <p>(j) <i>in relation to an application that is required to be accompanied by a certificate of building compliance, that the applicant has obtained in relation to the building or incidental structure each authority under a written law that is prescribed for the purposes of this paragraph; and</i></p> <p>(k) <i>that the applicant has complied or is complying with each authority mentioned in paragraph (j); and</i></p> <p>(l) <i>that the applicant has complied with each other prescribed requirement in relation to the granting or modification of an occupancy permit or the granting of a building approval certificate on the application.</i></p>
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	<p>(2) A permit authority to which an application is made must not grant or modify the occupancy permit or grant the building approval certificate applied for unless it is satisfied as to each of the matters mentioned in subsection (1)(a) to (l).</p> <p>(3) A permit authority to which an application is made may refuse to grant or modify the occupancy permit or grant the building approval certificate applied for if it appears to the permit authority that there is an error in the information or a document provided for the application.</p>
<b>Power Originally Assigned To</b>	Permit Authority (Local Government in accordance with s.6(3)3)
<b>Statutory Power of Delegation</b>	<i>Building Act 2011</i> Section 127 Delegation: special permit authorities and local governments
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Development and Regulatory Services Manager Building and Health
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.



<b>11.4 Extension of Period of Duration (of an Occupancy Permit of a Building Approval Certificate)</b>	
<b>Function Delegated</b>	Authority to extend the period in which the occupancy permit or modification or the building approval certificate has effect.
<b>Statutory Power Delegated</b>	<i>Building Act 2011</i> Section 65 Extension of period of duration
	<p><b>65. Extension of period of duration</b></p> <p>(1) <i>A person may apply to extend the time in which the following can have effect —</i></p> <ul style="list-style-type: none"> <li>(a) <i>an occupancy permit that has been granted or modified to have effect for a limited period only; or</i></li> <li>(b) <i>a building approval certificate that has been granted to have effect for a limited period only.</i></li> </ul> <p>(2) <i>An application must be —</i></p> <ul style="list-style-type: none"> <li>(a) <i>made in an approved manner and form; and</i></li> <li>(b) <i>signed by each owner of the land on which the building or incidental structure is located.</i></li> </ul> <p>(3) <i>An application must be accompanied by —</i></p> <ul style="list-style-type: none"> <li>(a) <i>the prescribed fee, if any, for the application; and</i></li> <li>(b) <i>each other thing that is prescribed to accompany the application.</i></li> </ul> <p>(4) <i>A permit authority to which an application is made may extend the period in which the occupancy permit or modification or the building approval certificate has effect and may do so even though the application was made after the expiration of the period.</i></p> <p>(5) <i>The period in which an occupancy permit granted on an application mentioned in section 47 has effect cannot be extended beyond 30 days from the expiry of the building permit for the building.</i></p> <p>(6) <i>The period during which the modification of an occupancy permit has effect cannot be extended beyond one year from the day the modification took effect.</i></p> <p>(7) <i>The regulations may provide for matters relating to dealing with applications including giving notice of the right of review under section 121(2).</i></p>

<b>Power Originally Assigned To</b>	Permit Authority (Local Government in accordance with s.6(3)3)
<b>Statutory Power of Delegation</b>	<i>Building Act 2011</i> Section 127 Delegation: special permit authorities and local governments
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Development and Regulatory Services Manager Building and Health
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.

<b>11.5 Building Orders</b>	
<b>Function Delegated</b>	The authority to make Building Orders in relation to: <ol style="list-style-type: none"> <li>1. Building Work</li> <li>2. Demolition Work</li> <li>3. An existing building of incidental structure</li> </ol>
<b>Statutory Power Delegated</b>	<i>Building Act 2011</i> Section 110 Building Orders
	<p><b>110. Building orders</b></p> <p>(1) A permit authority may make an order (a <b>building order</b>) in respect of one or more of the following —</p> <ol style="list-style-type: none"> <li>(a) particular building work;</li> <li>(b) particular demolition work;</li> <li>(c) a particular building or incidental structure, whether completed before or after commencement day.</li> </ol> <p>(2) A building order must be in an approved form and must be directed to any one or more of the following persons as is appropriate in the case —</p> <ol style="list-style-type: none"> <li>(a) if a building permit is in effect for the particular building work, the person named as the builder on the permit;</li> <li>(b) if a demolition permit is in effect for the particular demolition work, the person named as the demolition contractor on the permit;</li> <li>(c) a person who is an owner of the land on which the particular building or demolition work is being, or has been, done;</li> <li>(d) a person who is an owner or occupier of the land on which the particular building or incidental structure is located.</li> </ol>
<b>Power Originally Assigned To</b>	Permit Authority (Local Government in accordance with s.6(3)3)
<b>Statutory Power of Delegation</b>	<i>Building Act 2011</i> Section 127 Delegation: special permit authorities and local governments
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Development and Regulatory Services Manager Building and Health

Conditions on Delegations (if any)	To be exercised in accordance with the Town's Policies and Local Laws
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<b>11.6 Revocation of Building Order</b>	
<b>Function Delegated</b>	Authority to revoke a Building Order
<b>Statutory Power Delegated</b>	<i>Building Act 2011</i> Section 117 Revocation of building order
	<p><b>117. Revocation of building order</b></p> <p>(1) <i>A permit authority may, by notice in writing, revoke a building order at any time and must serve each person to whom the order is directed with a copy of the notice.</i></p> <p>(2) <i>A permit authority must, within 28 days of receiving a notification under section 112(3)(c) —</i></p> <p style="padding-left: 40px;">(a) <i>decide whether the building order has been fully complied with; and</i></p> <p style="padding-left: 40px;">(b) <i>either revoke the building order or inform each person to whom the order is directed that the building order remains in effect.</i></p>
<b>Power Originally Assigned To</b>	Permit Authority (Local Government in accordance with s.6(3)3)
<b>Statutory Power of Delegation</b>	<i>Building Act 2011</i> Section 127 Delegation: special permit authorities and local governments
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Development and Regulatory Services Manager Building and Health
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.

<b>11.7 Permit Authority May Give Effect to Building Order if Non-Compliance</b>	
<b>Function Delegated</b>	Authority to give effect to a Building Order if there is non-compliance.
<b>Statutory Power Delegated</b>	<i>Building Act 2011</i> Section 118 Permit Authority may give effect to building order is non-compliance.
	<p><b>118. Permit authority may give effect to building order if non-compliance</b></p> <p>(1) <i>In this section —</i>  <b>non-compliance —</b></p> <p>(a) <i>in relation to a building order other than a building order (emergency), means that a person on whom the order is served has not complied fully with the order within the time specified in the order and has not applied for a review under section 122; or</i></p> <p>(b) <i>in relation to a building order (emergency), means that a person on whom the order is served has not complied fully with the order within the time specified in the order, whether or not a person has applied for review under section 122.</i></p> <p>(2) <i>If there is non-compliance with an order the permit authority that made the relevant building order may cause an authorised person —</i></p> <p>(a) <i>to take any action specified in the order; or</i></p> <p>(b) <i>to commence or complete any work specified in the order; or</i></p> <p>(c) <i>if any specified action was required by the order to cease, to take such steps as are reasonable in the circumstances to cause the action to cease.</i></p> <p>(3) <i>The permit authority may, in a court of competent jurisdiction, recover as a debt from a person who has been served with a copy of a building order the reasonable costs and expenses incurred in doing anything under subsection (2) in relation to the order.</i></p> <p>(4) <i>In a proceeding under subsection (3), a document apparently signed by an authorised certifier in relation to the permit authority, as defined by section 140(2), specifying details of the reasonable costs and expenses incurred is, in the</i></p>

	<i>absence of evidence to the contrary, proof of the details specified.</i>
<b>Power Originally Assigned To</b>	Permit Authority (Local Government in accordance with s.6(3)3)
<b>Statutory Power of Delegation</b>	<i>Building Act 2011</i> Section 127 Delegation: special permit authorities and local governments
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Development and Regulatory Services Manager Building and Health
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.

<b>11.8 Inspections, Copies of Building Records</b>	
<b>Function Delegated</b>	Authority to determine an application from an interested person to inspect and copy a building record.
<b>Statutory Power Delegated</b>	<i>Building Act 2011</i> Section 131 Inspection, copies of building records.
	<p><b>131. Inspection, copies of building records</b></p> <p>(1) <i>In this section —</i></p> <p><b>building record</b> means a document mentioned in section 130;</p> <p><b>interested person</b> means —</p> <p>(a) <i>an owner of the building or incidental structure to which the building record relates; or</i></p> <p>(b) <i>a person who has the written consent of an owner mentioned in paragraph (a) to inspect, or receive a copy of, a building record relating to the owner; or</i></p> <p>(c) <i>a person, or a person belonging to a prescribed class of persons.</i></p> <p>(2) <i>A permit authority may, on application by an interested person and on payment of the prescribed fee, if any —</i></p> <p>(a) <i>allow the interested person to inspect a building record; and</i></p> <p>(b) <i>provide to the interested person a copy of a building record.</i></p>
<b>Power Originally Assigned To</b>	Permit Authority (Local Government in accordance with s.6(3)3)
<b>Statutory Power of Delegation</b>	<i>Building Act 2011</i> Section 127 Delegation: special permit authorities and local governments.
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.



<b>11.9 Prosecutions</b>	
<b>Function Delegated</b>	Authority to initiate a prosecution for an offence against the <i>Building Act 2011</i> .
<b>Statutory Power Delegated</b>	<i>Building Act 2011</i> Section 133 Prosecutions
	<p><b>133. Prosecutions</b></p> <p>(1) <i>A prosecution for an offence against this Act may be commenced by, and only by —</i></p> <p style="padding-left: 40px;">(a) <i>a permit authority or a person authorised to do so by a permit authority; or</i></p> <p style="padding-left: 40px;">(b) <i>a local government or a person authorised to do so by a local government.</i></p> <p>(2) <i>Subsection (1) does not limit the functions of the Director of Public Prosecutions under the Director of Public Prosecutions Act 1991 section 11.</i></p> <p>(3) <i>A prosecution for an offence against section 9, 10, 29(1) or (2), 37(1) or (2), 38(1) or (2), 76(1), 77, 78(1), (2) or (3), or 79(1) or (2) may be commenced within 6 years after the offence was allegedly committed, but not later.</i></p> <p>(4) <i>A prosecution for any other offence against this Act may be commenced within 3 years after the offence was allegedly committed, but not later.</i></p> <p>(5) <i>All prosecutions for offences against this Act are to be heard in a court of summary jurisdiction constituted by a magistrate.</i></p>
<b>Power Originally Assigned To</b>	Permit Authority (Local Government in accordance with s.6(3)3)
<b>Statutory Power of Delegation</b>	<i>Building Act 2011</i> Section 127 Delegation: special permit authorities and local governments
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Development and Regulatory Services
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.

<b>11.10 Designate Authorised Persons</b>	
<b>Function Delegated</b>	Authority to designate an employee as an authorised person.
<b>Statutory Power Delegated</b>	<i>Building Act 2011</i> Section 96 Authorised persons
	<p><b>96. Authorised persons</b></p> <p>(1) <i>If the State is a permit authority for a building or an incidental structure it may, by instrument in writing, designate a public service officer as an authorised person for the purposes of this Act in relation to the building or incidental structure.</i></p> <p>(2) <i>If a special permit authority is a permit authority for a building or an incidental structure it may, by instrument in writing, designate an employee of the special permit authority, or an employee of one of the legal entities that comprise the special permit authority, as an authorised person for the purposes of this Act in relation to the building or incidental structure.</i></p> <p>(3) <i>A local government may, by instrument in writing, designate a person employed by the local government under the Local Government Act 1995 section 5.36, as an authorised person for the purposes of this Act in relation to buildings and incidental structures located, or proposed to be located, in the district of the local government.</i></p> <p>(4) <i>The regulations may limit to persons belonging to prescribed classes of public service officers or employees the persons who may be designated as authorised persons under subsection (1), (2) or (3).</i></p> <p>(5) <i>A person may be designated to be an authorised person for a fixed or indefinite period.</i></p> <p>(6) <i>A permit authority may, by instrument in writing, revoke a designation at any time.</i></p>
<b>Power Originally Assigned To</b>	Permit Authority (Local Government in accordance with s.6(3)3)
<b>Statutory Power of Delegation</b>	<i>Building Act 2011</i> Section 127 Delegation: special permit authorities and local governments
<b>Power Delegated To</b>	Chief Executive Officer

<b>Chief Executive Officer's Sub Delegation to</b>	Nil
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.

## Town of Cottesloe Local Laws

### 12. Signs, Hoardings and Billposting Local Law

12.1 Revoke Sign Licences	
<b>Function Delegated</b>	Authority to revoke a sign licence.
<b>Statutory Power Delegated</b>	Signs, Hoardings and Billposting Local Law Section 28 Revocation of Licences
	<p><b>Revocation of Licences</b></p> <p><i>Where anything purporting to be done pursuant to a licence issued under these by-laws is not done in conformity with the licence or with these by-laws or where the license is guilty of an offence against these by-laws the council may, without derogation of any penalty to which that person may be liable, by notice in writing, revoke the licence.</i></p>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	Local Government Act 1995 Section 5.42 Delegation of some power or duties to the Chief Executive Officer
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Development and Regulatory Services Manager Building and Health
<b>Conditions on Delegations (if any)</b>	<p>To be exercised in accordance with the Town's Policies and Local Laws.</p> <p>Specific guidance is contained within:</p> <ul style="list-style-type: none"> <li>Signs Hoarding and Billposting Local Law</li> </ul>

<b>12.2 Issue and Revoke Special Permits for Signs</b>	
<b>Function Delegated</b>	Authority to issues and revoke special permits for signs.
<b>Statutory Power Delegated</b>	Signs, Hoardings and Billposting Local Law Section 33 Special Permits.
	<p><b>Special Permits</b></p> <p><i>33 (1) Notwithstanding anything contained in these By-laws, the council may, by permit under the hand of the surveyor, allow the display of advertisements at theatres and other places of public entertainment or of advertisements of meetings or other matters of public interest, upon such terms and for such period, as the council may, in each case, decide</i></p> <p><i>(2) The Council may revoke any such permit at any time without assignment any reason therefor.</i></p> <p><i>(3) Upon the expiration or revocation of a permit issued under this By-law the person to whom it was issued shall forthwith remove the advertisement to which it relates.</i></p>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	<i>Local Government Act 1995</i> Section 5.42 Delegation of some power or duties to the Chief Executive Officer
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Development and Regulatory Services Manager Building and Health
<b>Conditions on Delegations (if any)</b>	<p>To be exercised in accordance with the Town's Policies and Local Laws.</p> <p>Specific guidance is contained within:</p> <ul style="list-style-type: none"> <li>Signs, Hoarding and Billposting Local Law</li> </ul>

<b>12.3 Removal and Dispose of Signs Unlawfully Displayed</b>	
<b>Function Delegated</b>	Authority to remove and dispose of unlawfully displayed signs.
<b>Statutory Power Delegated</b>	Signs, Hoardings and Billposting Local Law Section 36A Removal and Disposal of Signs Unlawfully Displayed.
	<p><b>36A. Removal and Disposal of Signs Unlawfully Displayed</b></p> <p>(1) <i>The council may remove any sign placed or erected, contrary to the provision of these By-laws, on any street or land vested in, or under the care or control of, the council and may, without incurring any liability therefore, dispose of any sign so removed, in such manner as it things fit.</i></p> <p>(2) <i>Where, in exercise of the power conferred by sub By-law (1) of this By-law, the Council removes and disposes of a sign, it may recover the cost of the removal and disposal, in any court of competent jurisdiction, from the person responsible for the placing or erecting of the sign.</i></p>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	Local Government Act 1995 Section 5.42 Delegation of some power or duties to the Chief Executive Officer.
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Development and Regulatory Services Manager Building and Health Compliance Officer Regulatory Compliance Officer Coordinator Ranger Services Town Rangers
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws. Specific guidance is contained within: <ul style="list-style-type: none"> <li>Signs, Hoarding and Billposting Local Law</li> </ul>

### 13. Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law

13.1 Approve or Refuse an Application for a Permit to Trade, Perform, Conduct a Stall or Outdoor Eating Facility	
<b>Function Delegated</b>	Authority to approve or refuse an application for a permit to trade, perform, conduct a stall or outdoor eating facility
<b>Statutory Power Delegated</b>	Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law Section 6.2 Decision of application for permit
	<p><b>6.2 Decision on application for permit</b></p> <p>(1) <i>The local government may –</i></p> <p style="padding-left: 40px;">(a) <i>approve an application for a permit unconditionally or subject to any conditions; or</i></p> <p style="padding-left: 40px;">(b) <i>refuse to approve an application for a permit.</i></p> <p>(2) <i>If the local government approves an application for a permit, it is to issue to the applicant a permit in the form determined by the local government.</i></p> <p>(3) <i>If the local government refuses to approve an application for a permit, it is to give written notice of that refusal to the applicant.</i></p> <p>(4) <i>Where a clause of this local law refers to conditions which may be imposed on a permit or which are to be taken to be imposed on a permit, the clause does not limit the power of the local government to impose other conditions on the permit under subclause (1)(a).</i></p> <p>(5) <i>Where a clause of this local law refers to the grounds on which an application for a permit may be or is to be refused, the clause does not limit the power of the local government to refuse the application for a permit on other grounds under subclause (1)(b).</i></p>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	Local Government Act 1995 Section 5.42 Delegation of some power or duties to the Chief Executive Officer.
<b>Power Delegated To</b>	Chief Executive Officer

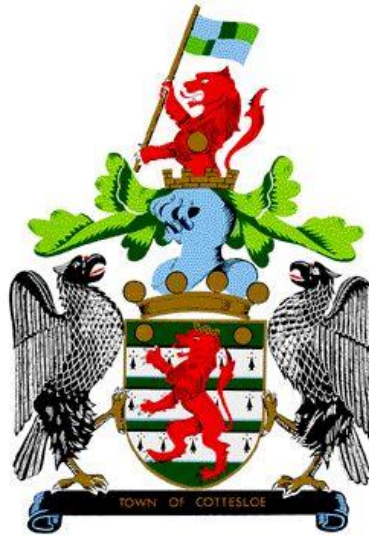
<b>Chief Executive Officer's Sub Delegation to</b>	Director Development and Regulatory Services Manager Building and Health
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.  Specific guidance is contained within: <ul style="list-style-type: none"><li>• Activities on Thoroughfares and Trading on Thoroughfares and Public Places Local Law</li></ul>



## 14. Freedom of Information Act 1992

14.1 Freedom of Information Act 1992 Application Process	
Function Delegated	Conduct of Internal Review
Statutory Power Delegated	Freedom of Information Act 1992 Division 5 Sections 41 to 43
	<p><b>41. Who is to deal with application for review</b> <i>An application for review of a decision is not to be dealt with by the person who made that decision or by a person who is subordinate to that person.</i></p> <p><b>42. How application for review to be dealt with</b> <i>An application for review has to be dealt with as if it were an access application and the provisions of Divisions 2, 3 and 4 apply accordingly.</i></p> <p><b>43. Decision can be confirmed, varied or reversed on review</b>            (1) <i>On an application for review the agency may decide to confirm, vary or reverse the decision under review.</i>            (2) <i>If the agency fails to give notice of its decision on the application for review within 15 days after it is lodged, or such longer period as is agreed between the agency and the access applicant, the agency is to be taken to have decided to confirm the decision under review.</i></p>
Power Originally Assigned To	The Local Government
Statutory Power of Delegation	Freedom of Information Act 1992 Division 5 Sections 41 to 43
Power Delegated To	Chief Executive Officer
Chief Executive Officer's Sub Delegation to	Director Corporate and Community Services
Conditions on Delegations (if any)	To be exercised in accordance with the Town's Policies and Local Laws.

# **TOWN OF COTTESLOE**



## **ORDINARY COUNCIL MEETING**

# **ATTACHMENT**

### **ITEM 10.1.3B: AMENDED DELEGATIONS - TRACKED CHANGES**

1.7 Withholding of Goods	
Function Delegated	Authority to withhold goods.
Statutory Power Delegated	<i>Local Government Act 1995</i> Section 3.46 Goods may be withheld until costs paid
	<p><b>3.46. Goods may be withheld until costs paid</b></p> <p>(1) <i>A local government may refuse to allow goods impounded under section 3.39 or 3.40A to be collected until the costs of removing, impounding and keeping them have been paid to the local government.</i></p> <p>(2) <i>A local government may refuse to allow goods removed under section 3.40 or 3.40A to be collected until the costs of removing and keeping them have been paid to the local government.</i></p>
Power Originally Assigned To	The Local Government
Statutory Power of Delegation	<i>Local Government Act 1995</i> Section 5.42 Delegation of some power or duties to the Chief Executive Officer Section 5.44 Chief Executive Officer may delegate powers and duties to other employees.
Power Delegated To	Chief Executive Officer
Chief Executive Officer's Sub Delegation to	Director Development and Regulatory Services Director Corporate and Community Services Manager Building and Health <del>Finance Manager</del>
Conditions on Delegations (if any)	To be exercised in accordance with the Town's Policies and Local Laws.

1.8 Disposal of Impounded Goods	
<b>Function Delegated</b>	Authority to dispose of impounded goods.
<b>Statutory Power Delegated</b>	<i>Local Government Act 1995</i> Section 3.47 Confiscated or uncollected goods, disposal of
	<p><b>3.47. Confiscated or uncollected goods, disposal of</b></p> <p>(1) <i>The local government may sell or otherwise dispose of any goods that have been ordered to be confiscated under section 3.43.</i></p> <p>(2) <i>The local government may sell or otherwise dispose of any vehicle that has not been collected within —</i></p> <p style="padding-left: 40px;">(a) <i>2 months of a notice having been given under section 3.40(3); or</i></p> <p style="padding-left: 40px;">(b) <i>7 days of a declaration being made under section 3.40A(4) that the vehicle is an abandoned vehicle wreck.</i></p> <p>(2a) <i>The local government may sell or otherwise dispose of impounded goods that have not been collected within the period specified in subsection (2b) of —</i></p> <p style="padding-left: 40px;">(a) <i>a notice having been given under section 3.42(1)(b) or 3.44; or</i></p> <p style="padding-left: 40px;">(b) <i>being impounded if the local government has been unable, after making reasonable efforts to do so, to give that notice to the alleged offender.</i></p> <p>(2b) <i>The period after which goods may be sold or otherwise disposed of under subsection (2a) is —</i></p> <p style="padding-left: 40px;">(a) <i>for perishable goods — 3 days;</i></p> <p style="padding-left: 40px;">(b) <i>for animals — 7 days;</i></p> <p style="padding-left: 40px;">(ca) <i>for prescribed non-perishable goods — one month;</i></p> <p style="padding-left: 40px;">(c) <i>for other non-perishable goods — 2 months.</i></p> <p>(3) <i>Section 3.58 applies to the sale of goods under this section as if they were property referred to in that section.</i></p> <p>(4) <i>Money received by a local government from the sale of goods under subsection (2a) is to be credited to its trust fund except to the extent required to meet the costs and expenses incurred by the local government in removing, impounding and selling the goods.</i></p>

	<p>(5) Money received by a local government from the sale of a vehicle under subsection (2) is to be credited to its trust fund except to the extent required to meet the costs referred to in section 3.46 and the expenses incurred by the local government in selling the vehicle.</p> <p>(6) Unless this section requires it to be credited to its trust fund, money received by a local government from the sale under this section of any goods is to be credited to its municipal fund.</p>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	<p>Local Government Act 1995</p> <p>Section 5.42 Delegation of some power or duties to the Chief Executive Officer</p> <p>Section 5.44 Chief Executive Officer may delegate powers and duties to other employees</p>
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	<p>Director Development and Regulatory Services</p> <p>Director Corporate and Community Services</p> <p><u>Coordinator Ranger Services</u></p> <p><del>Manager Building and Health</del></p> <p><del>Finance Manager</del></p>
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.

<b>1.9 Disposal of Sick or Injured Animals</b>	
<b>Function Delegated</b>	Authority to destroy and dispose of an animal that is determined to be too sick or injured to treat.
<b>Statutory Power Delegated</b>	<i>Local Government Act 1995</i> Section 3.47A Sick or injured animals, disposal of.
	<p><b>3.47A. Sick or injured animals, disposal of</b></p> <p>(1) <i>If an impounded animal is ill or injured to such an extent that treating it is not practicable the local government may humanely destroy the animal and dispose of the carcass.</i></p> <p>(2) <i>A local government must not destroy an animal under subsection (1) unless —</i></p> <p style="padding-left: 40px;">(a) <i>because of the state of the animal, destroying it is urgent; or</i></p> <p style="padding-left: 40px;">(b) <i>the local government has —</i></p> <p style="padding-left: 80px;">(i) <i>taken reasonable steps to notify the owner; and</i></p> <p style="padding-left: 80px;">(ii) <i>whether or not notice has been given under subparagraph (i), allowed the owner a reasonable opportunity to collect the animal.</i></p> <p>(3) <i>Subsection (2)(b) does not justify the destruction of an animal before it has been impounded for at least 7 days.</i></p>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	<i>Local Government Act 1995</i> Section 5.42 Delegation of some power or duties to the Chief Executive Officer Section 5.44 Chief Executive Officer may delegate powers and duties to other employees
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Development and Regulatory Services <del>Manager Building and Health</del> <u>Coordinator Ranger Services</u> Town Rangers
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.

<b>1.14 Waive, Grant Concessions or Write Off Individual Debts to a Maximum of \$1,000</b>	
<b>Function Delegated</b>	Waive, grant concessions or write off individual debts to a maximum of \$51,000, in relation to any amount of money which is owed to the Town.  <i>Note: Section 6.12(2) of the Local Government Act 1995 does not allow money owed to the Town in respect of rates and services charges to be waived or for a concession in relation to such money to be granted.</i>
<b>Statutory Power Delegated</b>	<i>Local Government Act 1995</i> <b>Section 6.12 Power to defer, grant discounts, waive or write off debts</b>
	<p>1. 6.12. Power to defer, grant discounts, waive or write off debts</p> <p>(1) Subject to subsection (2) and any other written law, a local government may —</p> <p>(a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or</p> <p>(b) waive or grant concessions in relation to any amount of money; or</p> <p>(c) write off any amount of money,</p> <p>which is owed to the local government.</p> <p>* Absolute majority required.</p> <p>(2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.</p> <p>(3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.</p> <p>(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.</p>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	<i>Local Government Act 1995</i> Section 5.42 Delegation of some power or duties to the Chief Executive Officer
<b>Power Delegated To</b>	Chief Executive Officer

Chief Executive Officer's Sub Delegation to	<del>Nil</del> <u>Director Corporate and Community Services</u> <u>Director Development and Regulatory Services</u> <u>Director Engineering Services</u>
Conditions on Delegations (if any)	<u>1. Sub-delegates may only write off or waive fees and charges related to their operational areas and responsibilities.</u> <u>2. Limited to individual or cumulative debts valued below \$5001,000.</u> To be exercised in accordance with the Town's Policies and Local Laws.



<b>1.17 Action Taken When Rates are Unpaid for at Least Three Years</b>	
<b>Function Delegated</b>	<p>Authority to take possession of land and hold the land against a person having an estate of interest in the land where any rates or service charges in respect of the rateable land have been unpaid for at least <u>three</u> years.</p> <p>Authority to lodge (and withdraw) a caveat to preclude dealings in respect of land where payment of rates or services charges imposed on the land is in arrears.</p>
<b>Statutory Power Delegated</b>	<p><i>Local Government Act 1995</i></p> <p>Section 6.56 Rates or service charges recoverable in court</p> <p>Section 6.64 Actions to be taken.</p>
	<p><b>6.56 Rates or service charges recoverable in court</b></p> <p>(1) <i>If a rate or service charge remains unpaid after it becomes due and payable, the local government may recover it, as well as the costs of proceedings, of any, for that recovery, in a court of competent jurisdiction.</i></p> <p>(2) <i>Rates of service charges due by the same person to the local government may be included in one writ, summons, or other process.</i></p> <p><b>6.64. Actions to be taken</b></p> <p>(1) <i>If any rates or service charges which are due to a local government in respect of any rateable land have been unpaid for at least 3 years the local government may, in accordance with the appropriate provisions of this Subdivision take possession of the land and hold the land as against a person having an estate or interest in the land and —</i></p> <p style="padding-left: 40px;">(a) <i>from time to time lease the land; or</i></p> <p style="padding-left: 40px;">(b) <i>sell the land; or</i></p> <p style="padding-left: 40px;">(c) <i>cause the land to be transferred to the Crown; or</i></p> <p style="padding-left: 40px;">(d) <i>cause the land to be transferred to itself.</i></p> <p>(2) <i>On taking possession of any land under this section, the local government is to give to the owner of the land such notification as is prescribed and then to affix on a conspicuous part of the land a notice, in the form or substantially in the form prescribed.</i></p>

	<i>(3) Where payment of rates or service charges imposed in respect of any land is in arrears the local government has an interest in the land in respect of which it may lodge a caveat to preclude dealings in respect of the land, and may withdraw caveats so lodged by it.</i>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	<i>Local Government Act 1995</i> Section 5.42 Delegation of some power or duties to the Chief Executive Officer
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Nil
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws. Specific Policy guidance contained within: <ul style="list-style-type: none"> <li>• Rates Recovery Policy</li> </ul>

## 2. Local Government (Financial Management) Regulations 1996

2.1 Power to Make Payments from the Municipal and Trust Funds	
<b>Function Delegated</b>	The authority to make payments from the Municipal and Trust funds.
<b>Statutory Power Delegated</b>	<i>Local Government (Financial Management) Regulations 1996</i> Section 12(1)(a) Payments From Municipal Fund and Trust Fund, Restrictions on Making
	<p><b>12. Payments from municipal fund or trust fund, restrictions on making</b></p> <p>(1) A payment may only be made from the municipal fund or the trust fund —</p> <p>(a) if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or</p>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	<i>Local Government Act 1995</i> Section 5.42 Delegation of some power or duties to the Chief Executive Officer Section 5.43 Limitations on delegation to the Chief Executive Officer Section 5.44 Chief Executive Officer may delegate powers and duties to other employees
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Corporate and Community Services Director Engineering Services Director Development and Regulatory Services <del>Manager Building and Health</del> Finance Manager
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies, Local Laws and adopted Budget.

### 3. Local Government (Uniform Local Provisions) Regulation 1996

3.1 Obstruction of Public Thoroughfare by Things Placed and Left	
<b>Function Delegated</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. Determine a sum sufficient for a deposit to cover the cost of repairing damage to the thoroughfare resulting from granting permission for obstruction of a thoroughfare, if the damage is not made good by the applicant.</li> <li>2. Determine if protective structures, necessary for public safety, are kept and maintained to the satisfaction of the local government.</li> <li>3. Determine if repair of damage to a thoroughfare is to the satisfaction of the local government.</li> </ol>
<b>Statutory Power Delegated</b>	<p><i>Local Government (Uniform Local Provisions) Regulation 1996</i> Regulation 6 Obstruction of public thoroughfare by things placed and left</p>
	<p><b>6. Obstruction of public thoroughfare by things placed and left — Sch. 9.1 cl. 3(1)(a)</b></p> <p>(1) <i>A person must not, without lawful authority, place on a public thoroughfare anything that obstructs it.</i> <i>Penalty: a fine of \$5 000 and a daily penalty of \$500 for each day during which the obstruction continues.</i></p> <p>(2) <i>A person may apply to the local government for permission to place on a specified part of public thoroughfare one or more specified things that may obstruct the public thoroughfare.</i></p> <p>(3) <i>Permission granted by the local government under this regulation —</i></p> <ol style="list-style-type: none"> <li>(a) <i>must be in writing; and</i></li> <li>(b) <i>must specify the period for which it is granted; and</i></li> <li>(c) <i>must specify each condition imposed under subregulation (4); and</i></li> <li>(d) <i>may be renewed from time to time; and</i></li> <li>(e) <i>may be cancelled by giving written notice to the person to whom the permission was granted.</i></li> </ol> <p>(4) <i>The local government may impose such conditions as it thinks fit on granting permission under this regulation including, but not limited to, any of the following —</i></p>

	<ul style="list-style-type: none"> <li>(a) <i>conditions relating to the erection of hoardings, fences, walkways or other structures for the protection of the public thoroughfare or public safety (<b>protective structures</b>);</i></li> <li>(b) <i>conditions about the placement of things in the public thoroughfare including conditions about the depositing of building materials or waste, or storage or other facilities in the public thoroughfare;</i></li> <li>(c) <i>a condition imposing a charge for any damage to the public thoroughfare resulting from the placement of a thing on the public thoroughfare;</i></li> <li>(d) <i>a condition requiring the applicant to deposit with the local government a sum sufficient in the opinion of the CEO of the local government to cover the cost of repairing damage to the public thoroughfare resulting from the placement of a thing or a protective structure, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant.</i></li> </ul> <p>(5) <i>It is a condition of the permission granted under this regulation that —</i></p> <ul style="list-style-type: none"> <li>(a) <i>placed things and protective structures are sufficiently illuminated every night from sunset to sunrise to prevent mishaps; and</i></li> <li>(b) <i>protective structures are kept and maintained in good condition, to the satisfaction of the CEO of the local government, during such time as the CEO thinks necessary for the public safety and convenience; and</i></li> <li>(c) <i>placed things or protective structures are removed within a reasonable time after the person granted the permission is required in writing to do so by the local government; and</i></li> <li>(d) <i>damage to the public thoroughfare resulting from the placement of a thing or a protective structure is repaired to the satisfaction of the CEO of the local government within a reasonable time after the person granted the permission is required in writing to do so by the local government.</i></li> </ul>
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	<p>(6) <i>The local government may, when renewing permission granted under this regulation or at any other time, vary any condition imposed by it under subregulation (4) and the variation takes effect when written notice of it is given to the person to whom the permission was granted.</i></p> <p>(7) <i>A person granted permission under this regulation must comply with each condition of the permission.</i>  <i>Penalty: a fine of \$5 000 and a daily penalty of \$500 for each day during which the offence continues.</i></p> <p>(8) <i>The local government may charge a person granted permission under this regulation a fee of not more than \$1.00 for each month or part of a month for each m<sup>2</sup> of public thoroughfare that is enclosed by a hoarding or fence in accordance with the permission.</i></p> <p>(9) <i>For the purposes of section 3.37 of the Act, a contravention of subregulation (1) or (7) is a contravention that can lead to impounding of goods comprising a placed and left thing or structure.</i></p>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	<p><i>Local Government Act 1995</i></p> <p>Section 5.42 Delegation of some powers or duties of the Chief Executive Officer</p> <p>Section 5.44 Chief Executive Officer may delegate powers and duties to other employees</p>
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	<p>Director Development and Regulatory Services</p> <p>Director Engineering Services</p> <p>Manager Building and Health</p> <p><a href="#">Coordinator Ranger Services</a></p> <p>Town Rangers</p> <p>Compliance Officer</p> <p>Regulatory Compliance Officer</p>
<b>Conditions on Delegations (if any)</b>	<p>To be exercised in accordance with the Town's Policies and Local Laws.</p> <p>Specific guidance is contained within;</p> <ul style="list-style-type: none"> <li>Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law</li> </ul>

3.2 Obstruction of Public Thoroughfare by Fallen Things	
<b>Function Delegated</b>	The authority to request the person who is the owner or occupier of the land to remove anything that has fallen from the land, or from anything on the land and is obstructing a public thoroughfare.
<b>Statutory Power Delegated</b>	<i>Local Government (Uniform Local Provisions) Regulation 1996</i> Regulation 7(A) Obstruction of Public Thoroughfare by Fallen Things
	<p><b>7A. Obstruction of public thoroughfare by fallen things — Sch. 9.1 cl. 3(1)(b)</b></p> <p><i>A person who is the owner or occupier of land must, when requested by the local government to do so, remove any thing that —</i></p> <p style="padding-left: 40px;">(a) <i>has fallen from the land, or from anything on the land; and</i></p> <p style="padding-left: 40px;">(b) <i>is obstructing a public thoroughfare.</i></p> <p><i>Penalty: a fine of \$5 000 and a daily penalty of \$500 for each day during which the offence continues.</i></p>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	<i>Local Government Act 1995</i> Section 5.44 Chief Executive Officer may delegate powers and duties to other employees
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Development and Regulatory Services Director Engineering Services Manager Building and Health <u>Coordinator Ranger Services</u> Town Rangers Compliance Officer Regulatory Compliance Officer
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.  Specific guidance is contained within: <ul style="list-style-type: none"> <li>Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law</li> </ul>



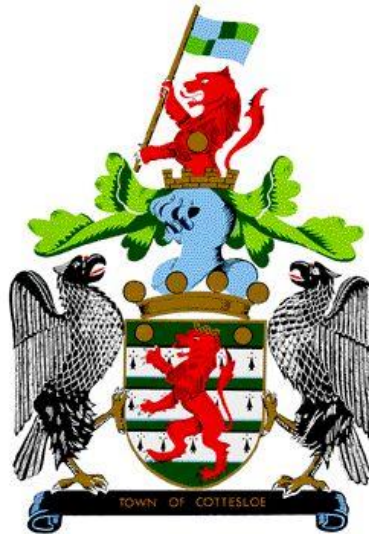
3.3 Encroaching of Public Thoroughfare	
<b>Function Delegated</b>	The power to request a person who is the owner of land on which a structure is erected, or a tree or other plant is growing, to remove any part of the structure, tree or plant that is encroaching, without lawful authority, on a public thoroughfare.
<b>Statutory Power Delegated</b>	<i>Local Government (Uniform Local Provisions) Regulation 1996</i> Regulation 7 Encroaching on Public Thoroughfare
	<p><b>7. Encroaching on public thoroughfare — Sch. 9.1 cl. 3(2)</b></p> <p><i>A person who is the owner or occupier of land on which a structure is erected or a tree or other plant is growing must, when requested by the local government to do so, remove any part of the structure, tree or plant that is encroaching, without lawful authority, on a public thoroughfare.</i></p> <p><i>Penalty: a fine of \$5 000 and a daily penalty of \$500 for each day during which the offence continues.</i></p>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	<i>Local Government Act 1995</i> Section 5.44 Chief Executive Officer may delegate powers and duties to other employees
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Development and Regulatory Services Director Engineering Services Manager Building and Health <a href="#">Coordinator Ranger Services</a> Town Rangers Compliance Officer Regulatory Compliance Officer
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.



	<p><i>structure is repaired to the satisfaction of the CEO of the local government within a reasonable time after the person granted the permission is required in writing to do so by the local government.</i></p> <p>(8) <i>The local government may, when renewing permission granted under this regulation or at any other time, vary any condition imposed by it under subregulation (6) and the variation takes effect when written notice of it is given to the person to whom the permission was granted.</i></p> <p>(9) <i>A person granted permission under this regulation must comply with each condition of the permission.</i></p> <p><i>Penalty: a fine of \$5 000 and a daily penalty of \$500 for each day during which the offence continues.</i></p> <p>(10) <i>The local government may charge a person granted permission under this regulation a fee of not more than \$1.00 for each month or part of a month for each m<sup>2</sup> of public thoroughfare that is enclosed by a hoarding or fence in accordance with the permission.</i></p> <p>(11) <i>For the purposes of section 3.37 of the Act, a contravention of subregulation (3) or (9) is a contravention that can lead to impounding of goods comprising a protective structure or other thing placed in or near the excavation.</i></p>
<b>Power Originally Assigned To</b>	Local Government
<b>Statutory Power of Delegation</b>	<p><b>Local Government Act 1995</b></p> <p>Section 5.42 Delegation of some powers or duties of the Chief Executive Officer</p> <p>Section 5.44 Chief Executive Officer may delegate powers and duties to other employees</p>
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	<p>Director Development and Regulatory Services</p> <p>Director Engineering Services</p> <p>Manager Projects and Assets</p> <p>Manager Parks and Operations</p> <p>Manager Building and Health</p>
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.

<b>12.3 Removal and Dispose of Signs Unlawfully Displayed</b>	
<b>Function Delegated</b>	Authority to remove and dispose of unlawfully displayed signs.
<b>Statutory Power Delegated</b>	Signs, Hoardings and Billposting Local Law Section 36A Removal and Disposal of Signs Unlawfully Displayed.
	<p><b>36A. Removal and Disposal of Signs Unlawfully Displayed</b></p> <p>(1) <i>The council may remove any sign placed or erected, contrary to the provision of these By-laws, on any street or land vested in, or under the care or control of, the council and may, without incurring any liability therefore, dispose of any sign so removed, in such manner as it things fit.</i></p> <p>(2) <i>Where, in exercise of the power conferred by sub By-law (1) of this By-law, the Council removes and disposes of a sign, it may recover the cost of the removal and disposal, in any court of competent jurisdiction, from the person responsible for the placing or erecting of the sign.</i></p>
<b>Power Originally Assigned To</b>	The Local Government
<b>Statutory Power of Delegation</b>	Local Government Act 1995 Section 5.42 Delegation of some power or duties to the Chief Executive Officer.
<b>Power Delegated To</b>	Chief Executive Officer
<b>Chief Executive Officer's Sub Delegation to</b>	Director Development and Regulatory Services Manager Building and Health Compliance Officer Regulatory Compliance Officer <a href="#">Coordinator Ranger Services</a> Town Rangers
<b>Conditions on Delegations (if any)</b>	To be exercised in accordance with the Town's Policies and Local Laws.  Specific guidance is contained within: <ul style="list-style-type: none"> <li>Signs, Hoarding and Billposting Local Law</li> </ul>

# **TOWN OF COTTESLOE**



## **ORDINARY COUNCIL MEETING**

# **ATTACHMENT**

### **ITEM 10.1.4A: APPOINTMENT OF ACTING CEO POLICY - TRACKED CHANGES**

# Appointment of Acting Chief Executive Officer Policy



<b>Council Policy:</b> POL/103	Appointment of Acting Chief Executive Officer		
<b>Reference</b>	<del>Strategic Community Plan-2013–2023</del> <del>Council Plan 2023-2023</del> <b>Priority Area: 46</b> <b>Major Strategy: 4.36.2</b>	<del>Corporate Business Plan 2020–2024</del> <b>Priority Area: 6</b> <b>Actions:</b>	
<b>Responsible Officer</b>	Chief Executive Officer		
<b>Policy Area</b>	Executive Services		
<b>Council Adoption Date</b>	28 April 2020	<b>Version Number</b>	<u>21</u>
<b>Amendment Dates</b>	<u>24 June 2025</u>	<b>Next Review Date</b>	<u>24 June 2027</u>

This Policy replaces all previous policies related to this topic.

## 1. Policy Purpose

- 1.1. To establish guidelines for filling the position of Acting Chief Executive Officer when the Chief Executive Officer is on leave or during periods of unforeseen prolonged absence.

## 2. Policy Scope

- 2.1. This Policy applies during in periods of annual leave and during periods of unforeseen prolonged absence of the Chief Executive Officer for more than one week, but no longer than four weeks.
- 2.2. In accordance with Section 5.36(2)(ba) of the *Local Government Act 1995*, all ~~Executive Directors~~~~Managers~~ employed by the Town are considered to be suitably qualified to act in the position of Chief Executive Officer.
- 2.3. This Policy satisfies the requirements of the *Local Government Legislation Amendment Act 2019* and is to be published on the Town's website.

### 3. Policy Requirements

- 3.1. The Council is required to appoint an Acting Chief Executive Officer to fulfil the duties and exercise the powers of the Chief Executive Officer in periods of annual leave and during periods of unforeseen prolonged absence of the Chief Executive Officer for more than four weeks.
- 3.2. The Chief Executive Officer has the legislative power to appoint an Acting Chief Executive Officer under section 5.44 of the Local Government Act 1995, and this is required to be exercised for periods greater than one week but no more than four weeks.
- 3.3. In accordance with 3.2 above the Chief Executive Officer may appoint any of the three ~~Executive Managers~~Directors to the position of Acting Chief Executive Officer after being satisfied that the person has the required skills and knowledge to fulfil the role.
- 3.4. Should the Chief Executive Officer not be satisfied that any ~~Executive Manager~~Director has the required skills and knowledge to fulfil the role of Acting Chief Executive Officer an external appointment of an Acting Chief Executive Officer may be made in consultation with the Mayor.
- ~~3.5. The Acting Chief Executive officer is to be remunerated at a rate of 75% of the salary of the Chief Executive Officer or at the normal salary of the Executive Manager, whichever is the higher.~~
- ~~3.6.~~3.5. Where the Chief Executive Officer appoints an ~~Executive Manager~~Director to the position of Acting Chief Executive Officer, the Chief Executive Officer is to advise all Elected Members in writing of the appointment and the period to which the appointment covers.

### 4. Definitions

- 4.1. There are no definitions relevant to this policy

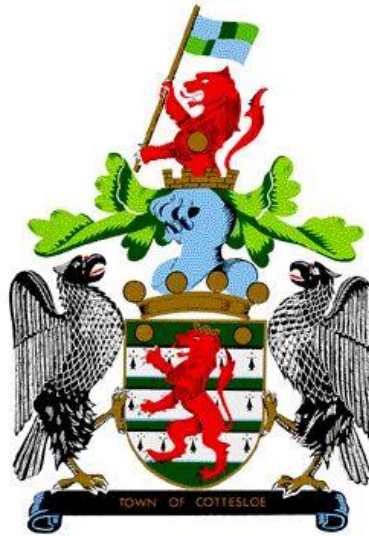
### 5. Legislation

- 5.1. *Local Government Act 1995* – Section 5.36 - a local government is to employ a person to be the Chief Executive Officer of the local government.
- 5.2. *Local Government Act 1995* – Section 5.44 – Chief Executive Officer may delegate power and duties to other employees

### 6. Other Relevant Procedures/Key Documents

- 6.1. There are no other procedures or key documents relevant to this Policy.

# **TOWN OF COTTESLOE**



## **ORDINARY COUNCIL MEETING**

# **ATTACHMENT**

### **ITEM 10.1.4B: APPOINTMENT OF ACTING CEO POLICY - AMENDED JUNE 2025**

# Appointment of Acting Chief Executive Officer Policy



<b>Council Policy:</b> <b>POL/103</b>	Appointment of Acting Chief Executive Officer		
<b>Reference</b>	<i>Council Plan 2023-2033</i> <b>Priority Area: 4</b> <b>Major Strategy: 4.3</b>		
<b>Responsible Officer</b>	Chief Executive Officer		
<b>Policy Area</b>	Executive Services		
<b>Council Adoption Date</b>	28 April 2020	<b>Version Number</b>	2
<b>Amendment Dates</b>	24 June 2025	<b>Next Review Date</b>	24 June 2027

**This Policy replaces all previous policies related to this topic.**

## 1. Policy Purpose

- 1.1. To establish guidelines for filling the position of Acting Chief Executive Officer when the Chief Executive Officer is on leave or during periods of unforeseen prolonged absence.

## 2. Policy Scope

- 2.1. This Policy applies during in periods of annual leave and during periods of unforeseen prolonged absence of the Chief Executive Officer for more than one week, but no longer than four weeks.
- 2.2. In accordance with Section 5.36(2)(a) of the *Local Government Act 1995*, all Directors employed by the Town are considered to be suitably qualified to act in the position of Chief Executive Officer.
- 2.3. This Policy satisfies the requirements of the *Local Government Legislation Amendment Act 2019* and is to be published on the Town's website.



### 3. Policy Requirements

- 3.1. The Council is required to appoint an Acting Chief Executive Officer to fulfil the duties and exercise the powers of the Chief Executive Officer in periods of annual leave and during periods of unforeseen prolonged absence of the Chief Executive Officer for more than four weeks.
- 3.2. The Chief Executive Officer has the legislative power to appoint an Acting Chief Executive Officer under section 5.44 of the Local Government Act 1995, and this is required to be exercised for periods greater than one week but no more than four weeks.
- 3.3. In accordance with 3.2 above the Chief Executive Officer may appoint any of the three Directors to the position of Acting Chief Executive Officer after being satisfied that the person has the required skills and knowledge to fulfil the role.
- 3.4. Should the Chief Executive Officer not be satisfied that any Director has the required skills and knowledge to fulfil the role of Acting Chief Executive Officer an external appointment of an Acting Chief Executive Officer may be made in consultation with the Mayor.
- 3.5. Where the Chief Executive Officer appoints a Director to the position of Acting Chief Executive Officer, the Chief Executive Officer is to advise all Elected Members in writing of the appointment and the period to which the appointment covers.

### 4. Definitions

- 4.1. There are no definitions relevant to this policy

### 5. Legislation

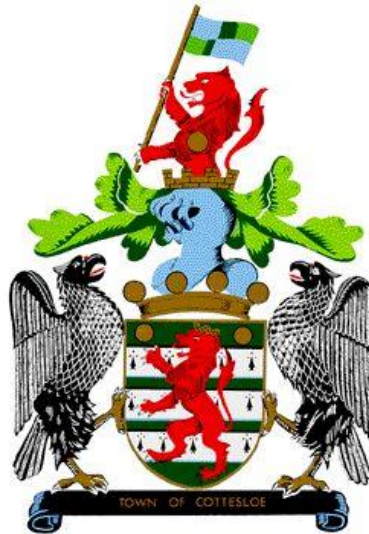
- 5.1. *Local Government Act 1995* – Section 5.36 - a local government is to employ a person to be the Chief Executive Officer of the local government.
- 5.2. *Local Government Act 1995* – Section 5.44 – Chief Executive Officer may delegate power and duties to other employees

### 6. Other Relevant Procedures/Key Documents

- 6.1. There are no other procedures or key documents relevant to this Policy.



# **TOWN OF COTTESLOE**



## **ORDINARY COUNCIL MEETING**

# **ATTACHMENT**

### **ITEM 10.1.4C: CREDIT CARD POLICY - TRACKED CHANGES**

# Corporate Credit Card Policy



## 1. ~~Aim~~Objective

The objective of this policy is to:

- a. Fulfill all statutory requirements of the Local Government Act 1995 with respect to Corporate Credit Card usage.
- b. Ensure Corporate Credit Cards are issued and used appropriately by addressing the Office of the Auditor General (OAG) recommendations to Local Government on purchase card management.
- ~~a-c.~~ Reduce the risk of fraud and misuse. sets out the criteria for the use of a corporate credit card used to procure goods and/or services for the Town of Cottesloe.

## 2. Background

A corporate credit card can deliver benefits to local governments as an alternate method of payment in circumstances where the traditional methods of payments such as by cheque or electronic funds transfer are ~~not accepted for example, when booking a flight, or when dealing with a supplier who will not give the Town credit and is a monopoly supplier of the product inappropriate or inconvenient.~~ The OAG, after conducting performance issues on Local Government Management of Purchasing Cards, have issued recommendations to Local Governments on their purchase card management and internal controls.

## 3. Policy ~~Statement~~Guidelines

The following guidelines provide for the ~~use,~~ allocation, control and safe custody of corporate credit cards held by the Town of Cottesloe:

- The issue of a corporate credit card is subject to approval by the Chief Executive Officer (CEO). The application must be supported by the relevant Director and demonstrate a regular and demonstrated need to purchase goods and services.
- Each cardholder must have financial delegation and be an on-going permanent employee of the Town.
- The CEO is to limit credit cardholders to a maximum of one per Directorate including the Office of the CEO (maximum of 4 in total).
- The card is to be in the name of the Town of Cottesloe and administered by the Finance Manager. The Manager Finance must maintain a register of all cardholders.
-

# Corporate Credit Card Policy



- All credit cards shall be held securely by the Manager Finance during periods of leave.
- The Manager Finance is responsible for issuing and the timely cancellation of credit cards, and must be notified immediately of suspicious transactions or termination of employees. A proper record of card cancellations is to be kept.
- The Chief Executive Officer must approve any change to credit card limits.
- Every month the reconciled and approved credit card statements are to be presented to the Director Corporate and Community Services (DCCS) for review. This review and all contents of this review is to be properly recorded.
- ~~The card is to be restricted to expenses for goods and/or services budgeted by the Town of Cottesloe and authorised in advance by the relevant Supervisor.~~
- ~~All purchases made using the credit card must be accompanied by a purchase order and tax invoice authorised in line with Council policies.~~
- A list of expenses made using corporate credit cards is to be presented to Council as a part of the monthly financial statements List of Payments report. This report is to specify the cardholder's position description, and a description of the expense that provides sufficient information to allow for the appropriate scrutiny of public money.
- This policy is to be reviewed annually following a review of purchasing card controls and an evaluation of control effectiveness. These results are to be documented and retained.
- The CEO is responsible for providing clear guidance on what is allowable and reasonable business use in the credit card user agreement.
- ~~A corporate credit card cannot not be used for a cash withdrawal.~~
- ~~The corporate credit card should be stored in a safe place when not being used.~~
- ~~Corporate credit card is not to be taken off site, other than to the issuing bank.~~

## 4. Conditions of Use

- Each cardholder must sign the Credit Card User Agreement before taking receipt of the card.
- The corporate credit cards should be stored in a safe place when not being used.
- Corporate credit card use is only for goods and/or services budgeted by the Town of Cottesloe and as per the guidelines provided in the Credit Card User Agreement.
- Travel, alcohol, meals, entertainment and gifts are **restricted uses** and can not be made without written preapproval by the CEO or the relevant Director.
- Cardholders must present a reconciled credit card statement to their supervisor for approval each month, this must include receipts for each transaction and preapprovals for restricted uses. If a receipt is not possible, a signed statutory declaration must be provided by the relevant officer.

## 5. Misuse of Corporate Credit Card

The following acts are considered misuse of the corporate credit card and may result in the CEO withdrawing the authority to use a corporate credit card and/or disciplinary action. Instances of alleged criminal or fraudulent misuse will be reported to the Police and or appropriate authorities.

# Corporate Credit Card Policy

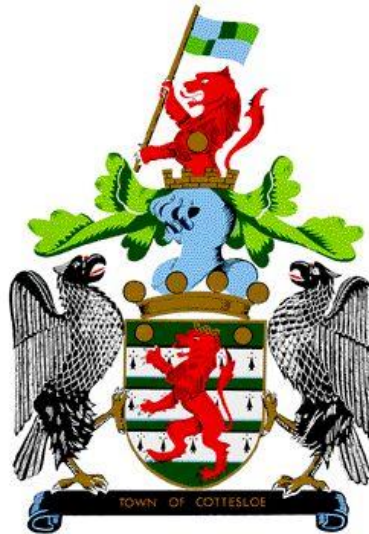


in accordance with Part 3 of the Corruption, Crime and Misconduct Act 2003.

- Use of the corporate credit card for personal or non-work related purposes.
- Any corporate credit card cannot not be used for a cash withdrawals.
- Purchase of restricted uses without preapproval.
- 

Adopted	24 <del>May 2016</del> <u>May 2016</u>
<u>Date reviewed</u>	<u>24 June 2025</u>
<u>Expected date of review</u>	<u>24 June 2026</u>
<u>Next review date</u>	

# **TOWN OF COTTESLOE**



## **ORDINARY COUNCIL MEETING**

# **ATTACHMENT**

**ITEM 10.1.4D:  
CREDIT CARD POLICY - AMENDED JUNE 2025**

# Corporate Credit Card Policy



## 1. Objective

The objective of this policy is to;

- a. Fulfill all statutory requirements of the *Local Government Act 1995* with respect to Corporate Credit Card usage.
- b. Ensure Corporate Credit Cards are issued and used appropriately by addressing the Office of the Auditor General (OAG) recommendations to Local Government on purchase card management.
- c. Reduce the risk of fraud and misuse.

## 2. Background

A corporate credit card can deliver benefits to local governments as an alternate method of payment in circumstances where the traditional methods of payments such as by cheque or electronic funds transfer are inappropriate or inconvenient.

The OAG, after conducting performance issues on Local Government Management of Purchasing Cards, have issued recommendations to Local Governments on their purchase card management and internal controls.

## 3. Policy Guidelines

The following guidelines provide for the allocation, control and safe custody of corporate credit cards held by the Town of Cottesloe:

- The issue of a corporate credit card is subject to approval by the Chief Executive Officer (CEO). The application must be supported by the relevant Director and demonstrate a regular and demonstrated need to purchase goods and services.
- Each cardholder must have financial delegation and be an on-going permanent employee of the Town.
- The CEO is to limit credit cardholders to a maximum of one per Directorate including the Office of the CEO (maximum of 4 in total).
- The Manager Finance must maintain a register of all cardholders.
- All credit cards shall be held securely by the Manager Finance during periods of leave.
- The Manager Finance is responsible for issuing and the timely cancellation of credit cards, and must be notified immediately of suspicious transactions or termination of employees. A proper record of card cancellations is to be kept.
- The Chief Executive Officer must approve any change to credit card limits.
- Every month the reconciled and approved credit card statements are to be presented to the Director Corporate and Community Services (DCCS) for review. This review and all contents of this review is to be properly recorded.
- A list of expenses made using corporate credit cards is to be presented to Council as part of the List of Payments report. This report is to specify the cardholder's position description, and a description of the expense that provides sufficient information to allow for the appropriate

# Corporate Credit Card Policy



scrutiny of public money.

- This policy is to be reviewed annually following a review of purchasing card controls and an evaluation of control effectiveness. These results are to be documented and retained.
- The CEO is responsible for providing clear guidance on what is allowable and reasonable business use in the credit card user agreement.

## 4. Conditions of Use

- Each cardholder must sign the Credit Card User Agreement before taking receipt of the card.
- The corporate credit cards should be stored in a safe place when not being used.
- Corporate credit card use is only for goods and/or services budgeted by the Town of Cottesloe and as per the guidelines provided in the Credit Card User Agreement.
- Travel, alcohol, meals, entertainment and gifts are **restricted uses** and can not be made without written preapproval by the CEO or the *relevant* Director.
- Cardholders must present a reconciled credit card statement to their supervisor for approval each month, this must include receipts for each transaction and preapprovals for restricted uses. If a receipt is not possible, a signed statutory declaration must be provided by the relevant officer.

## 5. Misuse of Corporate Credit Card

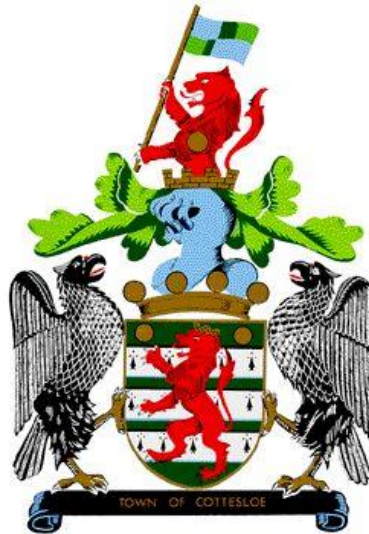
The following acts are considered misuse of the corporate credit card and may result in the CEO withdrawing the authority to use a corporate credit card and/or disciplinary action. Instances of alleged criminal or fraudulent misuse will be reported to the Police and or appropriate authorities, in accordance with Part 3 of the Corruption, Crime and Misconduct Act 2003.

- Use of the corporate credit card for personal or non-work related purposes.
- Any cash withdrawals.
- Purchase of restricted uses without preapproval.

Adopted	24 May 2016
Date reviewed	24 June 2025
Next review date	24 June 2026



# **TOWN OF COTTESLOE**



## **ORDINARY COUNCIL MEETING**

# **ATTACHMENT**

**ITEM 10.1.6A:  
ATTACHMENT A - 110 MARINE PARADE VERGE  
APPLICATION**





28.05.2025  
TOWN OF COTESLOE  
109 Broome Street  
Cottesloe WA 6011

**ATTENTION:** Town of Cottesloe  
**PRIVATE & CONFIDENTIAL**

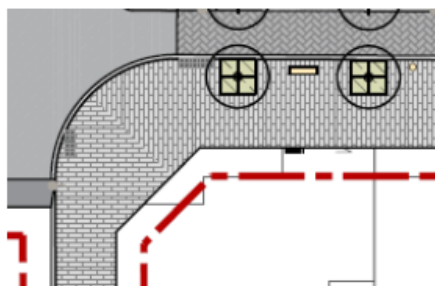
Dear Petar Ng  
Coordinator of Developments

## 110 Marine Parade \_ Verge Application

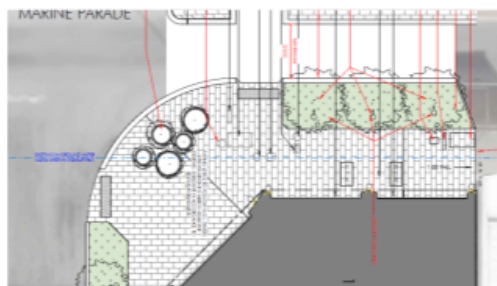
Following the feedback the meeting on the 28<sup>th</sup> of March, please see attached below a description of the proposed verge works for your reference.

### 1. West Elevation

On the western section of the verge, we propose to increase the amount of soft landscaping and tree canopy while retaining the overall design intent of the Foreshore Master Plan. This includes the planting of three trees, one more than originally anticipated in the Master Plan and all trees selected from the planting schedule. However, we are seeking support to not install the expected 1000L Norfolk Pine. This tree requires a root ball of approximately 1500mm (diameter) 900mm in depth which could represent a long-term maintenance risk for the verge and the road. It will also require a tree well to be excavated at twice the size of the root ball. At this stage, little understanding of services underneath the road and the footpath is available to assess the complexity of this installation. It is also important to consider that its mature canopy is approximately 5-10 meters. This tree is likely to conflict with the built form as it matures in the long term. The design intent is to create a softer edge to the proposed alfresco area along Marine Parade, which is currently a hostile public space dominated by the existing car park. This enhancement to the streetscape will increase the tree canopy and provide benefits to both the local community and visitors to the beachfront. Please see below Image comparison below for further reference.



Foreshore Master Plan



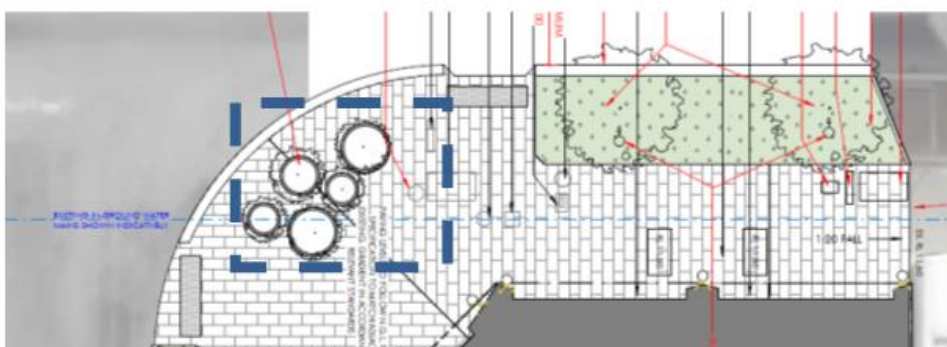
Proposed Verge Works



### Marine Parade

#### 2. South West Corner

Regarding the southwest corner, we are proposing a series of free-standing pots. Our original intent was to provide a significant area of soft landscaping; however, this would represent a considerable departure from the Foreshore Master Plan once it is implemented. Instead, the current design aims to enhance the visual quality of the approved ground-floor alfresco area in the short term. It is our understanding that the intersection of Marine Parade and Warham Road is intended to become a traffic-calmed intersection in the future. The proposed free-standing pots can be removed at that time if requested by Council. Please see image below



#### Proposed Verge Works

Initial .....

Date of issue: 28 May 2025

Page 2 of 5

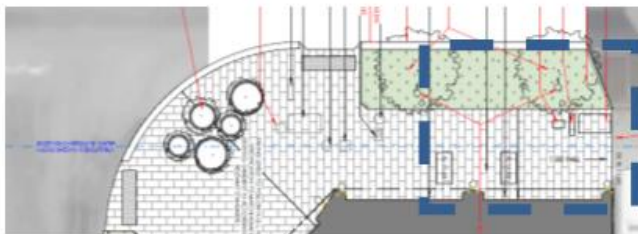
### 3. Warham RD \_ Landscape

As previously discussed during the Development Application (DA) approval for this development, our proposal includes extending the verge works along Warham Road. This includes the addition of three trees, which were agreed upon as an offset for the lack of Deep Soil Area (DSA) within the site. The design intent is to create a cohesive ground floor plane for 110 Marine Parade that enhances the pedestrian experience—not only for patrons in the alfresco area but also for members of the local community. Please see images below for further reference.



### 4. Street Furniture

As part of this application, we are also seeking in-principle support from Council to relocate the existing Australia Post letterbox, bike racks, and rubbish bin to the northwest. The intent is to consolidate the alfresco area along Marine Parade and enhance the overall quality of the public space. We understand that further approvals from relevant agencies may be required, pending the outcome of this application. Please also see diagram below.



Relocation of Street Furniture

Initial .....

### 5. Additional Street Lighting

As part of the additional proposed landscaping along both Marine Parade and Warham Road, we also propose the inclusion of subtle lighting elements. This includes landscape lighting and in-ground uplights to gently illuminate the building façade, creating a warmer and more inviting atmosphere within the alfresco area. These enhancements will improve overall verge lighting, support wayfinding in the public realm, and establish a positive precedent for future development. Please see images below



Marine Parade View



Warham Rd View

Initial .....

Date of issue: 28 May 2025

Page 4 of 5



## 6. Light Pole

In addition, we seek Council's support to relocate the existing light pole at the intersection of Marine Parade and Warham Road to the western side of Marine Parade. Further discussions and a detailed lighting analysis will be undertaken to provide technical justification for this relocation, ensuring it does not compromise traffic or pedestrian safety at the intersection. This proposed relocation aligns with the treatment at the intersection of Marine Parade and Overton Gardens, where a light pole is located on the southern corner and not on the northern corner. Please see the image below for reference.



Please do not hesitate to contact me if you require any additional feedback.

See attached the following documents:

1. Site \_ Verge Works Design
2. Landscape Plan \_ Planting Selection
3. Renders \_ Additional Lighting

Yours sincerely,

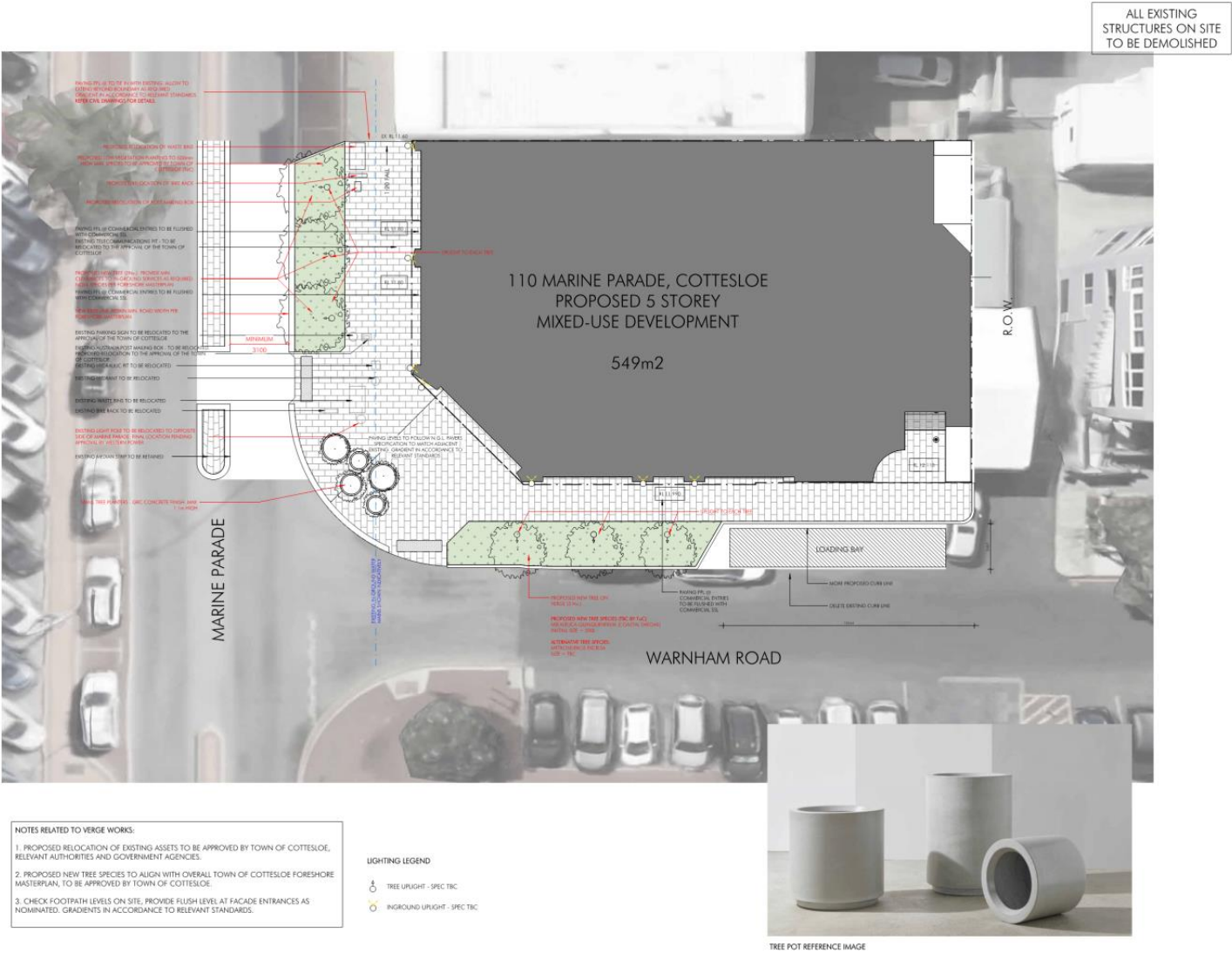


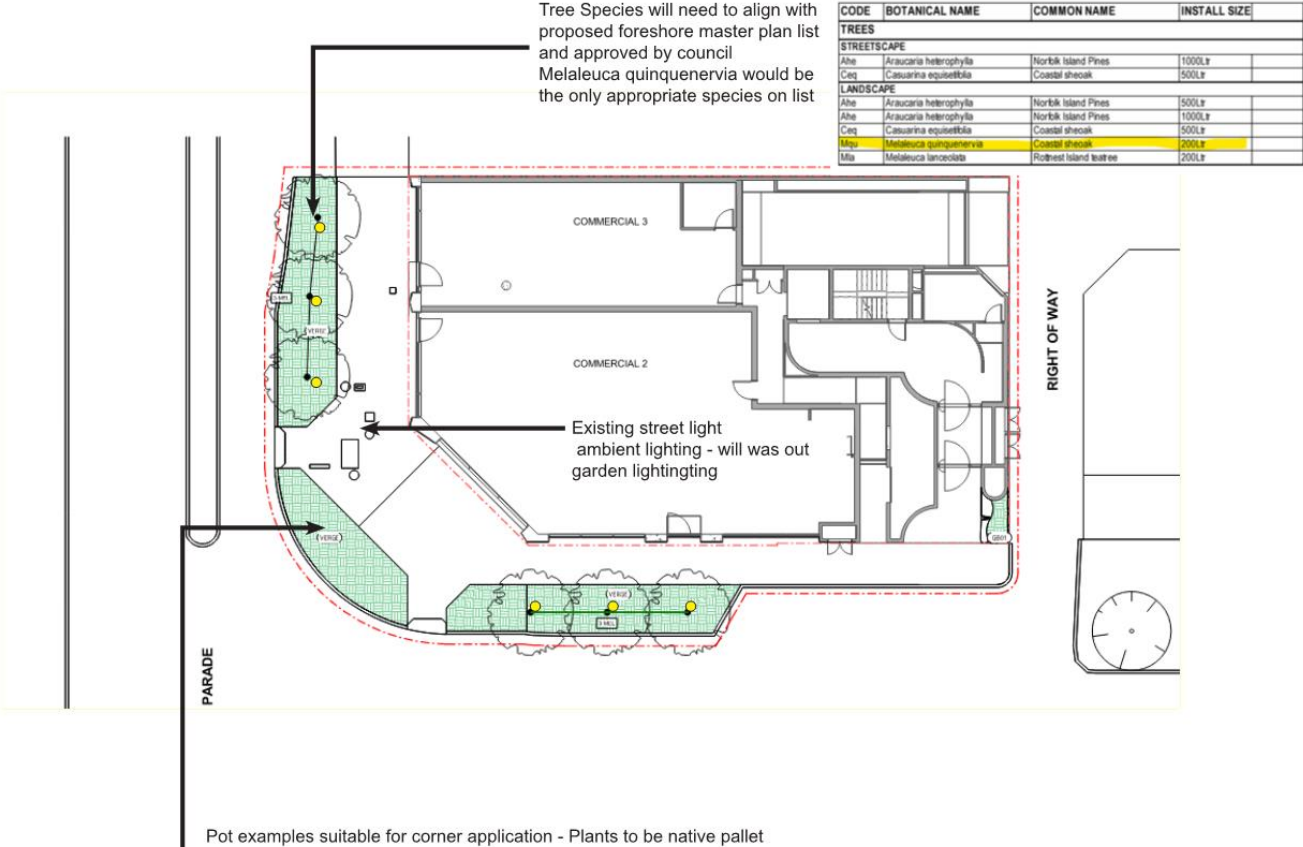
Felipe Soto  
Design Director

Initial .....

Date of issue: 28 May 2025

Page 5 of 5





Melaleuca quinquenervia

- Adjustable spike low lumen spike light - approval By City of Cottesloe as may be an issue for traffic safety close to road



Hunza Spike Spot Light - Adjustable







Marine Parade \_ Additional Landscape



Warnham Rd. \_ Additional Landscape





Marine Parade \_ Lighting



Warnham Rd. \_ Additional Landscape