TOWN OF COTTESLOE



ATTACHMENTS

ORDINARY COUNCIL MEETING – 27 JUNE 2023

TABLE OF CONTENTS

SUBJECT

ITEM

10.1	REPORTS (OF OFFICERS	S	
CORI	PORATE AN	D COMMUN	NITY SERVICES	
	10.1.2	TOWN OF	COTTESLOE DOGS LOCAL LAW 2023	
		10.1.2(a)	DOGS LOCAL LAW 2023	2
		10.1.2(b)	COMMENT - DOGS LOCAL LAW - ANNE CASSON	12
		10.1.2(c)	DEPT OF LOCAL GOVERNMENT - COMMENTS ON PROPOSED DOG LOCAL LAW	14
	10.1.3	RECEIVAL (OF ANNUAL ELECTORS MEETING MINUTES	
		10.1.3(a)	AGM OF ELECTORS UNCONFIRMED MINUTES	18
	10.1.4	DELEGATIO	ONS REGISTER UPDATE	
		10.1.4(a)	DELEGATION AUTHORITY REGISTER	26
	10.1.5	MONTHLY 30 APRIL 2	FINANCIAL STATEMENTS FOR THE PERIOD 1 JULY 2022 TO 023	
		10.1.5(a)	MONTHLY FINANCIAL REPORT 1 JULY 2022 TO 30 APRIL 20231	.27
	10.1.6	AGREEME	NT - DOGS REFUGE HOME	
		10.1.6(a)	DOG REFUGE HOME AGREEMENT1	72
DEVE	ELOPMENT A	AND REGUL	ATORY SERVICES	
	10.1.7		I OF DRAFT LOCAL PLANNING POLICY - DEVELOPER TIONS FOR PUBLIC ART	
		10.1.7(a)	DRAFT LOCAL PLANNING POLICY - DEVELOPMENT CONTRIBUTIONS FOR PUBLIC ART POLICY - JUNE 2023 FOR ADOPTION (CLEAN COPY, MODIFICATIONS NOT SHOWN)	.74
		10.1.7(b)	DRAFT LOCAL PLANNING POLICY - DEVELOPMENT CONTRIBUTIONS FOR PUBLIC ART POLICY - JUNE 2023 FOR ADOPTION (INCLUDING CHANGES TRACKED)	.80
		10.1.7(c)	PUBLIC SUBMISSION RECEIVED DURING ADVERTISING 1	86
	10.1.8	ADOPTION	OF DRAFT PAYMENT IN LIEU OF PARKING PLAN	
		10.1.8(a)	DRAFT PAYMENT IN LIEU OF PARKING PLAN FOR ADOPTION1	.90

PAGE NO

	10.1.9	ADOPTION SIGNAGE	OF D	RAFT	LOCAL	PLANNIN	G POL	ICY -	ADVE	RTISING	
		10.1.9(a)				IING POLI					. 201
ENGI	NEERING SE	RVICES									
	10.1.11	RIGHT OF V	/AY PO	LICY							
		10.1.11(a)				CY - DRAF 2023					. 213
	10.1.13	MANAGEM VERGES OR					EQUIP	MENT	ON	STREET	
		10.1.13(a)	STREET	VER	GES OF	TOCOL F R ATTACI	HED TO	O STRI	EET T	REES -	. 218
EXEC	UTIVE SERV	ICES									
	10.1.14	STATE SHAP	RK FISH	ING RI	ESTRICTI	ONS					
		10.1.14(a)	LETTER	TO M	IAYOR LO	ORRAINE '	YOUNG				. 223
10.2	RECEIPT OF	MINUTES	AND RE	COM	MENDAT	TIONS FRO	OM CON	имітті	EES		
	10.2.1	RECEIPT OF	AUDIT	COMI	MITEE M	IINUTES					
		10.2.1(a)				UTES - AL					. 226

TOWN OF COTTESLOE



ORDINARY COUNCIL MEETING

ATTACHMENT

ITEM 10.1.2A:
DOGS LOCAL LAW 2023



TOWN OF COTTESLOE DOGS LOCAL LAW 2023

DOG ACT 1976

LOCAL GOVERNMENT ACT 1995

Attachment 10.1.2(a) Page 2

CONTENTS

1.1 1.2 1.3 1.4 1.5	CITATION COMMENCEMENT APPLICATION REPEAL TERMS USED PART 2 - IMPOUNDING OF DOGS
2.1 2.2 2.3	CHARGES AND COSTS ATTENDANCE OF AUTHORISED PERSON AT DOG MANAGEMENT FACILITY RELEASE OF IMPOUNDED DOG PART 3 - KEEPING OF DOGS
3.1 3.2 3.3 3.4 3.5 3.6	DOGS TO BE CONFINED LIMITATION ON THE NUMBER OF DOGS APPLICATION TO KEEP ADDITIONAL DOG OR DOGS DETERMINATION OF APPLICATION CONDITIONS OF APPROVAL REVOCATION OF LICENSE TO KEEP ADDITIONAL DOGS
4.1	PART 4 - DOGS IN PUBLIC PLACES PLACES WHERE DOGS ARE PROHIBITED ABSOLUTELY
4.2	PLACES WHICH ARE DOG EXERCISE AREAS PART 5 - MISCELLANEOUS
5.1 5.2	FEES AND CHARGES OFFENCE TO EXCRETE PART 6 - ENFORCEMENT
6.1 6.2 6.3 6.4 6.5 6.6 6.7 6.8	OFFENCES GENERAL PENALTY MODIFIED PENALTIES ISSUE OF INFRINGEMENT NOTICE FAILURE TO PAY MODIFIED PENALTY PAYMENT OF MODIFIED PENALTY WITHDRAWAL OF INFRINGEMENT NOTICE SERVICE OF NOTICES

SCHEDULE 1 – PRESCRIBED OFFENCES

Attachment 10.1.2(a) Page 3

DOG ACT 1976

LOCAL GOVERNMENT ACT 1995

TOWN OF COTTESLOE

DOGS LOCAL LAW 2023

Under the powers conferred by the *Dog Act 1976*, the *Local Government Act 1995* and under all other powers enabling it, the Council of the Town of Cottesloe resolved on *[insert date]* to make the following local law.

PART 1 - PRELIMINARY

1.1 Citation

This local law may be cited as the Town of Cottesloe Dogs Local Law 2023.

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the Government Gazette.

1.3 Application

This local law applies throughout the district.

1.4 Repeal

The *Town of Cottesloe Dogs Local Law 2011*, as amended, published in the *Government Gazette* on 26 July 2011 is repealed.

1.5 Terms Used

In this local law unless the context otherwise requires -

Act means the Dog Act 1976;

authorised person means a person appointed by the local government to perform all or any of the functions conferred on an authorised person under this local law;

CEO means the Chief Executive Officer of the local government;

dangerous dog means a dog which is the subject of a declaration under section 33E of the Act declaring it to be a dangerous dog;

district means the district of the local government;

dog management facility has the meaning given to it in section 3(1) of the Act;

infringement notice means the notice referred to in clause 6.3;

local government means the Town of Cottesloe;

notice of withdrawal means the notice referred to in clause 6.6(1);

owner in relation to a dog means -

- (a) The person by whom the dog is ordinarily kept; or
- (b) The person who is deemed by the Act to be the owner of the dog;

person liable for the control of the dog has the same meaning as in section 3(1) of the Act;

pound keeper means a person authorised by the local government to perform all or any of the functions conferred on a "pound keeper" under this local law;

premises has the same meaning as in section 3 of the Act;

public place has the same meaning given to it by section 3(1) of the Act;

Regulations means the Dog Regulations 2013;

Schedule means the schedule to this local law;

thoroughfare has the meaning given to it in section 1.4 of the Local Government Act 1995; and

town planning scheme means a town planning scheme made by the local government under the *Planning and Development Act 2005* which applies throughout the whole or a part of the district.

PART 2 - IMPOUNDING OF DOGS

2.1 Charges and costs

The following are to be imposed and determined by the local government under sections 6.16 to 6.19 of the *Local Government Act 1995* -

- (a) the charges to be levied under section 29(4) of the Act relating to the seizure and impounding of a dog;
- (b) the additional fee payable under section 29(4) of the Act where a dog is released at a time or on a day other than those determined under clause 2.2; and
- (c) the costs of the destruction and the disposal of a dog referred to in section 29(15) of the Act.

2.2 Attendance of authorised person at dog management facility

The authorised person is to be in attendance at the dog management facility for the release of dogs at the times and on the days of the week as are determined by the CEO.

2.3 Release of impounded dog

- (1) A claim for the release of a dog seized and impounded is to be made to the authorised person or in the absence of the authorised person, to the CEO.
- (2) The authorised person is not to release a dog seized and impounded to any person unless that person has produced, to the satisfaction of the authorised person, satisfactory evidence -
 - (a) of her or his ownership of the dog or of her or his authority to take delivery of it; or
 - (b) that he or she is the person identified as the owner of a microchip implanted in the dog.

PART 3 - KEEPING OF DOGS

3.1 Dogs to be confined

- (1) An occupier of premises on which a dog is kept must -
 - (a) cause a portion of the premises on which the dog is kept to be fenced in a manner capable of confining the dog;
 - (b) ensure the fence used to confine the dog and every gate or door in the fence is of a type, height and construction which having regard to the breed, age, size and physical condition of the dog is capable of preventing the dog at all times from passing over, under or through it:
 - (c) ensure that every gate or door in the fence is kept closed at all times when the dog is on the premises (unless the gate is temporarily opened in a manner that ensures that the dog remains confined) and is fitted with a proper latch or other means of fastening it;
 - (d) maintain the fence and all gates and doors in the fence in good order and condition; and
 - (e) where no part of the premises consists of open space, yard or garden or there is no open space or garden or yard of which the occupier has exclusive use or occupation, ensure that other means exist on the premises (other than the tethering of the dog) for effectively confining the dog within the premises.
- (2) Where an occupier fails to comply with sub clause (1), he or she commits an offence.

Penalty:

For an offence relating to a dog other than a dangerous dog –

- (i) A fine of \$5,000
- (ii) For each separate and further offence committed by the person under the Interpretation Act 1984 Section 71, a fine of \$100.

Notwithstanding Clause 1 the confinement of dangerous dogs is dealt with in the Act and Regulations.

3.2 Limitation on the number of dogs

- (1) This clause does not apply to premises which have been
 - (a) granted an exemption under section 26(3) of the Act, or
 - (b) established as a veterinary hospital or veterinary clinic.
- (2) The limit on the number of dogs which may be kept on any premises is, for the purpose of section 26(4) of the Act is two (2) dogs over the age of 3 months and the young of those dogs under that age.

Penalty:

For an offence relating to a dog other than a dangerous dog –

- (i) A fine of \$5,000
- (ii) For each separate and further offence committed by the person under the Interpretation Act 1984 Section 71, a fine of \$100.

The confinement of dangerous dogs is dealt with in the Act and Regulations.

3.3 Application to keep additional dog or dogs

- (1) The local government may consider an application to keep an additional dog or dogs where
 - (a) the property is deemed suitable by an authorised person
 - (i) having sufficient space capable of confining more dogs;
 - (ii) noise, odours, fleas, flies and other vectors of disease will be affectively controlled;and
 - (iii) the care and welfare of the dogs is considered adequate
 - (b) the details of every dog proposed to be kept on the premises are provided including name, age, colour/description, breed, registration number and microchip details; and
 - (c) sufficient reason has been provided, including
 - (i) to replace an elderly or sick dog not expected to live;
 - (ii) a family emergency resulting in the dog being inherited;
 - (iii) merging of two households;
 - (iv) where the applicants have had approval to keep an additional dog or dogs in another local authority.
 - (d) In the case of tenanted property, provide written consent by either the landowner or their appointed property owner.

3.4 Determination of application

In determining an application for a license, the local government is to have regard to –

- (a) the matters referred to in clause 3.33;
- (b) the effect which approval of the proposed may have on the environment or the amenity of the neighbourhood;
- (c) whether approval of application will create a nuisance for the owners and occupiers of adjoining premises.

3.5 Conditions of approval

- (1) The local government may approve an application to keep an additional dog or dogs subject to any conditions as considered appropriate.
- (2) Approval of an application is not transferrable to successive owners or occupiers of the premises
- (3) A person who fails to comply with a condition imposed under subclause (1) commits an offence.

Penalty:

For an offence relating to a dog other than a dangerous dog –

- (i) A fine of \$5,000
- (ii) For each separate and further offence committed by the person under the Interpretation Act 1984 Section 71, a fine of \$100.

The confinement of dangerous dogs is dealt with in the Act and Regulations.

3.6 Revocation of license to keep additional dogs

Where a person does not comply with the conditions of approval to keep an additional dog or dogs under Clause 3.5 the local government may revoke the approval to keep an additional dog or dogs.

PART 4 - DOGS IN PUBLIC PLACES

4.1 Places where dogs are prohibited absolutely

- Designation of places where dogs are prohibited absolutely is dealt with in the Act.
- (2) If a dog enters or is in a place specified in subclause (1) every person liable for the control of the dog at that time commits an offence.
- (3) Subclause (2) does not apply to a dog which is being used as an assistance animal as defined in the *Disability Discrimination Act 1992 (Commonwealth)*.

Penalty:

For an offence relating to a dog other than a dangerous dog –

- (i) A fine of \$5,000
- (ii) For each separate and further offence committed by the person under the Interpretation Act 1984 Section 71, a fine of \$200.

The penalties relating to dangerous dogs are dealt with in the Act and Regulations.

4.2 Places which are dog exercise areas

Designation of places which are dog exercise areas is dealt with in the Act.

PART 5 - MISCELLANEOUS

5.1 Fees and Charges

Set fees and charges are to be imposed and determined by the local government under section 6.16 to 6.19 of the Act.

5.2 Offence to excrete

- (1) A dog must not excrete on
 - (a) any thoroughfare or other public place; or
 - (b) any land which is not a public place without the consent of the occupier.
- (2) Subject to subclause (3), if a dog excretes contrary to subclause (1), every person liable for the control of the dog at that time commits an offence.

Penalty: \$1,000

(3) The person liable for the control of the dog does not commit an offence against subclause (2) if any excreta is removed immediately by that person.

Attachment 10.1.2(a) Page 8

PART 6 - ENFORCEMENT

6.1 Offences

A person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.

6.2 General Penalty

A person who commits an offence under this local law is liable, on conviction, to a penalty not exceeding \$5,000 and if the offence is of a continuing nature, to an additional penalty not exceeding \$100 for each day or part of the day during which the offence has continued.

6.3 Modified penalties

- (1) The offences contained in Schedule 1 are offences in relation to which a modified penalty may be imposed.
- (2) The amount appearing in the third column of Schedule 1 directly opposite an offence is the modified penalty payable in respect of that offence if -
 - (a) the dog is not a dangerous dog; or
 - (b) the dog is a dangerous dog, but an amount does not appear in the fourth column directly opposite that offence.
- (3) The amount appearing in the fourth column of Schedule 1 directly opposite an offence is the modified penalty payable in respect of that offence if the dog is a dangerous dog.

6.4 Issue of infringement notice

Where an authorised person has reason to believe that a person has committed an offence in respect of which a modified penalty may be imposed, he or she may issue to that person a notice in the form of Form 2 of Schedule of the *Local Government (Functions and General) Regulations 1996*.

6.5 Failure to pay modified penalty

Where a person who has received an infringement notice fails to pay the modified penalty within the time specified in the notice, or within further time as may in any particular case be allowed by an authorised person, he or she is deemed to have declined to have the offence dealt with by way of a modified penalty.

6.6 Payment of modified penalty

A person who has received an infringement notice may, within the time specified in that notice or within such further time as may in any particular case be allowed by an authorised person, send or deliver to the local government the amount of the penalty, with or without a reply as to the circumstances giving rise to the offence, and the local government may appropriate that amount in satisfaction of the penalty and issue an acknowledgment.

6.7 Withdrawal of infringement notice

Whether or not the modified penalty has been paid, an authorised person may withdraw an infringement notice by sending a notice in the form of Form 3 of Schedule 1 of the Local Government (Functions and General) Regulations 1996. A person authorised to issue an infringement notice under clause 6.4 cannot sign or send a notice of withdrawal.

6.8 Service of notices

An infringement notice or a notice of withdrawal may be served on a person personally, or by leaving it at or posting it to her or his address as ascertained from her or him, or as recorded by the local government under the Act, or as ascertained from inquiries made by the local government.

SCHEDULE 1 – PRESCRIBED OFFENCES

(Clause 6.2)

Offence	Nature of offence	Modified penalty \$	Dangerous Dog Modified Penalty \$
3.1	Failing to provide means for effectively confining a dog	200	As per Regulations
3.2	Limitation on the number of dogs	100	500
3.5	Failure to comply with conditions of approval to keep additional dog or dogs	200	500
4.1	Places where dogs are prohibited absolutely	200	500
5.1(2)	Dog excreting in public place	250	250

presence or.	}	
resolution of the Council in the presence of:	}	
was affixed by authority of a	}	
Town of Cottesloe	}	
The Common Seal of the	}	

Attachment 10.1.2(a) Page 10

TOWN OF COTTESLOE



ORDINARY COUNCIL MEETING

ATTACHMENT

ITEM 10.1.2B:
COMMENT - DOGS LOCAL LAW - ANNE CASSON

 From:
 Anne Christine Casson

 To:
 Town Of Cottesloe

 Subject:
 Re: DOGS LOCAL LAW 2023

Date: Wednesday, 12 April 2023 7:07:09 AM

Dear Matthew,

In relation to this law, please consider an exemption for foster dogs and allow people to temporarily home these dogs.

The animal shelters in Perth are currently full due to the ongoing rental crisis and cost of living and people in cottesloe may be among the few able to help.

These animals exist and need help. Restricting people able to help offer these dogs shelter will only make the problem worse.

Thanks Anne Casson Resident of Cottesloe

TOWN OF COTTESLOE



ORDINARY COUNCIL MEETING

ATTACHMENT

ITEM 10.1.2C:
DEPT OF LOCAL GOVERNMENT - COMMENTS ON PROPOSED DOG LOCAL LAW

From: Steven Elliott
To: Town Of Cottesloe

Subject: Department of Local Government - Comments on proposed dog local law

Date: Tuesday, 18 April 2023 1:54:53 PM

Good afternoon,

The Department's comments on the Town's proposed dog local law are provided below.

Dogs Local Law 2023

1. Clause 3.1 – potential for "double punishment"

Clause 3.1(1)(f) provides that a person must comply with the Town's fencing local law. A failure to comply with this paragraph will be an offence with a penalty of up to \$5000.

However, compliance with the Town's fencing local law is already mandatory and enforceable via the fines imposed under the fencing local law.

Accordingly, the existence of paragraph (f) creates the potential for "double punishment", since a person who breaches the fencing local law can potentially be fined under both clause 3.1(1)(f) of the dog local law and under the fencing local law itself.

It is suggested paragraph (f) be deleted, since it appears unnecessary and is potentially inconsistent with the fencing local law.

2. Clause 3.2 - Penalties for dangerous dogs - enforcement

Clause 3.2 provides that the penalty for keeping excessive numbers of dogs is \$10,000 where the offence involves a dangerous dog.

If the Town is ever required to enforce this clause, it should keep in mind that this specific penalty is actually provided under section 26 of the *Dog Act 1976*.

It is not possible for a local law to impose a penalty of higher than \$5000 and accordingly, any prosecution or fine will need to occur under the applicable section of the Dog Act rather than the local law itself.

3. Clause 4.1 – Places where dogs are prohibited

It is suggested that subclause (2) and (3) be deleted.

As a result of amendments to the *Dog Act 1976*, the creation of dog prohibited areas can now occur via council resolution. However, this amendment also resulted in the corresponding head of power being deleted from section 49 of the Act, meaning local laws are no longer able to deal with this issue in any detail.

The removal of subclause (3) is unlikely to cause any issues, as an exemption for assistance dogs is already provided generally by section 8 of the Act.

4. Minor edits

The following minor edits are suggested:

- Due to the local law's length, a contents page would be advisable.
- Clause 1.4:
 - Realign the definitions for *infringement notice* and *notice of withdrawal*.
 - Remove the capital from "Public".
- Clause 3.1(1)(f): It is suggested this paragraph be deleted as it appears to be unnecessary.
- Several clauses in the local law are coloured differently. The Department presumes this
 colouring is to indicate changes as compared to the local law intending to be repealed.
- Clause 5.2: This offence imposes a maximum penalty of \$5000. Dog excrement offences are relatively minor and the Town should ensure that the maximum penalty of \$5000 reflects the Town's intentions.
- **Schedule 1 –** In column one change "5.1(2)" to "5.2(2)".

The Town should also ensure that all references and cross references are checked, particularly if any further changes are made to the final draft.

Minister's Directions - pursuant to s 3.12(7) of the Local Government Act 1995

Please note: once the Town has published a local law in the *Government Gazette*, the Town must comply with the requirements of the Minister's *Local Laws Explanatory Memoranda Directions 2010*. The Town must, within 10 working days of the Gazettal publication date, forward the signed Explanatory Memoranda material to the Committee at the <u>current</u> address:

Committee Clerk Joint Standing Committee on Delegated Legislation Legislative Council Committee Office GPO Box A11 PERTH WA 6837

Email: delleg@parliament.wa.gov.au

Tel: 9222 7404 Fax: 9222 7805

A copy of the Explanatory Memoranda forms can be downloaded from the Department of Local Government, Sport and Cultural Industries website at www.dlgsc.wa.gov.au. A copy of the Directions is also available at the Committee's webpage at the Parliament WA website. Failure to comply with the Directions may render the local law inoperable.

Please note that my comments:

- have been provided to assist the Town with drafting matters in relation to the local law;
- do not constitute legal advice;
- have been provided in good faith for the Town's consideration; and
- should not be taken as an approval of content.

The Town should ensure that a detailed editorial analysis of the proposed local law has been undertaken and that the content of the local law is in accordance with the Town's policies and objectives.

Kind regards

Steven Elliott

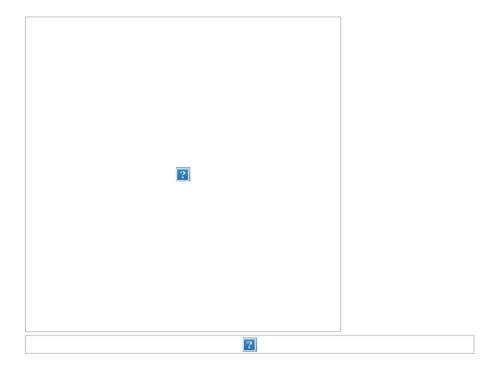
A/Principal Strategy Officer

Department of Local Government, Sport and Cultural Industries
140 William Street, Perth WA 6000

GPO Box R1250, Perth WA 6844

Web www.dlgsc.wa.gov.au

The Department acknowledges the Aboriginal peoples of Western Australia as the traditional custodians of this land, and we pay our respects to their Elders past and present.



Attachment 10.1.2(c) Page 16

TOWN OF COTTESLOE



ORDINARY COUNCIL MEETING

ATTACHMENT

ITEM 10.1.3A:
AGM OF ELECTORS UNCONFIRMED MINUTES

TOWN OF COTTESLOE



ANNUAL GENERAL MEETING OF ELECTORS

UNCONFIRMED MINUTES

WAR MEMORIAL HALL, COTTESLOE CIVIC CENTRE 109 BROOME STREET, COTTESLOE 6.00 PM, WEDNESDAY, 17 MAY 2023

MATTHEW SCOTT
Chief Executive Officer

30 May 2023

Attachment 10.1.3(a) Page 18

ANNUAL GENERAL MEETING OF ELECTORS

1. Declaration of Meeting Open

The Presiding Member, Mayor Young opened the meeting at 6:02 pm

I would like to begin by acknowledging the Whadjuk Nyoongar people, Traditional Custodians of the land on which we meet today, and pay my respects to their Elders past and present. I extend that respect to Aboriginal and Torres Strait Islander peoples here today.

2. Attendance

Elected Members Present

Mayor Young

Cr Sadler

Cr Kirsty Barrett (from 6:30 pm)

Cr Chilla Bulbeck (from 6:53 pm)

Cr Brad Wylynko Cr Richard Atkins

Electors Present

Cottesloe Elector **Dennis Rumley** Cottesloe Elector Hilary Rumley Cottesloe Elector **Gray Porter** Pammy Goff **Cottesloe Elector** Peter Goff Cottesloe Elector Cottesloe Elector Tom Jowett **Bob Pigeon Cottesloe Elector** Phil Paterson Cottesloe Elector Steve Drake - Brockman **Cottesloe Elector**

Greg Bolan Deputy Chair, Cottesloe Residents & Ratepayers Assoc.

Staff Present

Matthew Scott Shaun Kan Freya Ayliffe

Jacquelyne Pilkington

Media

David Cohen POST Newspapers
Gabrielle Becerra Mellet PerthNow - Media

3. Apologies

Elected Members

Cr Craig Masarei – Longstanding Professional Engagement

Cr Melissa Harkins – Travelling for work

Cr Paul MacFarlane - Travelling for work

Electors

Ruth Greble

47 John Street, Cottesloe

4. The Mayor's Welcome

The Presiding Member welcomed everyone to the meeting.

5. Confirmation of Minutes

Moved Cr Sadler

Seconded Mayor Young

That the Minutes of the Annual General Meeting of Electors held on Wednesday 9 March 2022 be confirmed.

Carried 5/0

6. Discussion of the 2021/22 Annual Report for the Town of Cottesloe

- a. The Mayor's Message
- b. The Chief Executive Officer's Report
- c. Statutory Reports
- d. Integrated Planning and Reporting
- e. Financial Statements
- f. The Auditor's Report

ATTACHMENT: 2021/22 Annual Report for the Town of Cottesloe

7. Public Question Time (Annual Report)

Mrs Hilary Rumley

- Q1. Why has the Town of Cottesloe failed to fully implement its Disability Access and Inclusion Plan [DAP] 2018/2023? Universal beach access was "prioritized" in this plan "in front of Wearne/South Cottesloe"?
- R1: The Presiding Member advised that the Disability Access and Inclusion Plan referred to was for the period 2018-2023 and it does provide as an Outcome that beach access should be prioritized, though it does not single out the Wearne development or South Cottesloe specifically, it says it should be

2

Attachment 10.1.3(a) Page 20

prioritized in "Cottesloe, North Cottesloe and in front of Wearne (South Cottesloe)". It is a very broad objective. It is one of many outcomes in the plan and involves all beach access throughout Cottesloe. Since the plan was adopted by Council the Town has carried out upgrades on several beach access paths and has undertaken the rationalization of beach access paths throughout the district. Construction of beach access in front of Wearne has come into focus-as a priority only recently, with the occupation of the Curtin Care Facility that has resulted in a large number of residents in an area that was not previously densely occupied. The Town and Council has the unenviable task of trying to meet at times seemingly limited demands for amenities and facilities with very limited resources and when we have increase in residential population without a corresponding increase in rates income it does become even more challenging to meet the demands of all. It is important that Council set priorities and that demands that are newly created can not automatically be leapfrogged above the demands from other sectors of the community that may have been very long in the waiting.

- Q3: In the Annual Report there is mention that one of the main objectives is to continue to improve access and inclusion of aged persons and those with disability. What does the Presiding Member think is happening with regard to the above?
- Q4: Another main objective is to provide universal access to all facilities at Cottesloe beach.
- R3 & 4: As per the response above to Q1 it is not possible to meet all of the demands from everyone in the community from limited income and we are aware that there is an increase in demand for access in that area and it will be considered by Council.

Mr Greg Boland

- Q1: The Annual Report doesn't hold any reference to the Annual Special Electors meeting held February 23, 2022. It was a significant event why was this meeting not reported?
- R1: The Presiding Member advised that the Special Elected Meeting that is referred to above was covered at the following Council meeting and was fully reported in Minutes. When balancing what is to go into an Annual Report it's a judgment call as to what should go into the Report. It's difficult to meet the requests of individual electors.
- Q3: Is the report going to be corrected if there are errors in it?
- R3: The Presiding Member advised that if an error is identified it will be corrected.

Mr Tom Jowett

Pg 59 Trade & Other Payables

Q1: Income in advance 2022 is \$344,675 could we account for the components of that?

Q2: Sundry creditors have increased by \$1.15m as a liability it appears it has gone up from \$825,000 to \$1.987m could we discuss the increase of \$1.1m and how that breaks down?

These questions were taken on notice

Mr Greg Boland

Pg 9 CEO Report

Q2: There is a reference to the number of development applications approved in 2021/2022 with 165 with a value of \$249,333 maybe this is the State Government limiting Councils to approving maybe pergolas and front fences as it seems to be \$1,500 per application. It clearly seems to be an error.

R2: The Director Development and Regulatory Services advised the figure of \$249, 333 is not the total value of the developments in Cottesloe, it is the fees that the Town has received from the development applications.

ELECTOR MOTION

Moved Cr Sadler Seconded Mr Paterson

That the Meeting receives the 2021/2022 Annual Report for the Town of Cottesloe noting the query by Elector Greg Boland regarding development applications and clarifying as necessary.

Carried 8/1 Against

8. Public Question Time (General Business)

Mr Greg Boland

Q1: Why is the AGM of Electors being held so late?

R1: The CEO advised that due to a disagreement between the Town's Auditors and the consultant engaged to revalue infrastructure assets, it took longer than expected for the Audit to be completed, delaying the adoption of the Annual Report by Council, and therefore the calling of the Annual Meeting of Electors.

Mr Tom Jowett

Q1: In the interest of resident value for money, can you please account for the CEO's salary in financial years 2021, 2022, and 2023?

R1: The Presiding Member advised the information is in each Annual Report [pg 11 for 2021/22]. The Cottesloe residents and ratepayers receive excellent value. CEOs in Local Government are underpaid for the work that they do and Mr Scott is by no means an exception to that. CEO Salaries are based on State regulated Bands.

- Q2: What was the motivating factor behind the March extension of useful lives of the Towns assets?
- R2: The CEO advised that the consultants engaged by the Town to value infrastructure had looked at the history of our infrastructure and compared the effective condition of the assets verses the age of the assets. From this analysis the consultant determined that a change in useful life was necessary is some classes of infrastructure.
- Q3: How many of the 15 motions from last year's Annual General Meeting of Electors were passed or actioned by Council?
- R3: The Presiding Member advised that she is not certain of the exact number of motions, but advised Council does not pass motions put forward by Electors. Under the Local Government Act Council is required consider any motion passed at an Elector Members and determine what action, if any, needs to be taken. This is covered in full in the Officer's Report and the Minutes of the Council meeting that immediately followed the Annual Electors meeting.
- Q4: According to this month's Council Minutes we reportedly received a \$68,000 grant from the Department of Transport for a bike path. When was the grant received and what is the nature of the grant.
- R4: This question was responded to in the April 2023 Ordinary Council Meeting Agenda and Minutes and the responses were forwarded to the member of the public who asked the questions as they were taken on notice.

Mrs Pammy Goff

- Q1: There is a lack of maintenance in the beach area over the last few years, this being steps, tree roots, the rough surface of the carpark etc. When will the Town start maintaining these areas? Please do not answer this with you are waiting on money!
- R1: The Presiding Member advised the issue of the maintenance of the beach can be raised in the budget deliberations for the setting of next year's budget.

Mrs Hilary Rumley

Q2: Please explain why the DCCS said in an email of 14 April 2023 that "an improved beach access path at this location [is] not in the Town's forward planning documents" when it has clearly been given high priority by Council in both the DAIP and the Beach Access Path Plan?

R2: The Presiding Member did not respond to the is question, as it was similar in nature to previous questions from Mrs Rumley, put during discussion on the Annual Report, and which the Presiding Member had already answered.

Mr Pigeon

- Q1: Has there been a cut back for the maintenance of the beach in terms of what's going on which has taken place recently?
- R1: The CEO advised that it is a guiding principle of the Town's budget to maintain current services so there has been no implied or direct cutback in maintenance. The Town is a coastal community and coastal communities are starting to bare the changes to the environment and that may have an impact on the community's perception, however, there certainly has not been a reduction in funding for maintenance on the beach.

Mrs Pammy Goff

- Q1: There used to be someone that did the maintenance but there no longer seems to be one. Am I right?
- R1: The CEO was advised that there is a Town Maintenance Team responsible for maintaining the Foreshore.
- Q2: There is a part-time lady who cleans the beach regularly but have not seen any others.
- R2: The CEO advised there was dedicated resource associated with the maintenance of the foreshore.

9. Public Statement Time

The Annual General Meeting of Electors being held late

Mr Greg Boland spoke of his concerns regarding the lateness of the Annual General Meeting of Electors.

ELECTOR MOTION

Mover Mr Greg Boland Seconder Mr Tom Jowett

Subject to the provisions of the Local Government Act, the Town of Cottesloe resolves to hold the Annual General Meeting of Electors no later than 31 December each year.

Carried 7/0

10. Closure of the Meeting

The Presiding Member closed the meeting at 7:01pm.

TOWN OF COTTESLOE



ORDINARY COUNCIL MEETING

ATTACHMENT

ITEM 10.1.4A:
DELEGATION AUTHORITY REGISTER

TOWN OF COTTESLOE



DELEGATED AUTHORITY REGISTER 2022 / 2023

Adopted by Council 24 May 2022

Attachment 10.1.4(a) Page 26

Delegated Authority Register 2022/2023

Table of Contents

T	OWN OF COTTESLOE	1
1	. Local Government Act 1995	1
	1.1 Administration and Enforcement of Local Laws	1
	1.2 Performance of Executive Functions Relating to Land	2
	1.3 Powers to be Exercised by Authorised Persons in Relation to Land	4
	1.4 Powers of Entry to Land	6
	1.5 Opening of Fences	8
	1.6 Authorising Employees to Impound Goods	10
	1.7 Withholding of Goods	11
	1.8 Disposal of Impounded Goods	12
	1.9 Disposal of Sick or Injured Animals	14
	1.10 Recovery of Costs Associated with Impounded Goods	15
	1.11 Closure of Certain Thoroughfares to Vehicles	16
	1.12 Closure of Thoroughfares for Repairs or Maintenance	18
	1.13 Inviting Tenders for Goods and Services Under Contract	19
	1.14 Waive, Grant Concessions or Write Off Individual Debts to a Maximum of \$1,000	20
	1.15 Investing Funds not Required	21
	1.16 Make Agreements with Persons Regarding Payment of Rates	22
	1.17 Action Taken When Rates are Unpaid for at Least Three Years	23
	1.18 Dealing with Objections to the Rates Record	25
	1.19 Appointment of Authorised Persons	26
	1.20 Power to Sign	27
	1.21 Attendance at Events and Functions	29

2	. Local Government (Financial Management) Regulations 1996	31
	2.1 Power to Make Payments from the Municipal and Trust Funds	31
3	. Local Government (Uniform Local Provisions) Regulation 1996	32
	3.1 Obstruction of Public Thoroughfare by Things Placed and Left	32
	3.2 Obstruction of Public Thoroughfare by Fallen Things	35
	3.3 Encroaching of Public Thoroughfare	36
	3.4 Dangerous Excavation in or Near Public Thoroughfare	37
S	tatutory Delegations – Other Legislation	40
4	. Dog Act 1976	40
	4.1 Appointment of Authorised Persons	40
5	. Cat Act 2011	41
	5.1 Appointment of Authorised Persons	41
6	. Food Act 2008	43
	6.1 Prohibition Order	43
	6.2 Certificate of Clearance of Prohibition Order	45
	6.3 Registration of Food Businesses	46
	6.4 Variation of Conditions of Cancellation of Registration of Food Businesses	48
	6.5 Appoint Authorised Officers and Designated Officer to Carry Out the Provisions of the Act	50
	6.6 Certificates of Authority	51
	6.7 Institution of Proceedings	52
	7.1 Health (Miscellaneous Provisions) Act 1911	53
	7.2 Graffiti Vandalism Act 2016	54
D	Pivision 2 — Notices	55
	7.3 Public Health Act 2016	57
	7.4 Health (Asbestos) Regulations 1992	58

	8.1 Authority to Issue Certificates of Local Government	60
	8.2 Authority to Issue Certificates of Local Government	62
	9.1 Granting of Certificate	64
	10.1 The Power and Duties of Council Pursuant to the Operation of the Scheme	68
	11.1 Approve or Refuse a Building Permit	70
	11.2 Approve or Refuse a Demolition Permit	74
	11.3 Grant of Occupancy Permit/Building Permit Approval Certificate	77
	11.4 Extension of Period of Duration (of an Occupancy Permit of a Building Approval Certificate)	80
	11.5 Building Orders	82
	11.6 Revocation of Building Order	84
	11.7 Permit Authority May Give Effect to Building Order if Non-Compliance	85
	11.8 Inspections, Copies of Building Records	87
	11.9 Prosecutions	88
	11.10 Designate Authorised Persons	89
Т	own of Cottesloe Local Laws	. 91
	12.1 Revoke Sign Licences	91
	12.2 Issue and Revoke Special Permits for Signs	92
	12.3 Removal and Dispose of Signs Unlawfully Displayed	93
	13.1 Approve or Refuse an Application for a Permit to Trade, Perform, Conduct a Stall or Outdoor Eating Facility	94
	14.1 Freedom of Information Act 1992 Application Process	96

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			
	3.18. Performing executive functions			
	(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.			
	(2) In performing its executive functions, a local government may provide services and facilities.			
	(3) A local government is to satisfy itself that services and facilities that it provides —			
	(a) integrate and coordinate, so far as practicable, with any provided by the Commonwealth, the State or any public body; and			
	(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			
	(c) are managed efficiently and effectively.			
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			

1.2 Performance of Executive Functions Relating to Land					
Function Delegated	Authori	Authority to perform executive functions relating to land.			
Statutory Power Delegated		Local Government Act 1995 Section 3.21 Duties when performing functions			
	3.21.	3.21. Duties when performing functions			
	(1)	(1) In performing its executive functions, a local government, so far as is reasonable and practicable, is to —			
		(a) ensur	e that —		
		(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		
		(ii)	as little harm or inconvenience is caused and as little damage is done as is possible; and		
		(iii)	danger to any person or property does not arise from anything done on land; and		
		(iv)	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;		
		and			
		(b) ensur	e that —		
		(i)	buildings, fences, and other structures are not disturbed nor damaged; and		
		(ii)	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		
		(iii)	any physical damage done to any land, premises or thing, is immediately made good unless compensation has been or is to be paid.		
	(2) Subsection (1)(b) does not apply to any land, premises or thing that is local government property.				
Power Originally Assigned To	The Loc	al 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.

1.3 Powers to be Exercised by Authorised Persons in Relation to Land		
Function Delegated	Authority to exercise powers by authorised persons in relation to land.	
Statutory Power Delegated	Local Government Act 1995 Section 3.24 Authorising persons under this Subdivision Section 3.25 Notices requiring certain things to be done by owner or occupier of land Section 3.26(3) Additional powers when notices given	
	3.24.	Authorising persons under this Subdivision
		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.
	3.25.	Notices requiring certain things to be done by owner or occupier of land
	(1)	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 —
		(a) is prescribed in Schedule 3.1, Division 1; or
		(b) is for the purpose of remedying or mitigating the effects of any offence against a provision prescribed in Schedule 3.1, Division 2.
	(2)	Schedule 3.1 may be amended by regulations.
	(3)	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.
	(4)	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.
	(5)	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.
	(6)	A person who fails to comply with a notice under subsection (1) commits an offence.
	3.26.	Additional powers when notices given
	(3)	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.
Power Originally	The Local Government
Assigned To	
Statutory Power of	Local Government Act 1995
Delegation	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	Director Engineering Services
Officer's Sub	Directory Development and Regulatory Services
Delegation to	
Conditions on	To be exercised in accordance with the Town's Policies and Local Laws.
Delegations (if any)	

1.4 Powers of Entry to Land		
Function Delegated	Authority to: 1. Enter on to land to perform any function of the local government under the Act (s.3.28) 2. Give notice of entry (s.3.32) 3. Seek and execute an entry under warrant (s3.33) 4. Execute entry in an emergency (s.3.34)	
Statutory Power Delegated	Local Government Act 1995 Section 3.28 When this Subdivision Applies Section 3.33 Entry under warrant Section 3.34 Entry in emergency	
	3.28. When this Subdivision applies	
	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.	
	3.33. Entry under warrant	
	(1) 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.	
	(2) 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 —	
	(a) entry has been refused or is opposed or prevented; or	
	(b) entry cannot be obtained; or	
	(c) notice cannot be given under section 3.32 without unreasonable difficulty or without unreasonably delaying entry.	
	(3) A warrant granted under subsection (1) —	
	(a) is to be in the prescribed form; and	
	(b) is to specify the purpose for which the land, premises or thing may be entered; and	
	(c) continues to have effect until the purpose for which it	

	was granted has been satisfied.		
	3.34.	Entry in emergency	
	(1)	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.	
	(2)	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 —	
		(a) injury or illness to any person; or	
		(b) a natural or other disaster or emergency; or(c) such other occurrence as is prescribed for the purposes of this section.	
	(3)	A local government may use reasonable force to exercise the power of entry given by subsection (1).	
	(4)	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.	
	(5)	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.	
Power Originally Assigned To	The Loc	al Government	
Statutory Power of Delegation	Local Government Act 1995 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 Ex	recutive 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 ex Laws.	xercised in accordance with the Town's Policies and Local	

1.5 Opening of Fences		
Function Delegated	Authority to give notice and effect entry by opening a fence.	
Statutory Power Delegated	Local Government Act 1995 Section 3.36 Opening Fences	
	3.36.	Opening fences
	(1)	This section applies only if it is expressly stated in Schedule 3.2.
	(2)	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.
	(3)	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.
	(4)	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.
	(5)	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.
	(6)	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.
	(7)	The owner and occupier may, in a particular case, relieve the local government of any obligation that it has under this section.
Power Originally Assigned To	The Loc	al Government
Statutory Power of Delegation	Local Government Act 1995 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	Director Engineering Services
Officer's Sub	
Delegation to	
Conditions on	To be exercised in accordance with the Town's Policies and Local Laws.
Delegations (if any)	

Attachment 10.1.4(a) Page 38

1.6 Authorising Employees to Impound Goods		
Function Delegated	Authority to authorise employees to impound goods.	
Statutory Power	Local Government Act 1995	
Delegated	Section 3.39 Power to Remove and Impound	
	3.39. Power to remove and impound	
	(1) 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.	
	(2) A person may use reasonable force to exercise the power given by subsection (1).	
Power Originally Assigned To	The Local Government	
Statutory Power of	Local Government Act 1995	
Delegation	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	Director Development and Regulatory Services	
Officer's Sub		
Delegation to		
Conditions on	To be exercised in accordance with the Town's Policies and Local Laws.	
Delegations (if any)		

1.7 Withholding of Goods		
Function Delegated	Authority to withhold goods.	
Statutory Power	Local Government Act 1995	
Delegated	Section 3.46 Goods may be withheld until costs paid	
	3.46. Goods may be withheld until costs paid	
	(1) 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.	
	(2) 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.	
Power Originally Assigned To	The Local Government	
Statutory Power of	Local Government Act 1995	
Delegation	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	Director Development and Regulatory Services	
Officer's Sub	Director Corporate and Community Services	
Delegation to	Finance Manager	
Conditions on	To be exercised in accordance with the Town's Policies and Local Laws.	
Delegations (if any)		

1.8 Disposal of Impounded Goods			
Function Delegated	Authority to dispose of impounded goods.		
Statutory Power Delegated	Local Government Act 1995 Section 3.47 Confiscated or uncollected goods, disposal of		
	3.47.	Confiscated or uncollected goods, disposal of	
	(1)	The local government may sell or otherwise dispose of any goods that have been ordered to be confiscated under section 3.43.	
	(2)	The local government may sell or otherwise dispose of any vehicle that has not been collected within —	
		(a) 2 months of a notice having been given under section 3.40(3); or	
		(b) 7 days of a declaration being made under section 3.40A(4) that the vehicle is an abandoned vehicle wreck.	
	(2a)	The local government may sell or otherwise dispose of impounded goods that have not been collected within the period specified in subsection (2b) of —	
		(a) a notice having been given under section 3.42(1)(b) or 3.44; or	
		(b) being impounded if the local government has been unable, after making reasonable efforts to do so, to give that notice to the alleged offender.	
	(2b)	The period after which goods may be sold or otherwise disposed of under subsection (2a) is —	
		(a) for perishable goods — 3 days;	
		(b) for animals — 7 days;	
		(ca) for prescribed non-perishable goods — one month;	
		(c) for other non-perishable goods — 2 months.	
	(3)	Section 3.58 applies to the sale of goods under this section as if they were property referred to in that section.	
	(4)	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.	

	 (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. (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. 	
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 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 Finance Manager	
Conditions on Delegations (if any)	To be exercised in accordance with the Town's Policies and Local Laws.	

1.9 Disposal of Sick or Injured Animals		
Function Delegated	Authority to destroy and dispose of an animal that is determined to be too sick or injured to treat.	
Statutory Power Delegated	Local Government Act 1995 Section 3.47A Sick or injured animals, disposal of.	
	3.47A. Sick or injured animals, disposal of	
	(1) 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.	
	(2) A local government must not destroy an animal under subsection (1) unless —	
	(a) because of the state of the animal, destroying it is urgent; or	
	(b) the local government has —	
	(i) taken reasonable steps to notify the owner; and	
	(ii) whether or not notice has been given under subparagraph (i), allowed the owner a reasonable opportunity to collect the animal.	
	(3) Subsection (2)(b) does not justify the destruction of an animal before it has been impounded for at least 7 days.	
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 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 Town Rangers	
Conditions on Delegations (if any)	To be exercised in accordance with the Town's Policies and Local Laws.	

1.10 Recovery of Costs	Associated with Impounded Goods	
Function Delegated	Authority to recover costs associated with impounded goods.	
Statutory Power Delegated	Local Government Act 1995 Section 3.48 Impounded expenses, recovery of	
	3.48. Impounding expenses, recovery of	
	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 —	
	(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	
	(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	
	(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.	
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 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 Corporate and Community Services Director Development and Regulatory Services	
Conditions on Delegations (if any)	To be exercised in accordance with the Town's Policies and Local Laws. Specific policy guidance is contained within: • Disposal of Abandoned Vehicles Policy	

1.11 Closure of Certain Thoroughfares to Vehicles			
Function Delegated	The authority to close certain thoroughfares to vehicles.		
Statutory Power Delegated	Local Government Act 1995 Section 3.50 Closing of certain thoroughfares to vehicles.		
	3.50.	Closing certain thoroughfares to vehicles	
	(1)	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.	
	(1a)	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.	
	(2)	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.	
	[(3)	deleted]	
	(4)	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 — (a) 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	
		(b) give written notice to each person who —	
		(i) is prescribed for the purposes of this section; or	
		(ii) owns land that is prescribed for the purposes of this section;	
		and	
		(c) allow a reasonable time for submissions to be made and consider any submissions made.	
	(5)	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).	
	(6)	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.	
	[(7) deleted]	
	(8) 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.	
	(9) The requirement in subsection (8) ceases to apply if the thoroughfare is reopened.	
Power Originally	The Local Government	
Assigned To		
Statutory Power of	Local Government Act 1995	
Delegation	Section 5.42 Delegation of some power or duties to the Chief Executive	
	Officer	
Power Delegated To	Chief Executive Officer	
Chief Executive	Director Engineering Services	
Officer's Sub	Manager Projects and Assets	
Delegation to		
Conditions on	To be exercised in accordance with the Town's Policies and Local Laws.	
Delegations (if any)		

1.12 Closure of Thorou	ughfares for Repairs or Maintenance		
Function Delegated	Authority to close thoroughfares for repairs or maintenance.		
Statutory Power Delegated	Local Government Act 1995 Section 3.50A Partial closure of thoroughfare for repairs or maintenance.		
	3.50A. Partial closure of thoroughfare for repairs or maintenance		
	Despite section 3.50, a local government may partially and temporarily close a thoroughfare, without giving local public notice, if the closure —		
	(a) is for the purpose of carrying out repairs or maintenance; and		
	(b) is unlikely to have a significant adverse effect on users of the thoroughfare.		
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	Director Engineering Services Manager Projects and Assets		
Conditions on Delegations (if any)	To be exercised in accordance with the Town's Policies and Local Laws.		

1.13 Inviting Tenders for Goods and Services Under Contract		
Function Delegated	Authority to invite tenders for goods and services under contract.	
Statutory Power	Local Government Act 1995	
Delegated	Section 3.57 Tenders for providing goods or services	
	3.57. Tenders for providing goods or services	
	(1) 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.	
	(2) Regulations may make provision about tenders.	
Power Originally Assigned To	The Local Government	
Statutory Power of	Local Government Act 1995	
Delegation	Section 5.42 Delegation of some power or duties to the Chief Executive Officer	
Power Delegated To	Chief Executive Officer	
Chief Executive	Director Engineering Services	
Officer's Sub	Director Corporate and Community Services	
Delegation to	Director Development and Regulatory Services	
Conditions on Delegations (if any)	Specific policy guidance contained within: • Purchasing Policy	
	Delegation only to be used where a specific budget allocation exists for the project or works that the tender is called for.	

1.14 Waive, Grant Con	cessions or Write Off Individual Debts to a Maximum of \$1,000		
Function Delegated	Waive, grant concessions or write off individual debts to a maximum of \$1,000, in relation to any amount of money which is owed to the Town.		
	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.		
Statutory Power	Local Government Act 1995		
Delegated	Section 6.12 Power to defer, grant discounts, waive or write off debts		
	6.12. Power to defer, grant discounts, waive or write off debts		
	(1) Subject to subsection (2) and any other written law, a local government may —		
	(a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or		
	(b) waive or grant concessions in relation to any amount of money; or		
	(c) write off any amount of money,		
	which is owed to the local government.		
	* Absolute majority required.		
	(2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.		
	(3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.		
	(4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.		
Power Originally	The Local Government		
Assigned To			
Statutory Power of	Local Government Act 1995		
Delegation	Section 5.42 Delegation of some power or duties to the Chief Executive		
Power Delegated To	Officer Chief Executive Officer		
Chief Executive Officer's Sub	Nil		
Delegation to			
Conditions on	To be exercised in accordance with the Town's Policies and Local Laws.		
Delegations (if any)	and the same and t		

1.15 Investing Funds not Required				
Function Delegated		The authority to invest funds held in the Municipal or Trust fund that is not, for the time being, required for any other purpose.		
Statutory Power	Local Government Act 1995			
Delegated	Section	Section 6.14 Power to invest		
	6.14.	Power to invest		
	(1)	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.		
	(2A)	A local government is to comply with the regulations when investing money referred to in subsection (1).		
	(2)	Regulations in relation to investments by local governments may —		
		(a) make provision in respect of the investment of money referred to in subsection (1); and		
		[(b) deleted]		
		(c) prescribe circumstances in which a local government is required to invest money held by it; and		
		(d) provide for the application of investment earnings; and		
		(e) generally provide for the management of those investments.		
Power Originally Assigned To	The Loc	al Government		
Statutory Power of		overnment Act 1995		
Delegation	Section 5.42 Delegation of some power or duties to the Chief Executive Officer			
Power Delegated To		kecutive Officer		
Chief Executive	I	r Corporate and Community Services		
Officer's Sub	Finance	Manager		
Delegation to	To bo ==	versised in accordance with the Terra's Policies and Level Level		
Conditions on Delegations (if any)	1	xercised in accordance with the Town's Policies and Local Laws.		
Delegations (II ally)	Specific Policy guidance is contained within: • Investment Policy			
		investment roney		

1.16 Make Agreements with Persons Regarding Payment of Rates			
Function Delegated	Authority to make agreements with persons regarding payment of rates.		
Statutory Power	Local Government Act 1995		
Delegated	Section 6.49 Agreement as to payment of rates and service charges		
	6.49. Agreement as to payment of rates and service charges		
	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.		
Power Originally Assigned To	The Local Government		
Statutory Power of	Local Government Act 1995		
Delegation	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	Director Corporate and Community Services		
Officer's Sub	Finance Manager		
Delegation to			
Conditions on	To be exercised in accordance with the Town's Policies and Local Laws.		
Delegations (if any)	Specific policy guidance is contained within:		
	Rates Recovery Policy		

1.17 Action Taken Wh	nen Rates	are Unpaid for at Least Three Years
Function Delegated	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 the years.	
	respect	ity to lodge (and withdraw) a caveat to preclude dealings in of land where payment of rates or services charges imposed on d is in arrears.
Statutory Power Delegated	Local Government Act 1995 Section 6.56 Rates or service charges recoverable in court Section 6.64 Actions to be taken.	
	6.56	Rates or service charges recoverable in court
	(1)	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.
	(2)	Rates of service charges due by the same person to the local government may be included in one writ, summons, or other process.
	6.64.	Actions to be taken
	(1)	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 —
		(a) from time to time lease the land; or
		(b) sell the land; or
		(c) cause the land to be transferred to the Crown; or
		(d) cause the land to be transferred to itself.
	(2)	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.
	(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.
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	Nil
Conditions on Delegations (if any)	To be exercised in accordance with the Town's Policies and Local Laws. Specific Policy guidance contained within: Rates Recovery Policy

1.18 Dealing with Objections to the Rates Record		
Function Delegated	Authority to extend the time for a person to make an objection to a rate record.	
	Authority to consider an objection to a rate record and either allow it or disallow it wholly or in part.	
Statutory Power Delegated	Local Government Act 1995 Section 6.76 (4,5 and 6) Grounds for objection	
	6.76. Grounds of objection	
	(4) 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.	
	(5) The local government is to promptly consider any objection and may either disallow it or allow it, wholly or in part.	
	(6) 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.	
Power Originally Assigned To	The Local Government	
Statutory Power of	Local Government Act 1995	
Delegation	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 Corporate and Community Services (Appeal right remains to the Chief Executive Officer)	
Conditions on Delegations (if any)	To be exercised in accordance with the Town's Policies and Local Laws. The original decision maker is not to be the person who reviews an appeal.	

1.19 Appointment of A	Authorised Persons		
Function Delegated	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:		
	 Litter Act 1979 Bush Fires Act 1954 Local Government (Miscellaneous Provisions) Act 1960 Control of Vehicles (Off Road Areas) Act 1978 Beach and Beach Reserves Local Law 2012 		
	Dogs Local Law 2011		
	Fencing Local Law 2001		
	Local Government Property Local Law 2001		
	Parking and Parking Facilities Local Law 2009.		
	Local Government (Uniform Local Provisions) Regulations 1996		
Statutory Power Delegated	Local Government Act 1995 Section 9.10 Appointment of authorised persons		
	9.10. Appointment of authorised persons		
	(1) The local government may, in writing, appoint persons or classes of persons to be authorised for the purposes of performing particular functions.		
	(2) 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.		
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	Nil		
Conditions on Delegations (if any)	To be exercised in accordance with the Town's Policies and Local Laws.		

1.20 Power to Sign		
Function Delegated		o sign documents required by Landgate or Department of o access or update records for administrative purposes.
Statutory Power Delegated	Local Government Act 1995 Section 9.49A Execution of Documents	
	9.49A.	Execution of documents
	(1)	A document is duly executed by a local government if —
		(a) the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or
		(b) it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.
	(2)	The common seal of a local government is not to be affixed to any document except as authorised by the local government.
	(3)	The common seal of the local government is to be affixed to a document in the presence of —
		(a) the mayor or president; and
		(b) the chief executive officer or a senior employee authorised by the chief executive officer,
		each of whom is to sign the document to attest that the common seal was so affixed.
	(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.
	(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.
	(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.
	(7)	When a document is produced bearing a seal purporting to be the common seal of the local government, it is to be presumed that the seal is the common seal of the local government

	unless the contrary is shown.	
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	Nil	
Conditions on Delegations (if any)	 This delegation is limited to the signing of the following documents; Applications for duplicate documents from LandGate; Easements required as a result of a planning condition imposed on a Development Approval; Restrictive Covenants in favour of the Town of Cottesloe that result from a condition on a Development Approval; 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; Any document required to register a lease (or other agreement) where the lease document (or other agreement) has been approved by Council. 	

1.21 Attendance at Ev	1.21 Attendance at Events and Functions		
Function Delegated	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: • The total cost of attendance is to be \$500 or less, and • The notice provided must be such that there is not the ability to have the request for attendance submitted to an Ordinary mosting of Council		
	meeting of Council.		
Statutory Power Delegated	Local Government Act 1995 Council Policy Pol/106		
	In making a decision on attendance at an event, the CEO should consider:		
	 a) who is providing the invitation or ticket to the event; 		
	b) the location of the event in relation to the Town of Cottesloe		
	c) the role of the Elected Member or CEO when attending the event (participant, observer, presenter) and value of their contribution; d) whether the event is sponsored by the local		
	government; e) the benefit of Town of Cottesloe representation at		
	the event; f) the number of invitations/tickets received; and 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.		
	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.		
	Decisions to attend events in accordance with this Policy may be made by simple majority or by the CEO in accordance with this delegation.		
Power Originally Assigned To	The Local Government		
Statutory Power of Delegation	Local Government Act 1995		

	Policy Pol/106
Power Delegated To	Chief Executive Officer
Chief Executive	Nil
Officer's Sub	
Delegation to	
Conditions on	To be exercised in accordance with the Town's Policies and Local Laws.
Delegations (if any)	

2. Local Government (Financial Management) Regulations 1996

2.1 Power to Make Pay	2.1 Power to Make Payments from the Municipal and Trust Funds		
Function Delegated	The authority to make payments from the Municipal and Trust funds.		
Statutory Power Delegated	Local Government (Financial Management) Regulations 1996 Section 12(1)(a) Payments From Municipal Fund and Trust Fund, Restrictions on Making		
	12. Payments from municipal fund or trust fund, restrictions on making		
	(1) A payment may only be made from the municipal fund or the trust fund —		
	(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		
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 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		
Power Delegated To	Chief Executive Officer		
Chief Executive Officer's Sub Delegation to	Director Corporate and Community Services Director Engineering Services Director Development and Regulatory Services Finance Manager		
Conditions on Delegations (if any)	To be exercised in accordance with the Town's Policies, Local Laws and adopted Budget.		

31

Page 60

3. Local Government (Uniform Local Provisions) Regulation 1996

3.1 Obstruction of Pub	lic Thoroughfare by Things Placed and Left	
Function Delegated	 Authority to: 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. Determine if protective structures, necessary for public safety, are kept and maintained to the satisfaction of the local government. Determine if repair of damage to a thoroughfare is to the satisfaction of the local government. 	
Statutory Power Delegated	Local Government (Uniform Local Provisions) Regulation 1996 Regulation 6 Obstruction of public thoroughfare by things placed and left	
	6. Obstruction of public thoroughfare by things placed and left — Sch. 9.1 cl. 3(1)(a)	
	(1) A person must not, without lawful authority, place on a public thoroughfare anything that obstructs it. Penalty: a fine of \$5 000 and a daily penalty of \$500 for each day during which the obstruction continues.	
	(2) 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.	
	(3) Permission granted by the local government under this regulation — (a) must be in writing; and (b) must specify the period for which it is granted; and (c) must specify each condition imposed under subregulation (4); and (d) may be renewed from time to time; and (e) may be cancelled by giving written notice to the person to whom the permission was granted.	
	(4) 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 —	

 (a) conditions relating to the erection of hoardings, fences, walkways or other structures for the protection of the public thoroughfare or public safety (protective structures);

- (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;
- a condition imposing a charge for any damage to the public thoroughfare resulting from the placement of a thing on the public thoroughfare;
- (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.
- (5) It is a condition of the permission granted under this regulation that —
 - (a) placed things and protective structures are sufficiently illuminated every night from sunset to sunrise to prevent mishaps; and
 - (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
 - (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
 - (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.
- (6) 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.	
	(7) A person granted permission under this regulation must comply with each condition of the permission.	
	Penalty: a fine of \$5 000 and a daily penalty of \$500 for each day during which the offence continues.	
	(8) 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 m² of public thoroughfare that is enclosed by a hoarding or fence in accordance with the permission.	
	(9) 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.	
Power Originally Assigned To	The Local Government	
Statutory Power of	Local Government Act 1995	
Delegation	Section 5.42 Delegation of some powers or duties of 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	Director Development and Regulatory Services	
Officer's Sub	Director Engineering Services	
Delegation to	Town Rangers	
	Compliance Officer Principal Building Surveyor	
Conditions on	To be exercised in accordance with the Town's Policies and Local Laws.	
Delegations (if any)		
- 31-62-11-11-11-11-11-11-11-11-11-11-11-11-11	 Specific guidance is contained within; Activities on Thoroughfares and Trading in Thoroughfares and 	
	Public Places Local Law	

3.2 Obstruction of Public Thoroughfare by Fallen Things		
Function Delegated	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.	
Statutory Power Delegated	Local Government (Uniform Local Provisions) Regulation 1996 Regulation 7(A) Obstruction of Public Thoroughfare by Fallen Things	
	7A. Obstruction of public thoroughfare by fallen things — Sch. 9.1 cl. 3(1)(b) A person who is the owner or occupier of land must, when requested by the local government to do so, remove any thing that — (a) has fallen from the land, or from anything on the land; and (b) is obstructing a public thoroughfare. Penalty: a fine of \$5 000 and a daily penalty of \$500 for each day during which the offence continues.	
Power Originally	The Local Government	
Assigned To Statutory Power of Delegation	Local Government Act 1995 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 Engineering Services Town Rangers Compliance Officer Principal Building Surveyor	
Conditions on Delegations (if any)	To be exercised in accordance with the Town's Policies and Local Laws. Specific guidance is contained within: • Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law	

3.3 Encroaching of Public Thoroughfare		
Function Delegated	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.	
Statutory Power Delegated	Local Government (Uniform Local Provisions) Regulation 1996 Regulation 7 Encroaching on Public Thoroughfare	
	7. Encroaching on public thoroughfare — Sch. 9.1 cl. 3(2)	
	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.	
	Penalty: a fine of \$5 000 and a daily penalty of \$500 for each day during which the offence continues.	
Power Originally Assigned To	The Local Government	
Statutory Power of Delegation	Local Government Act 1995 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 Engineering Services Town Rangers Compliance Officer Principal Building Surveyor	
Conditions on Delegations (if any)	To be exercised in accordance with the Town's Policies and Local Laws.	

3.4 Dangerous Excavation in or Near Public Thoroughfare		
Function Delegated	occupie	ty to fill in or fence an excavation, or request the owner or or to fill in or fence an excavation, on land that adjoins a other if it considered to be dangerous.
	make le	ermission, and impose conditions as though fit, to make or eave an excavation of specified dimensions and in a specified a specified part or a public thoroughfare or on a specified part adjoining a public thoroughfare.
Statutory Power Delegated	Local Government (Uniform Local Provisions) Regulation 1996 Regulation 11(4),(6) and (8) Dangerous excavation in or near public thoroughfare.	
	11.	Dangerous excavation in or near public thoroughfare — Sch. 9.1 cl. 6
	(1)	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 — (a) fill in or fence the excavation; or (b) in writing request the owner or occupier of the land to fill in or securely fence the excavation.
	(2)	A person to whom a request is made under subregulation (1)(b) must comply with the request. Penalty: a fine of \$5 000.
	(3)	A person must not, without lawful authority, make or make and leave an excavation in a public thoroughfare or land adjoining a public thoroughfare. Penalty: a fine of \$5 000 and a daily penalty of \$500 for each
		day during which the offence continues.
	(4)	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.
	(5)	Permission granted by the local government under this regulation — (a) must be in writing; and (b) must specify the period for which it is granted; and (c) must specify each condition imposed under

37

Page 66

- subregulation (6); and
- (d) may be renewed from time to time; and
- (e) may be cancelled by giving written notice to the person to whom the permission was granted.
- (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 —
 - (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 (protective structures);
 - a condition imposing a charge for any damage to the public thoroughfare or adjoining land resulting from the excavation;
 - (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.
- (7) It is a condition of the permission granted under this regulation that
 - (a) the excavation is securely fenced off from the public thoroughfare or adjoining land; and
 - (b) protective structures are sufficiently illuminated every night from sunset to sunrise to prevent mishaps; and
 - (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
 - 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
 - damage to the public thoroughfare or adjoining land resulting from the excavation or a protective structure is repaired to the satisfaction of the CEO of the local

38

Page 67

	government within a reasonable time after the person granted the permission is required in writing to do so by the local government.
	(8) 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.
	(9) A person granted permission under this regulation must comply with each condition of the permission.
	Penalty: a fine of \$5 000 and a daily penalty of \$500 for each day during which the offence continues.
	(10) 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 m² of public thoroughfare that is enclosed by a hoarding or fence in accordance with the permission.
	(11) 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.
Power Originally Assigned To	Local Government
Statutory Power of	Local Government Act 1995
Delegation	Section 5.42 Delegation of some powers or duties of the Chief
	Executive Officer Section 5 44 Chief Everything Officer many delegate negrees and duties to
	Section 5.44 Chief Executive Officer may delegate powers and duties to other employees
Power Delegated To	Chief Executive Officer
Chief Executive	Director Development and Regulatory Services
Officer's Sub	Director Engineering Services
Delegation to	Manager Projects and Assets
	Manager Parks and Operations
	Principal Building Surveyor
Conditions on Delegations (if any)	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 Au	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	Dog Act 1976 The Dog Act 1976 confers a range of powers on a person once authorised, including but not limited to; • The power to seize dogs; • The power to issue infringements for breaches of the Act; • The power to initiate prosecutions; and • The power to declare a dog a dangerous dog. • Registration of dogs	
	29. Power to seize dogs (1) 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.	
Power Originally Assigned To	The Local Government	
Statutory Power of Delegation	Dog Act 1976 Section 10AA Delegation of local government powers and duties	
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 A	uthorised	Persons		
Function Delegated	The authority to: 1. Appoint persons or classes of person to be authorised for the			
	purposes of performing particular functions under the Cat Act 2011.			
	2. Determine the conditions on any authorisation.			
	3.	Cancel or vary an authorisation.		
Statutory Power	1	Cat Act 2011		
Delegated	Section	Section 48 Authorised Persons		
	48.	Authorised persons		
	(1)	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.		
	(2) 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.			
	(3) An authorisation under this section may be made on such conditions as the local government determines, in writing given to the authorised person.			
	(4)	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.		
	(5)	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.		
	(6)	An authorised person appointed under subsection (1) must —		
		 (a) carry the certificate at all times when exercising powers or performing functions as an authorised person; and 		
		(b) produce for inspection the certificate at the reasonable request of any person; and		
		(c) if he or she ceases to be an authorised person, return the certificate to the local government as soon as is practicable.		
		Penalty: a fine of \$5 000.		

41

Page 70

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

6. Food Act 2008

6.1 Prohibition Order			
Function Delegated	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> .		
Statutory Power Delegated	Food Act 2008 Section 65 Prohibition Order		
	65. Proh	ibition order	
		e CEO or another enforcement agency believes on onable grounds —	
	(a)	that any of the circumstances specified in section 62(a), (b), (c) or (d) exist; and	
	(b)	that —	
		 (i) the proprietor of a food business has not complied with an improvement notice within the time required by section 63 for compliance; or 	
		(ii) the issue of the order is necessary to prevent or mitigate a serious danger to public health,	
	orde	CEO or other enforcement agency may serve a prohibition r on the proprietor of the food business in accordance this Part.	
	(2) A pr	phibition order must take the form of an order that —	
	(a)	no food intended for sale is to be handled on specified premises or a specified part of specified premises;	
	(b)	no food intended for sale is to be conveyed in a specified vehicle;	
	(с,	specified equipment is not to be used in connection with food intended for sale;	
	(d)	no food intended for sale is to be handled by a food business in a specified way or for a specified purpose; or	
	(e,	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,	
		the proprietor of the food business has been given a ficate of clearance under section 66 stating that —	

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

6.2 Certificate of Clear	ance of Prohibition Order		
Function Delegated	Authority to give a Certificate of Clearance, where inspection demonstrates compliance with a Prohibition Order and any Improvement Notices.		
Statutory Power Delegated	Food Act 2008 Section 66 Certificate of clearance to be given in certain circumstances		
	66. Certificate of clearance to be given in certain circumstances		
	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 —		
	(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		
	(b) the person on whom the prohibition order was served has complied with the prohibition order and any improvement notices served on the person.		
Power Originally Assigned To	Enforcement Agency (The Local Government)		
Statutory Power of	Food Act 2008		
Delegation	Section 118 Functions of enforcement agencies and delegation		
Power Delegated To	Chief Executive Officer		
Chief Executive	Director Development and Regulatory Services		
Officer's Sub Delegation to	Environmental Health Officers		
Conditions on Delegations (if any)	To be exercised in accordance with the Town's Policies and Local Laws.		

6.3 Registration of Food Businesses				
Function Delegated	Authori	Authority to Register a Food Business.		
Statutory Power Delegated	Food Act 2008 Section 110 Registration of food businesses			
	110.	110. Registration of food businesses		
	(1)	The appropriate enforcement agency may register a food business in respect of any premises for the purposes of this Part.		
	(2)	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.		
	(3)	(3) The application must be accompanied by —		
		(a) 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;		
		(b) any other information that the appropriate enforcement agency requires to determine the priority classification of the food business; and		
		(c) subject to subsection (4), the fee, if any, prescribed by the regulations.		
	(4)	If the appropriate enforcement agency is a local government —		
		 (a) 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 		
		(b) 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.		
	(5)	The appropriate enforcement agency may, after considering an application for registration —		
		(a) grant the application, with or without conditions; or		
		(b) refuse the application.		

	(6) 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.	
	(7) A condition to which the registration is subject may relate only to compliance with this Act.	
	(8) 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.	
Power Originally Assigned To	Enforcement Agency (The Local Government)	
Statutory Power of	Food Act 2008	
Delegation	Section 118 Functions of enforcement agencies and delegation	
Power Delegated To	Chief Executive Officer	
Chief Executive	Director Development and Regulatory Services	
Officer's Sub	Environmental Health Officers	
Delegation to		
Conditions on	To be exercised in accordance with the Town's Policies and Local Laws.	
Delegations (if any)		

6.4 Variation of Condit	ons of Cancellation of Registration of Food Businesses		
Function Delegated	Authority to vary the conditions of cancellation of registration of a food business.		
Statutory Power Delegated	Food Act 2008 Section 112 Variation of conditions or cancellation of registration of food businesses		
	112. Variation of conditions or cancellation of registration of food businesses		
	(1) 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.		
	(2) The registration of a food business in respect of any premises may be cancelled on one or more of the following grounds — (a) any annual or other fee —		
	(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		
	 (ii) 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; 		
	(b) the food business has ceased to be conducted at those premises;		
	(c) at the request of the holder of the certificate of registration that specifies those premises.		
	(3) 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 —		
	 (a) 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 		
	 (b) an annual or other fee in relation to the registration of the food business in respect of those premises by the agency — 		

	(i) may be imposed and recovered by the agency under the Local Government Act 1995 Part 6 Division 5 Subdivision 2; and (ii) must be paid by the time the agency requires the payment to be made.
	(4) The appropriate enforcement agency may vary the conditions of, or cancel, the registration of a food business in respect of any premises only —
	(a) after having given the holder of the certificate of registration that specifies those premises —
	(i) written reasons for the agency's intention to vary or cancel; and
	(ii) an opportunity to make submissions; and
	(b) after having considered any submissions duly made by that person.
	(5) 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.
	(6) A variation of the conditions of, or the cancellation of, the registration of a food business in respect of any premises —
	(a) must be by notice in writing;
	(b) must be served on the holder of the certificate of registration that specifies those premises; and
	(c) takes effect on the day on which the notice is served or on a later day specified in the notice.
Power Originally Assigned To	Enforcement Agency (The Local Government)
Statutory Power of	Food Act 2008
Delegation	Section 118 Functions of enforcement agencies and delegation
Power Delegated To	Chief Executive Officer
Chief Executive	Director Development and Regulatory Services
Officer's Sub Delegation to	Environmental Health Officers
Conditions on	To be exercised in accordance with the Town's Policies and Local Laws.
Delegations (if any)	

6.5 Appoint Authorised Officers and Designated Officer to Carry Out the Provisions of the Act			
Function Delegated	The authority to appoint authorised and designated officers.		
Statutory Power	Food Act 2008		
Delegated	122 Appointment of Authorised Officers		
	122. Appointment of authorised officers		
	(1) An enforcement agency may appoint a person to be an authorised officer for the purposes of this Act if —		
	(a) 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		
	(b) the person holds office as an environmental health officer under the Health Act 1911.		
	(2) The CEO may issue guidelines that describe the qualifications and experience that are appropriate for a person to be appointed as an authorised officer.		
	(3) Each enforcement agency must prepare and maintain a list of authorised officers appointed by the agency.		
Power Originally Assigned To	Enforcement Agency (The Local Government)		
Statutory Power of	Food Act 2008		
Delegation	Section 118 Functions of enforcement agencies and delegation		
Power Delegated To	Chief Executive Officer		
Chief Executive	Nil		
Officer's Sub			
Delegation to	To be considered in a considered to T. (10 lb)		
Conditions on	To be exercised in accordance with the Town's Policies and Local Laws.		
Delegations (if any)			

6.6 Certificates of Authority				
Function Delegated	The pow	er to iss	sue authorised and designated officers with certificates	
	of authority.			
Statutory Power	Food Act 2008			
Delegated	123 Certificates of authority			
	123.	Certific	rates of authority	
	(1)	appoin	orcement agency must provide each authorised officer ted by the agency with a certificate of authority as an ised officer.	
	(2)	The cer	tificate of authority must —	
		(a)	state that it is issued under this Act;	
		(b)	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;	
		(c)	state the date, if any, on which it expires;	
		(d)	specify any conditions or limitations to which the person's authority is subject; and	
		(e)	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.	
	(3)	An auti	horised officer is required to produce the certificate of ity —	
		(a)	if asked to do so by the proprietor of a food business whose premises are entered by the authorised officer; or	
		(b)	if asked to do so by a person whom the authorised officer requires to produce anything or to answer any question.	
Power Originally Assigned To	Enforcement Agency (The Local Government)			
Statutory Power of	Food Act	t 2008		
Delegation	Section :	118 Fun	ctions of enforcement agencies and delegation	
Power Delegated To	Chief Executive Officer			
Chief Executive	Nil			
Officer's Sub				
Delegation to				
Conditions on	To be exercised in accordance with the Town's Policies and Local Laws.			
Delegations (if any)				

6.7 Institution of Proce	eedings		
Function Delegated	The power to institute legal proceedings on a person or corporate body for non-compliance with the Act.		
Statutory Power Delegated	Food Act 2008 Section 125 Institution of Proceedings		
	125. Institution of proceedings		
	(1) Proceedings for an offence under this Act may only be instituted —		
	(a) unless paragraph (b) applies — within 12 months after the date on which the offence is alleged to have been committed; or		
	(b) if the proceedings are in respect of a sample of food — within 6 months after the date on which the sample was obtained.		
	(2) The court may extend the time referred to in subsection (1) for the institution of proceedings.		
Power Originally Assigned To	Enforcement Agency (The Local Government)		
Statutory Power of Delegation	Food Act 2008 Section 118 Functions of enforcement agencies and delegation		
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.		

7. Regulatory Services

7.1 Health (Miscellane	eous Provisions) Act 1911	
Function Delegated	Authority to exercise the powers conferred on an authorised person by the <i>Health (Miscellaneous Provisions) Act 1911</i>	
Statutory Power Delegated	Health (Miscellaneous Provisions) Act 1911	
	26. Powers of local government	
	Every local government is hereby authorised and directed to carry out within its district the provisions of this Act and the regulations, local laws, and orders made thereunder:	
	Provided that a local government may appoint and authorise any person to be its deputy, and in that capacity to exercise and discharge all or any of the powers and functions of the local government for such time and subject to such conditions and limitations (if any) as the local government shall see fit from time to time to prescribe, but so that such appointment shall not affect the exercise or discharge by the local government itself of any power or function.	
Power Originally Assigned To	Local Government	
Statutory Power of	Health Act 1911	
Delegation	Section 26 Powers of local government	
Power Delegated To	Chief Executive Officer	
Chief Executive	Director Development and Regulatory Services	
Officer's Sub	Environmental Health Officers	
Delegation to		
Conditions on	To be exercised in accordance with the Town's Policies and Local Laws.	
Delegations (if any)		

53

Page 82

7.2 Graffiti Vandalism	Act 2016	
Function Delegated	Giving r	notices to remove or removing graffiti on private property.
Statutory Power Delegated	Graffiti Vandalism Act 2016 Sections 16 to 18	
	16.	Delegation by local government
	(1)	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.
	(2)	A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.
	(3)	A decision to delegate under this section is to be made by an absolute majority.
	17.	Delegation by CEO of local government
	(1)	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.
	(2)	A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.
	(3)	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 —
		 (a) the CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and
		(b) the exercise of that power or the discharge of that duty by the CEO's delegate,
		are subject to any conditions imposed by the local government on its delegation to the CEO.
	(4)	Subsection (3)(b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.

	(5)	In subsections (2) and (4)
	(5)	In subsections (3) and (4) —
		conditions includes qualifications, limitations or exceptions.
		Division 2 — Notices
	18.	Notice requiring removal of graffiti
	(1)	This section applies to graffiti that is —
		(a) applied to property with the consent of the owner or occupier; and
		(b) visible from a public place; and
		(c) considered by the local government to be unsightly or offensive.
	(2)	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.
	(3)	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.
	(4)	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.
	(5)	A person who fails to comply with a notice under subsection (2), without a reasonable excuse, commits an offence.
		Penalty:
		(a) a fine of \$5 000;
		(b) a further fine of \$500 in respect of each day or part of a day during which the offence continues.
Power Originally Assigned To	Local G	overnment
Statutory Power of Delegation		Vandalism Act 2016 s 16 to 18
Power Delegated To	Chief Ex	recutive Officer
Chief Executive	Directo	r Development and Regulatory Services

Officer's Sub	
Delegation to	
Conditions on	To be exercised in accordance with the Town's Policies and Local Laws.
Delegations (if any)	

Attachment 10.1.4(a) Page 85

7.3 Public Health Act 2	16	
Function Delegated	Authority to designate authorised officers.	
Statutory Power Delegated	Public Health Act 2016 Section 24 Designating Authorised Officers	
	24. Designation of authorised officers	
	(1) An enforcement agency may designate a person or class of persons as authorised officers —	
	(a) for the purposes of this Act or another specified Act; or	
	(b) for the purposes of the specified provisions of this Act or another specified Act; or	
	(c) for the purposes of the provisions of this Act or another specified Act other than the specified provisions of that Act.	
	(2) 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.	
	(3) An enforcement agency that is a local government may designate under subsection (1) —	
	(a) an environmental health officer or environmental health officers as a class; or	
	(b) a person who is not an environmental health officer or a class of persons who are not environmental health officers; or	
	(c) a mixture of the two.	
	(4) Enforcement agencies that are local governments may act jointly in the designation of persons or classes of persons as authorised officers.	
Power Originally	Local Government	
Assigned To	Dublic Health Act 2016	
Statutory Power of Delegation	Public Health Act 2016 Section 24 Designating Authorised Officers	
Power Delegated To	Chief Executive Officer	
Chief Executive	Director Development and Regulatory Services	
Officer's Sub		
Delegation to Conditions on	To be exercised in accordance with the Town's Policies and Local Laws.	
Delegations (if any)	TO be exercised in accordance with the rown 5 rollicles and Local Laws.	
(ii aii /)		

7.4 Health (Asbestos) I	Regulatio	ns 1992
Function Delegated	Appointing Authorised and Approved Officers.	
Statutory Power Delegated	Health (Asbestos)Regulations 1992 Regulation 15D	
	15D.	Infringement notices
	(1)	The offences specified in Schedule 1 are offences for which an infringement notice may be issued under the Criminal Procedure Act 2004 Part 2.
	(2)	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).
	(3)	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.
	(4)	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.
	(5)	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.
	(6)	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.
	(7)	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.
	(8)	For the purposes of the Criminal Procedure Act 2004 Part 2— (a) the prescribed form of an infringement notice is set out in Schedule 2; and
		(b) the prescribed form of a notice to withdraw an infringement notice is set out in Schedule 3.
Power Originally Assigned To	Local Go	overnment

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

8. Liquor Control Act 1988

8.1 Authority to Issue	Certificat	es of Local Government
Function Delegated		ver to issue a Section 39 Health Clearance Certificate for es applying for a liquor licence.
Statutory Power Delegated	Liquor Control Act 1988 Section 39 Certificate of Local Government as to whether premises comply with laws	
	39.	Certificate of local government as to whether premises comply with laws
	(1)	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.
	(2)	A certificate referred to in subsection (1) shall state —
		(a) whether or not the premises comply with all relevant requirements of —
		(i) the Health Act 1911; and
		(ia) the Food Act 2008; and
		(ii) any written law applying to the sewerage or drainage of those premises; and
		(iii) the Local Government Act 1995; and
		(iv) the Building Act 2011;
		and
		(b) 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.
	(3)	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).
Power Originally Assigned To	The Loc	al Government
Statutory Power of Delegation		Control Act 1988 39(1) Certificate of Local Government as to Whether Premises

	Comply with Laws
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. Specific guidance is contained within: • Liquor (Licensed Premises) Policy

8.2 Authority to Issue	Certificat	es of Local Government
Function Delegated	1	wer to issue a Section 40 planning clearance certificate for es applying for a liquor licence.
Statutory Power Delegated	Liquor Control Act 1988 Section 40 Certificate of Planning Authority as to whether premises complies with planning laws.	
	40.	Certificate of planning authority as to whether use of premises complies with planning laws
	(1)	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.
	(2A)	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.
	(2)	A certificate referred to in subsection (1) shall state that the proposed use of the premises —
		(a) will comply with the requirements of the written laws relating to planning specified; or
		(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
		(c) will not comply with the requirements specified for the reasons specified.
	(3)	In this section —
		specified means specified in the planning certificate.
	(4)	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).

Power Originally	The Local Government
Assigned To	
Statutory Power of	Liquor Control Act 1988
Delegation	Section 40(1) Certificate of Planning Authority as to whether premises complies with planning laws
Power Delegated To	Chief Executive Officer
Chief Executive	Director Development and Regulatory Services
Officer's Sub	Manager of Planning
Delegation to	Coordinator Statutory Planning
Conditions on	To be exercised in accordance with the Town's Policies and Local Laws.
Delegations (if any)	Specific guidance is contained within: • Liquor (Licensed Premises) Policy

9. Strata Titles Act 1985

9.1 Granting of Certificate		
Function Delegated	Authority to issue prescribed Strata Title Local Government Certificate Form 26 Certificate of Approval under Section 25 of the <i>Strata Title Act</i> 1985.	
	Power to determine applications for the issuing of a certificate of approval under Section 25 if the Strata Title 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 strata's in multi-tiers strata scheme developments; 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: i. A type of development; and/or ii. Land within an area 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.	
Statutory Power Delegated	Strata Titles Act 1985 Certificate of Commission	
	25. Certificate of Commission	
	(1) 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.	
	(2) 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 approval given by the Commission for the purposes of	

- section 5B, 8A or 9.
- (3) 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.
- (4) 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.
- (5) Without limiting section 25A, sections 135, 136, 146 and 147 of the Planning and Development Act 2005 do not apply to
 - (a) a subdivision effected by the registration of a strata plan; or
 - (b) a re-subdivision effected by a plan of re-subdivision for a strata scheme; or
 - (c) a consolidation effected by the registration of a plan of consolidation for a strata scheme; or
 - (d) a transfer converting a lot within a strata scheme to common property.
- [(6) deleted]
- (7) 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.
- (8) 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.
 - [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.]

Power Originally	Local Government
Assigned To	
Statutory Power of	Local Government Act 1995
Delegation	Section 5.42 Delegation of some power or duties to the Chief Executive
	Officer
	Planning and Development Act 2005
	Section 16 Delegation by Commission
Power Delegated To	Chief Executive Officer
Chief Executive	Director Development and Regulatory Services
Officer's Sub	Manager of Planning
Delegation to	Coordinator Statutory Planning
Conditions on	To be exercised in accordance with the Town's Policies and Local Laws.
Delegations (if any)	

Published by: Planning and Infrastructure

GOVERNMENT GAZETTE Western Australia <u>Previous Close Next</u>

No. 98. 09-Jun-2009 Page: 1936 Pdf - 429kb

PI409

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 Di	uties of Council Pursuant to the Operation of the Scheme
Function Delegated	Authority to exercise powers under the Local Planning Scheme No.3, 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
Statutory Power Delegated	Local Planning Scheme No.3
	11.3 Delegation of functions
	11.3.1 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.
	11.3.2 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.
	11.3.3 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.
	11.3.4 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.
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	Director Development and Regulatory Services Manager of Planning Coordinator Statutory Planning Permanent Planning Officers

Conditions on	To be exercised in accordance with the Town's Policies.			
Delegations (if any)	Prior to exercising delegation, Development Applications 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.			

69

Page 98

11. Building Act 2011

11.1 Approve or Refus	e a Buildi	ng Pern	nit		
Function Delegated	Authori	Authority to grant or refuse a building permit.			
Statutory Power Delegated	_	Building Act 2011 Sections 20 Grant of building permit.			
	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.				
	20.	Grant	of build	ding permit	
	(1)	uncert		nority to which a certified application or an opplication is made must grant the building permit d	
		(a)	that t	he applicant has complied with section 16; and	
		(b)	that t	he person mentioned in section 16(c) —	
			(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	
			(ii)	has owner-builder approval under the Registration Act to carry out that work; or	
			(iiia)	is a public authority as defined in the Registration Act section 3; or	
			(iii)	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,	
				s the building work is of a kind specified by the ations; and	
		(c)	or inc	n certificate of design compliance for the building idental structure that is the subject of the cation complies with section 19; and	
		(d)		he building surveyor who signed the certificate of n compliance —	

70

Page 99

 (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

(ii) is an independent building surveyor in relation to the application;

and

- (e) that the certificate of design compliance is issued by a person who
 - is a building service contractor who is entitled under the Registration Act section 11 to issue the certificate; or
 - (iia) is a public authority as defined in the Registration Act section 3; or
 - (ii) 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;

and

- (f) that each technical certificate mentioned in section 16(i) is
 - (i) signed by a person prescribed as a person who may sign the certificate; and
 - (ii) issued by a person prescribed as a person who may issue the certificate;

and

- (g) 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
- (h) 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) that either
 - 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
 - (ii) corresponding cover, as defined in the Home

- Building Contracts Act 1991 section 25A, is provided in respect of the building work; or
- (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;

and

- (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
- (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
- (I) 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
- (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
- (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
- (o) that the applicant has complied or is complying with each authority mentioned in paragraph (n); and
- (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
- (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 written law, that is prescribed for the purposes of this paragraph; and
- (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		
	(s) that the applicant has complied with each other prescribed requirement for the granting of a building permit on the application.		
	(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).		
	[Section 20 amended by No. 37 of 2012 s. 7.].		
Power Originally Assigned To	Permit Authority (Local Government in accordance with s.6(3)3 of the Building Act 2011)		
Statutory Power of Delegation	Building Act 2011 Section 127 Delegation: special permit authorities and local governments		
Power Delegated To	Chief Executive Officer		
Chief Executive Officer's Sub Delegation to	Director Development and Regulatory Services Principal Building Surveyor		
Conditions on Delegations (if any)	To be exercised in accordance with the Town's Policies and Local Laws.		

11.2 Approve or Refus	e a Demolition I	Permit	
Function Delegated	Authority to grant or refuse a demolition permit.		
Statutory Power Delegated	Building Act 2011 Section 21 Grant of Demolition Permit.		
	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.		
	(1) The p	t of demolition permit ermit authority to which an application for a demolition it is made must grant the demolition permit if it is ied—	
	(a)	that the applicant has complied with section 16; and	
	(b)	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	
	(c)	that the demolition work will comply with each applicable building standard; and	
	(d)	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	
	(e)	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	
	(f)	that the applicant satisfies the insurance requirements prescribed by regulation or under any other written law in respect of the demolition work; and	
	(g)	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	
	(h)	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)	that the permit authority has complied with the	

	(i)	provisions of the Heritage of Western Australia Act 1990 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 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	
	(k)	that the applicant has complied or is complying with each authority mentioned in paragraph (j); and	
	(1)	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	
	(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	
	(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	
	(0)	that the applicant has complied with each other prescribed requirement for the granting of a demolition permit.	
	permi is sati	mit authority to which an application for a demolition it is made must not grant the demolition permit unless it is field as to each of the matters mentioned in ction (1)(a) to (o).	
Power Originally Assigned To	Permit Authority (Local Government in accordance with s.6(3)3 of the <i>Building Act 2011</i>)		
Statutory Power of Delegation	Building Act 2011 Section 127 Delegation: special permit authorities and local governments		
Power Delegated To	Chief Executive	e Officer	
Chief Executive Officer's Sub Delegation to	Director Development and Regulatory Services Principal Building Surveyor		

75

Page 104

Conditions on	Letters advising neighbours of demolition application are to be sent; and the
Delegations (if any)	officer issuing the permit is to ensure appropriate site signage and
	warnings have been put in place.

11.3 Grant of Occupan	cy Permit	/Buildi	ing Permit Approval Certificate
Function Delegated	Authorit certificat		rant or modify an occupancy permit of building approval
Statutory Power Delegated	Building Act 2011 Sections 58, 55 and 62 Grant of occupancy permit, building approval certificate		
	58.	Grant	t of occupancy permit, building approval certificate
	(1)	or mo	mit authority to which an application is made must grant odify the occupancy permit or grant the building approval icate applied for if it is satisfied —
		(a)	that the applicant has complied with section 54; and
		(b)	that the building surveyor who signed the certificate of construction compliance or certificate of building compliance —
			(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
			(ii) is an independent building surveyor in relation to the application; and
		(c)	that the certificate of construction compliance or certificate of building compliance is issued by a person who —
			(i) is a building service contractor who is entitled under the Registration Act section 11 to issue the certificate; or
			(iia) is a public authority as defined in the Registration Act section 3; or
			(ii) 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;
		(d)	and that each technical certificate required by regulations mentioned in section 54(4)(b) is —
			(i) signed by a person prescribed as a person who

may sign the certificate; and

(ii) issued by a person prescribed as a person who may issue the certificate;

and

- (e) 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
- (f) 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
- (g) that each building order that has been made in relation to the building or incidental structure has been complied with; and
- (h) 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) 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
- 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
- (k) that the applicant has complied or is complying with each authority mentioned in paragraph (j); and
- (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.

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

11.4 Extension of Peri Certificate)	od of Dur	ation (of an Occupancy Permit of a Building Approval	
Function Delegated	Authority to extend the period in which the occupancy permit or modification or the building approval certificate has effect.		
Statutory Power Delegated	_	Building Act 2011 Section 65 Extension of period of duration	
	65.	Extension of period of duration	
	(1)	A person may apply to extend the time in which the following can have effect —	
		 (a) an occupancy permit that has been granted or modified to have effect for a limited period only; or 	
		(b) a building approval certificate that has been granted to have effect for a limited period only.	
	(2)	An application must be —	
		(a) made in an approved manner and form; and	
		(b) signed by each owner of the land on which the building or incidental structure is located.	
	(3)	An application must be accompanied by —	
		(a) the prescribed fee, if any, for the application; and	
		(b) each other thing that is prescribed to accompany the application.	
	(4)	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.	
	(5)	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.	
	(6)	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.	
	(7)	The regulations may provide for matters relating to dealing with applications including giving notice of the right of review under section 121(2).	

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

11.5 Building Orders			
Function Delegated	The authority to make Building Orders in relation to: 1. Building Work 2. Demolition Work 3. An existing building of incidental structure		
Statutory Power Delegated	Building Act 2011 Section 110 Building Orders		
	110. Building orders		
	(1) A permit authority may make an order (a building order) in respect of one or more of the following —		
	(a) particular building work;		
	(b) particular demolition work;		
	(c) a particular building or incidental structure, whether completed before or after commencement day.		
	(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 —		
	(a) if a building permit is in effect for the particular building work, the person named as the builder on the permit;		
	(b) if a demolition permit is in effect for the particular demolition work, the person named as the demolition contractor on the permit;		
	(c) a person who is an owner of the land on which the particular building or demolition work is being, or has been, done;		
	(d) a person who is an owner or occupier of the land on which the particular building or incidental structure is located.		
Power Originally Assigned To	Permit Authority (Local Government in accordance with s.6(3)3)		
Statutory Power of Delegation	Building Act 2011 Section 127 Delegation: special permit authorities and local governments		
Power Delegated To	Chief Executive Officer		
Chief Executive Officer's Sub	Director Development and Regulatory Services Principal Building Surveyor		

Delegation to	
Conditions on	To be exercised in accordance with the Town's Policies and Local Laws.
Delegations (if any)	

11.6 Revocation of Bu	lding Order		
Function Delegated	Authority to revoke a Building Order		
Statutory Power Delegated	Building Act 2011 Section 117 Revocation of building order		
	117. Revocation of building order		
	(1) 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.		
	(2) A permit authority must, within 28 days of receiving a notification under section 112(3)(c) —		
	(a) decide whether the building order has been fully complied with; and		
	(b) either revoke the building order or inform each person to whom the order is directed that the building order remains in effect.		
Power Originally Assigned To	Permit Authority (Local Government in accordance with s.6(3)3)		
Statutory Power of Delegation	Building Act 2011 Section 127 Delegation: special permit authorities and local governments		
Power Delegated To	Chief Executive Officer		
Chief Executive Officer's Sub Delegation to	Director Development and Regulatory Services Principal Building Surveyor		
Conditions on Delegations (if any)	To be exercised in accordance with the Town's Policies and Local Laws.		

11.7 Permit Authority	May Give	Effect to Building Order if Non-Compliance		
Function Delegated	Authori	Authority to give effect to a Building Order if there is non-compliance.		
Statutory Power Delegated	Section	Building Act 2011 Section 118 Permit Authority may give effect to building order is non-compliance.		
	118.	Permit authority may give effect to building order if non-compliance		
	(1)	In this section —		
		non-compliance —		
		(a) 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		
		(b) 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.		
	(2)	If there is non-compliance with an order the permit authority that made the relevant building order may cause an authorised person —		
		(a) to take any action specified in the order; or		
		(b) to commence or complete any work specified in the order; or		
		(c) 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.		
	(3)	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.		
	(4)	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 absence		

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

11.8 Inspections, Copie	es of Buildir	ng Records	
Function Delegated	1	to determine an application from an interested person to nd copy a building record.	
Statutory Power Delegated	Building Act 2011 Section 131 Inspection, copies of building records.		
	131. II	Inspection, copies of building records	
	(1) li	In this section —	
	b	building record means a document mentioned in section 130;	
	iı	interested person means —	
		(a) an owner of the building or incidental structure to which the building record relates; or	
		(b) 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	
		(c) a person, or a person belonging to a prescribed class of persons.	
		A permit authority may, on application by an interested person and on payment of the prescribed fee, if any —	
		(a) allow the interested person to inspect a building record; and	
		(b) provide to the interested person a copy of a building record.	
Power Originally Assigned To	Permit Au	uthority (Local Government in accordance with s.6(3)3)	
Statutory Power of Delegation	Building A Section 12 governme	27 Delegation: special permit authorities and local	
Power Delegated To	Chief Exec	cutive Officer	
Chief Executive Officer's Sub Delegation to			
Conditions on	To be exe	ercised in accordance with the Town's Policies and Local Laws.	
Delegations (if any)			

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

11.10 Designate Authorised Persons			
Function Delegated	Authority to designate an employee as an authorised person.		
Statutory Power Delegated	Building Act 2011 Section 96 Authorised persons		
	96. Authorised persons		
	(1) 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.		
	(2) 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.		
	(3) 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.		
	(4) 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).		
	(5) A person may be designated to be an authorised person for a fixed or indefinite period.		
	(6) A permit authority may, by instrument in writing, revoke a designation at any time.		
Power Originally Assigned To	Permit Authority (Local Government in accordance with s.6(3)3)		
Statutory Power of Delegation	Building Act 2011 Section 127 Delegation: special permit authorities and local governments		
Power Delegated To	Chief Executive Officer		
Chief Executive	Nil		

Officer's Sub	
Delegation to	
Conditions on	To be exercised in accordance with the Town's Policies and Local Laws.
Delegations (if any)	

90

Attachment 10.1.4(a) Page 119

Town of Cottesloe Local Laws

12. Signs, Hoardings and Billposting Local Law

12.1 Revoke Sign Licen	ces
Function Delegated	Authority to revoke a sign licence.
Statutory Power Delegated	Signs, Hoardings and Billposting Local Law Section 28 Revocation of Licences
	Revocation of Licenses
	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.
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	Director Development and Regulatory Services Principal Building Surveyor
Conditions on Delegations (if any)	To be exercised in accordance with the Town's Policies and Local Laws. Specific guidance is contained within: • Signs Hoarding and Billposting Local Law

12.2 Issue and Revoke	Special Permits for Signs
Function Delegated	Authority to issues and revoke special permits for signs.
Statutory Power Delegated	Signs, Hoardings and Billposting Local Law Section 33 Special Permits.
	Special Permits
	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
	(2) The Council may revoke any such permit at any time without assignment any reason therefor.
	(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.
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	Director Development and Regulatory Services Principal Building Surveyor
Conditions on Delegations (if any)	To be exercised in accordance with the Town's Policies and Local Laws. Specific guidance is contained within: • Signs, Hoarding and Billposting Local Law

12.3 Removal and Disp	ose of Signs Unlawfully Displayed
Function Delegated	Authority to remove and dispose of unlawfully displayed signs.
Statutory Power Delegated	Signs, Hoardings and Billposting Local Law Section 36A Removal and Disposal of Signs Unlawfully Displayed.
	36A. Removal and Disposal of Signs Unlawfully Displayed
	(1) 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.
	(2) 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.
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	Director Development and Regulatory Services Principal Building Surveyor Compliance Officer Town Rangers
Conditions on Delegations (if any)	To be exercised in accordance with the Town's Policies and Local Laws. Specific guidance is contained within: • Signs, Hoarding and Billposting Local Law

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

13.1 Approve or Refus	e an Application for a Permit to Trade, Perform, Conduct a Stall or								
Outdoor Eating Facility	1								
Function Delegated	Authority to approve or refuse an application for a permit to trade, perform, conduct a stall or outdoor eating facility								
Statutory Power Delegated	Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law Section 6.2 Decision of application for permit								
	6.2 Decision on application for permit								
	(1) The local government may –								
	(a) approve an application for a permit unconditionally or subject to any conditions; or								
	(b) refuse to approve an application for a permit.								
	(2) 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.								
	(3) If the local government refuses to approve an application for a permit, it is to give written notice of that refusal to the applicant.								
	(4) 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).								
	(5) 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).								
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	Director Development and Regulatory Services							
Officer's Sub								
Delegation to								
Conditions on	To be exercised in accordance with the Town's Policies and Local Laws.							
Delegations (if any)	Specific guidance is contained within: • Activities on Thoroughfares and Trading on Thoroughfares and Public Places Local Law							

14. Freedom of Information Act 1992

14.1 Freedom of Inform	mation A	ct 1992 Application Process					
Function Delegated	Conduc	t of Internal Review					
Statutory Power Delegated	Freedom of Information Act 1992 Division 5 Sections 41 to 43						
	41.	Who is to deal with application for review					
		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.					
	42.	How application for review to be dealt with					
		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.					
	43. Decision can be confirmed, varied or reversed on revi						
	(1)	On an application for review the agency may decide to confirm, vary or reverse the decision under review.					
	(2)	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.					
Power Originally Assigned To	The Loc	al Government					
Statutory Power of Delegation		n of Information Act 1992 5 Sections 41 to 43					
Power Delegated To	Chief Ex	ecutive Officer					
Chief Executive Officer's Sub Delegation to	Directo	r Corporate and Community Services					
Conditions on Delegations (if any)	To be ex	xercised in accordance with the Town's Policies and Local Laws.					

TOWN OF COTTESLOE



ORDINARY COUNCIL MEETING

ATTACHMENT

ITEM 10.1.5A:
MONTHLY FINANCIAL REPORT 1 JULY 2022 TO 30
APRIL 2023

TOWN OF COTTESLOE



MONTHLY FINANCIAL STATEMENTS

FOR THE PERIOD 1 JULY 2022 TO 30 APRIL 2023

PRESENTED TO THE COUNCIL MEETING
ON 27TH JUNE 2023

Attachment 10.1.5(a) Page 127

TOWN OF COTTESLOE

MONTHLY FINANCIAL REPORT

For the Period Ended 30 April 2023

LOCAL GOVERNMENT ACT 1995 LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

TABLE OF CONTENTS

		Р	ages
Compilation I	Report		1
Monthly Sum	mary Information	2	2 - 4
Statement of	Financial Activity by Program	5	5 - 6
Statement of	Financial Activity By Nature or Typ	e - 7	7 - 8
Statement of	Financial Position	9	- 10
Statement of	Capital Acquisitions and Capital Fu	nding	11
Statement of	Budget Amendments		
Note 1	Significant Accounting Policies	12	2 - 18
Note 2	Explanation of Material Variance	s	19
Note 3	Net Current Funding Position		20
Note 4	Cash and Investments		21
Note 5	Budget Amendments		22
Note 6	Receivables	23	3 - 25
Note 7	Cash Backed Reserves	26	6 - 27
Note 8	Capital Disposals		28
Note 9	Rating Information		29
Note 10	Information on Borrowings		30
Note 11	Grants and Contributions		31
Note 12	Trust		32
Note 13	Details of Capital Acquisitions	33	3 - 34
Note 14	List of Accounts	35	5 - 42

Attachment 10.1.5(a) Page 128

Town of Cottesloe

Compilation Report

For the Period Ended 30 April 2023

Report Purpose

This report is prepared to meet the requirements of *Local Government (Financial Management)* Regulations 1996, Regulation 34.

Overview

Summary reports and graphical progressive graphs are provided on page 2, 3 and 4. No matters of significance are noted.

Statement of Financial Activity by reporting program

Is presented on pages 5 and 6 and shows a surplus as at 30 April 2023 of \$4,852,133.

Note: The Statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary.

Preparation

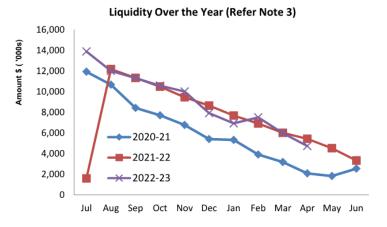
Prepared by: Wayne Richards
Reviewed by: Martina Liu

Date prepared: 13/06/2023

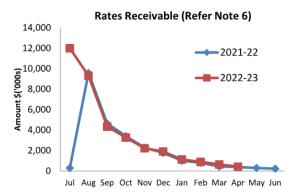
Attachment 10.1.5(a) Page 129

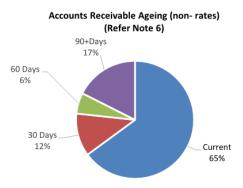
Town of Cottesloe

Monthly Summary Information For the Period Ended 30 April 2023



Cash and Cash Equivalents as at period end Unrestricted \$ 6,367,928 Restricted \$ 9,055,949 \$ 15,423,877 Receivables Rates \$ 435,525 Other \$ 945,502 \$ 1,381,027





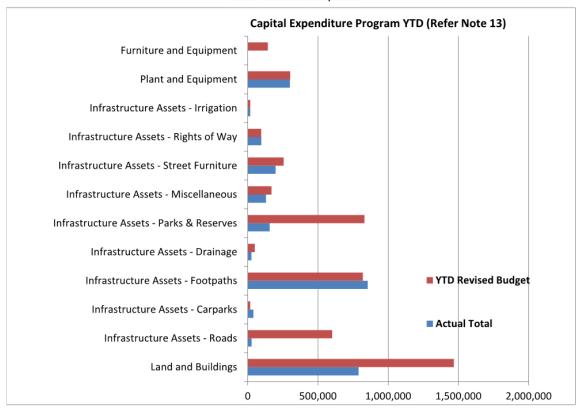
Comments

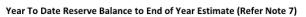
This information is to be read in conjunction with the accompanying Financial Statements and notes.

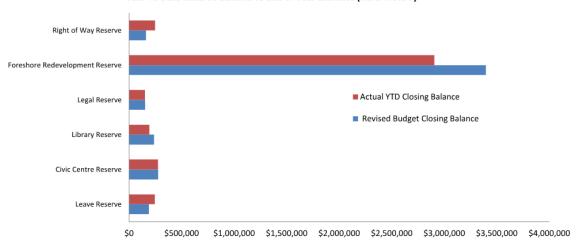
Town of Cottesloe

Monthly Summary Information

For the Period Ended 30 April 2023







Comments

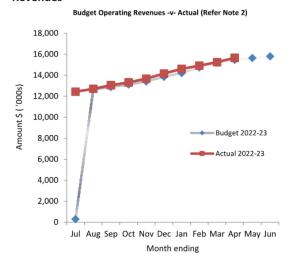
This information is to be read in conjunction with the accompanying Financial Statements and notes.

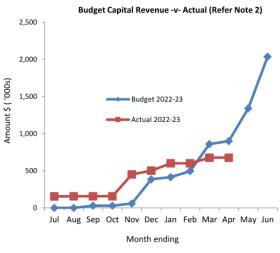
Town of Cottesloe

Monthly Summary Information

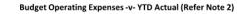
For the Period Ended 30 April 2023

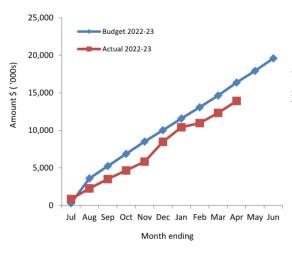
Revenues

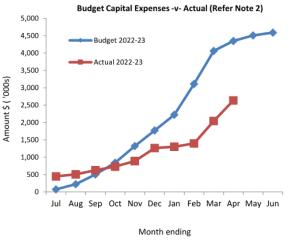




Expenditure







Comments

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

TOWN OF COTTESLOE STATEMENT OF FINANCIAL ACTIVITY (Statutory Reporting Program) For the Period Ended 30 April 2023

		ı		1			
	Note	YTD Actual (b)	YTD Budget (a)	Revised Annual Budget	Annual Budget	Var. \$ (b)(a)	Var. % (b)(a)/(a)
		Ś	Ś	\$	\$	\$	%
Operating Revenues		,	· ·	,		<u> </u>	
General Purpose Funding Rates	9	12,017,926	11,969,293	12,020,000	11,943,944	48,63	3 0%
General Purpose Funding - Other		553,023	338,190	581,782	279,996	214,83	3 64%
Governance		30,411	47,599	137,400	3,600	(17,18	3) (36%)
Law, Order and Public Safety		43,404	42,874	42,874	81,550	53	0 1%
Health		83,413	82,474	82,474	127,500	93	9 1%
Education and Welfare		40,935	33,467	35,500	35,100	7,46	8 22%
Community Amenities		721,088	604,687	737,868	685,520	116,40	1 19%
Recreation and Culture		643,221	711,584	771,813	575,240	(68,36	3) (10%)
Transport		1,255,544	1,513,527	1,513,527	1,716,475	(257,98	3) (17%)
Economic Services		246,334	185,695	263,780	187,850	60,63	9 33%
Other Property and Services		28,437	104,950	104,950	166,450	(76,51	3) (73%)
Total Operating Revenue		15,663,736	15,634,340	16,291,968	15,803,225	29,39	6
Operating Expense							
General Purpose Funding		(300,842)	(422,844)	(501,463)	(501,463)	122,00	2 (29%)
Governance		(1,033,774)	(1,123,394)	(1,123,394)	(1,683,277)	89,62	0 (8%)
Law, Order and Public Safety		(387,962)	(437,146)	(475,893)	(554,204)	49,18	1 ' '1
Health		(268,451)	(338,638)	(392,329)	(407,328)	70,18	
Education and Welfare		(306,627)	(332,131)	(389,590)	(404,379)	25,50	1 ' '1
Community Amenities		(3,419,258)	(4,146,546)	(4,943,608)	(4,991,025)	727,28	1 1
Recreation and Culture		(4,170,066)	(4,944,690)	(5,872,580)	(5,817,684)	774,62	1 1
Transport		(3,358,998)	(3,806,923)	(4,541,270)	(4,604,191)	447,92	1 ' 1
						· ·	1 ' 1
Economic Services		(514,019)	(557,234)	(645,560)	(641,992)	43,21	1 1
Other Property and Services		(162,295)	11,192	52,185	0	(173,48	4 ' '1
Total Operating Expenditure		(13,922,292)	(16,098,354)	(18,833,502)	(19,605,543)	2,176,06	싀 ㅣ
Funding Balance Adjustments							
Add back Depreciation		2,726,838	2,406,128	2,883,071	2,889,761	320,71	0 13%
Adjust Right of Use Assets Liability Non-							
Current		99,575	0	0	0	99,57	5
Adjust (Profit)/Loss on Asset Disposal	8	(44,482)	(75,380)	(90,450)	(90,450)	30,89	8 (41%)
Adjust Non Current Receivables		7,539	o	О	o	7,53	9
Adjustment for decrease in Non-							
Current Employee Provisions		8,608	o	o	o	8,60	8
Net Cash from Operations		4,539,522	1,866,734	251,087	(1,003,007)		⊣ ।
		.,500,022	_,500,734	_52,537	(=,=30,007)	2,5,2,70	-
Capital Revenues							
Grants, Subsidies and Contributions	11	599,591	990,257	2,619,567	1,838,717	(390,666	5) (39%)
Proceeds from Disposal of Assets	8	75,982	170,000	198,000	198,000	(94,01	1 1
Total Capital Revenues	_	675,573	1,160,257	2,817,567	2,036,717	(484,684	4 ' 1
Total Capital Revenues		0/5,5/3	1,100,257	2,817,367	2,030,717	(484,684	+/

Е

TOWN OF COTTESLOE STATEMENT OF FINANCIAL ACTIVITY (Statutory Reporting Program) For the Period Ended 30 April 2023

	Note	YTD Actual (b) \$	YTD Budget (a) \$	Revised Annual Budget \$	Annual Budget \$	Var. \$ (b)(a) \$	Var. % (b)(a)/(a) %
Capital Expenses		7	· · · ·	Ÿ		ļ ,	70
Furniture and Equipment	13	اه	(142,997)	(203,000)	(113,000)	142,997	(100%)
Land and Buildings	13	(788,655)	(1,467,586)	(1,842,000)	(1,473,198)	678,931	1 ' 1
Plant and Equipment	13	(300,733)	(302,000)	(334,800)	(334,800)	1,267	1 ` 1
Infrastructure - Roads	13	(27,987)	(600,917)	(632,200)	(585,277)	572,930	(95%)
Infrastructure - Car parks	13	(40,737)	(18,320)	(40,965)	(10,000)	(22,417)	1 ' '1
Infrastructure - Footpaths	13	(854,065)	(819,257)	(1,041,806)	(720,000)	(34,808)	4%
Infrastructure - Drainage	13	(27,131)	(50,000)	(50,000)	(50,000)	22,869	(46%)
Infrastructure - Parks & Reserves	13	(155,904)	(830,560)	(1,352,797)	(720,582)	674,656	(81%)
Infrastructure - Miscellaneous	13	(129,559)	(168,530)	(301,606)	(150,000)	38,971	(23%)
Infrastructure - Streetscape	13	(197,607)	(255,237)	(317,368)	(317,368)	57,630	(23%)
Infrastructure - Rights of Way	13	(96,811)	(96,271)	(96,811)	(96,000)	(540)	1%
Infrastructure - Irrigation	13	(17,615)	(17,615)	(17,615)	(20,000)	0	0%
Total Capital Expenditure		(2,636,804)	(4,769,290)	(6,230,968)	(4,590,225)	2,132,486	
Net Cash from Capital Activities		(1,961,231)	(3,609,033)	(3,413,401)	(2,553,508)	1,647,802	
Financing							
Self-Supporting Loan Principal		32,099	32,099	64,906	64,906	0	0%
Transfer from Reserves	7	0	140,233	1,619,911	2,214,660	(140,233)	(100%)
Repayment of Debentures & Leases	10	(356,228)	(389,593)	(407,019)	(407,019)	33,365	, ,
Transfer to Reserves	7	(98,313)	(271,389)	(811,768)	(100,799)	173,076	(64%)
Net Cash from Financing Activities		(422,442)	(488,650)	466,030	1,771,748	66,208	
Net Operations, Capital and Financing		2,155,849	(2,230,949)	(2,696,284)	(1,784,767)	4,386,798	
Opening Funding Surplus(Deficit)	3	2,696,284	2,696,284	2,696,284	1,784,767	0	0%
Closing Funding Surplus(Deficit)	3	4,852,133	465,335	o	0	4,386,798	

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold. Refer to Note 2 for an explanation of the reasons for the variance.

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

_

TOWN OF COTTESLOE STATEMENT OF FINANCIAL ACTIVITY (By Nature or Type) For the Period Ended 30 April 2023

		I					
		YTD Actual	YTD Budget	Revised Annual		Var. \$ (b)-(a)	Var. % (b)-(a)/(a)
	Note	(b)	(a)	Budget	Annual Budget		
		\$	\$	\$	\$	\$	%
Operating Revenues							
Rates	9	12,017,926	11,969,293	12,020,000	11,943,944	48,633	0%
Operating Grants, Subsidies & Contributions	11	202,547	345,064	395,181	321,479	(142,517)	(41%)
Fees and Charges		2,824,504	2,850,830	3,077,194	3,082,971	(26,326)	(1%)
Interest Earnings		447,397	208,162	423,155	119,710	239,235	115%
Other Revenue		126,880	185,611	285,988	244,671	(58,731)	(32%)
Profit on Disposal of Assets	8	44,482	75,380	90,450	90,450	(30,898)	(41%)
Total Operating Revenue		15,663,736	15,634,340	16,291,968	15,803,225	29,396	
Operating Expense							
Employee Costs		(4,981,710)	(5,628,776)	(6,573,052)	(6,876,701)	647,066	11%
Materials and Contracts		(5,301,796)	(6,989,345)	(8,093,488)	(8,561,977)	1,687,549	24%
Utility Charges		(244,377)	(321,548)	(392,009)	(378,779)	77,171	24%
Depreciation on Non-Current Assets		(2,726,838)	(2,406,128)	(2,883,071)	(2,889,761)	(320,710)	(13%)
Interest Expenses		(145,579)	(179,887)	(212,973)	(209,683)	34,308	19%
Insurance Expenses		(215,316)	(228,571)	(229,523)	(223,945)	13,255	6%
Other Expenditure		(306,676)	(344,099)	(449,386)	(464,697)	37,423	11%
Total Operating Expenditure		(13,922,292)	(16,098,354)	(18,833,502)	(19,605,543)	2,176,062	
,							
Funding Balance Adjustments							
Add back Depreciation		2,726,838	2,406,128	2,883,071	2,889,761	320,710	13%
Adjust Right of Use Assets Liability Non-							
Current		99,575	0	0	О	99,575	
Adjust (Profit)/Loss on Asset Disposal	8	(44,482)	(75,380)	(90,450)	(90,450)	30,898	(41%)
Adjust Non Current Receivables		7,539	0	0	О	7,539	
Adjustment for decrease in Non-Current							
Employee Provisions		8,608	0	0	О	8,608	
Net Cash from Operations		4,539,522	1,866,734	251,087	(1,003,007)	2,672,788	
			,	,			
Capital Revenues							
Grants, Subsidies and Contributions	11	599,591	990,257	2,619,567	1,838,717	(390,666)	(39%)
Proceeds from Disposal of Assets	8	75,982	170,000	198,000	198,000	(94,018)	(55%)
Total Capital Revenues		675,573	1,160,257	2,817,567	2,036,717	(484,684)	'
•		,	. ,	. ,		,	

TOWN OF COTTESLOE STATEMENT OF FINANCIAL ACTIVITY (By Nature or Type) For the Period Ended 30 April 2023

		YTD	YTD			Var.\$	Var. %
		Actual	Budget	Revised Annual		(b)-(a)	(b)-(a)/(a)
	Note	(b)	(a)	Budget	Annual Budget		
		\$	\$	\$	\$	\$	%
Capital Expenses							
Furniture and Equipment	13	0	(142,997)	(203,000)	(113,000)	142,997	100%
Land and Buildings	13	(788,655)		(1,842,000)	(1,473,198)	678,931	46%
Plant and Equipment	13	(300,733)	(302,000)	(334,800)	(334,800)	1,267	0%
Infrastructure - Roads	13	(27,987)	(600,917)	(632,200)	(585,277)	572,930	95%
Infrastructure - Car parks	13	(40,737)	(18,320)	(40,965)	(10,000)	(22,417)	(122%)
Infrastructure - Footpaths	13	(854,065)	(819,257)	(1,041,806)	(720,000)	(34,808)	(4%)
Infrastructure - Drainage	13	(27,131)	(50,000)	(50,000)	(50,000)	22,869	46%
Infrastructure - Parks & Reserves	13	(155,904)	(830,560)	(1,352,797)	(720,582)	674,656	81%
Infrastructure - Miscellaneous	13	(129,559)	(168,530)	(301,606)	(150,000)	38,971	23%
Infrastructure - Streetscape	13	(197,607)	(255,237)	(317,368)	(317,368)	57,630	23%
Infrastructure - Rights of Way	13	(96,811)	(96,271)	(96,811)	(96,000)	(540)	(1%)
Infrastructure - Irrigation	13	(17,615)	(17,615)	(17,615)	(20,000)	0	0%
Total Capital Expenditure		(2,636,804)	(4,769,290)	(6,230,968)	(4,590,225)	2,132,486	
Net Cash from Capital Activities		(1,961,231)	(3,609,033)	(3,413,401)	(2,553,508)	1,647,802	
Financing							
Self-Supporting Loan Principal		32,099	32,099	64,906	64,906	0	0%
Transfer from Reserves	7	0	140,233	1,619,911	2,214,660	(140,233)	(100%)
Repayment of Debentures	10	(356,228)	(389,593)	(407,019)	(407,019)	33,365	9%
Transfer to Reserves	7	(98,313)	(271,389)	(811,768)	(100,799)	173,076	64%
Net Cash from Financing Activities		(422,442)	(488,650)	466,030	1,771,748	66,208	
_		' '	, , ,	,	, ,	'	
Net Operations, Capital and Financing		2,155,849	(2,230,949)	(2,696,284)	(1,784,767)	4,386,798	
			. , ,	, , ,	., -, -, -,	,,	
Opening Funding Surplus(Deficit)	3	2,696,284	2,696,284	2,696,284	1,784,767	0	0%
Closing Funding Surplus(Deficit)	3	4,852,133	465,335	0	0	4,386,798	

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold. Refer to Note 2 for an explanation of the reasons for the variance.

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

TOWN OF COTTESLOE STATEMENT OF FINANCIAL POSITION For the Period Ended 30 April 2023

		2022-2023	2021-2022
		YTD Actual	Actual
		\$	\$
CURRENT ASSETS Receivables - Rates			
Receivables - Rates	Rates	335,720	121 609
	Emergency Services Levies	77,245	121,608 28,379
	Rates and ESL Rebates	167,279	2,893
Receivables - Sundry		107,273	2,033
necestables suriary	Accounts Receivable - Debtors	99,325	156,651
	Provision for Doubtful Debts - Debtors	(12,858)	(21,829)
	Accounts Receivable - Infringements	456,527	430,985
	Provision for Doubtful Debts - Infringements	(173,112)	(189,803)
	Accrued Income	169,807	8,313
	Prepayments	128,315	64,035
	LEMAC funding	(38,199)	(45,153)
	Other	167	12,008
Loans	Self Supporting Loans	32,807	64,906
Inventories	Inventories	31,789	32,029
	Provision for Obsolesence - Inventories	(22,849)	(22,849)
Cash Assets			
	Municipal Account	2,853,642	5,682,922
	Till Floats & Petty Cash	1,300	1,300
	Term Investments	3,512,986	12,805
	Restricted - Reserves	8,365,376	8,262,439
	Restricted - Trust Deposits	690,573	671,603
TOTAL CURRENT ASSETS		16,675,840	15,273,242
CURRENT LIABILITIES		200 747	
Payables		283,717	1,265,726
Bonds - other credit	ors	842,569	694,318
Trust - POS		690,573	669,362
Income in Advance		124,942	471,415
Accrued Expenses Long Service Leave to	o other I G's	1,010,839 49,462	905,861 49,462
Interest Bearing Liab		49,462	350,347
Lease Liability	mities	60,539	56,751
Provisions		1,162,431	1,153,823
TOTAL CURRENT LIABILITIES		4,225,072	5,617,065
		,,,	2,021,000
NON CURRENT ASSETS			
Receivables			
	Deferred Rates	99,805	107,344
	Deferred ESL	14,112	14,628
	Self Supporting Loans	211,591	211,591
	Long Service Leave from other LG's	100,040	100,040
Financial Assets at fa	ir value through profit and loss		
	Units in WALGA House Trust	116,706	116,706
Right of Use Assets	Right of Use - Leased Assets	1,130,518	1,177,430
Property Plant and Ed	quipment		
	Furniture and Equipment	737,092	1,066,259
	Land and Buildings	60,164,453	60,022,293
	Plant and Equipment	784,287	781,502
	Equity Investments	531,778	531,778
Infrastructure			
	Roads	33,996,903	34,673,616
	Car Parks	3,543,638	936,324
	Footpaths	6,154,915	4,912,885
	Drainage	9,416,722	5,558,273
	Parks and Reserves	5,343,327	3,121,268
	Miscellaneous	8,702,778	8,349,555
	Street Furniture	1,759,845	1,617,763
	Right of Ways	2,183,746	925,765
	Irrigation	182,294	173,341
TOTAL NON CURRENT ASSET	·s	135,174,550	124,398,361
TOTAL HOM CORREINT MOSE	-	133,174,330	127,330,301

Ω

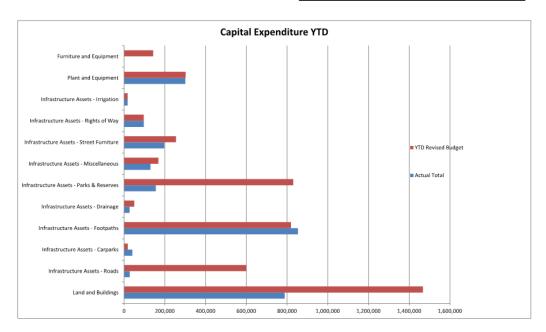
TOWN OF COTTESLOE STATEMENT OF FINANCIAL POSITION For the Period Ended 30 April 2023

	2022-2023 YTD Actual	2021-2022 Actual
	\$	\$
NON CURRENT LIABILITIES		
Long Service Leave to other LG's	53,138	53,138
Interest Bearing Liabilities	0	
Debentures	2,460,557	2,460,557
Lease Liabilities	1,088,848	1,188,423
Provisions	143,119	143,119
TOTAL NON CURRENT LIABILITIES	3,745,662	3,845,237
NET ASSETS	143,879,656	130,209,301
EQUITY		
Reserves - Cash Backed	8,365,376	8,267,063
Reserves - Asset Revaluation	104,035,514	92,706,195
Retained Surplus	31,478,766	29,236,043
TOTAL EQUITY	143,879,656	130,209,301
RESERVES - CASH BACKED		
Opening Balance	8,267,063	8,591,483
Transfer to Reserves	98,313	497,416
Transfer from Reserves	0	(821,836)
TOTAL RESERVES - CASH BACKED	8,365,376	8,267,063
RESERVES - ASSET REVALUATION		
Opening Balance	104,035,514	92,706,195
TOTAL RESERVES - ASSET REVALUATION	104,035,514	92,706,195
RETAINED SURPLUS		
Opening Balance	29,236,043	28,434,029
Change in Net Assets from Operations	2,341,036	477,594
Transfer from Reserve	0	821,836
Transfer to Reserve	(98,313)	(497,416)
TOTAL RETAINED SURPLUS	31,478,766	29,236,043
TOTAL EQUITY	143,879,656	130,209,301

TOWN OF COTTESLOE STATEMENT OF CAPITAL ACQUSITIONS AND CAPITAL FUNDING For the Period Ended 30 April 2023

Capital Acquisitions	Note	Actual New /Upgrade (a)	Actual (Renewal Expenditure) (b)	Actual Total (c) = (a)+(b)	YTD Revised Budget (d)	Revised Annual Budget	Variance (d) - (c)
	4.0	\$	\$	\$	\$	\$	\$
Land and Buildings	13	728,684	59,971	788,655	1,467,586	1,842,000	(678,931)
Infrastructure Assets - Roads	13	5,193	22,794	27,987	600,917	632,200	(572,930)
Infrastructure Assets - Carparks	13	0	40,737	40,737	18,320	40,965	22,417
Infrastructure Assets - Footpaths	13	843,149	10,916	854,065	819,257	1,041,806	34,808
Infrastructure Assets - Drainage	13	0	27,131	27,131	50,000	50,000	(22,869)
Infrastructure Assets - Parks & Reserves	13	58,043	97,861	155,904	830,560	1,352,797	(674,656)
Infrastructure Assets - Miscellaneous	13	83,228	46,331	129,559	168,530	301,606	(38,971)
Infrastructure Assets - Street Furniture	13	0	197,607	197,607	255,237	317,368	(57,630)
Infrastructure Assets - Rights of Way	13	96,811	0	96,811	96,271	96,811	540
Infrastructure Assets - Irrigation	13	0	17,615	17,615	17,615	17,615	0
Plant and Equipment	13	0	300,733	300,733	302,000	334,800	(1,267)
Furniture and Equipment	13	О	0	0	142,997	203,000	(142,997)
Capital Expenditure Totals		1,815,108	821,696	2,636,804	4,769,290	6,230,968	(2,132,486)

Funded By:				
Capital Grants and Contributions	599,591	990,257	2,619,567	390,666
Borrowings	0	o	o	o
Other (Disposals & C/Fwd)	75,982	170,000	198,000	(94,018)
Own Source Funding - Cash Backed Reserves				
Property Reserve	0	0	1,105,198	0
Infrastructure Reserve	0	0	50,000	0
Foreshore Redevelopment Reserve	0	0	0	0
Right of Way Reserve	0	0	89,251	0
Active Transport Reserve	0	140,233	317,466	(140,233)
Total Own Source Funding - Cash Backed Reserves	0	140,233	1,561,915	(140,233)
Own Source Funding - Operations	1,961,231	3,468,800	1,851,486	(2,288,901)
Capital Funding Total	2,636,804	4,769,290	6,230,968	(2,132,486)



Comments

TOWN OF COTTESLOE NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY For the Period Ended 30 April 2023

1. SIGNIFICANT ACCOUNTING POLICIES

(a) Basis of Accounting

This statement comprises a special purpose financial report which has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1995 and accompanying regulations. Material accounting policies which have been adopted in the preparation of this statement are presented below and have been consistently applied unless stated otherwise.

Except for cash flow and rate setting information, the report has also 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.

Critical Accounting Estimates

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 that are 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.

(b) The Local Government Reporting Entity

All Funds through which the Council controls resources to carry on its functions have been included in this statement.

In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between Funds) have been eliminated.

All monies held in the Trust Fund are excluded from the statement, but a separate statement of those monies appears at Note 12.

(c) Rounding Off Figures

All figures shown in this statement are rounded to the nearest dollar.

(d) Rates, Grants, Donations and Other Contributions

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions. Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

(e) Goods and Services Tax

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO).

Receivables and payables are stated inclusive of GST receivable or payable.

The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position.

Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

TOWN OF COTTESLOE NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY For the Period Ended 30 April 2023

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(f) Cash and Cash Equivalents

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

Bank overdrafts are reported as short term borrowings in current liabilities in the statement of financial position.

(g) Trade and Other Receivables

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.

Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets.

Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.

(h) Inventories

General

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.

Land Held for Resale

Land held for development and sale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development, borrowing costs and holding costs until completion of development. Finance costs and holding charges incurred after development is completed are expensed.

Gains and losses are recognised in profit or loss at the time of signing an unconditional contract of sale if significant risks and rewards, and effective control over the land, are passed on to the buyer at this point.

Land held for sale is classified as current except where it is held as non-current based on Council's intentions to release for sale.

(i) Fixed Assets

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead.

Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.

TOWN OF COTTESLOE NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY For the Period Ended 30 April 2023

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(j) Depreciation of Non-Current Assets

All non-current assets having a limited useful life are systematically depreciated over their useful lives in a manner which reflects the consumption of the future economic benefits embodied in those assets.

Depreciation is recognised on a straight-line basis, using rates which are reviewed each reporting period. Major depreciation rates and periods are:

Buildings	33 to 159 years
Furniture and equipment	2 to 15 years
Plant and equipment	2 to 10 years
Infrastructure Assets	
- Roads - Formation/Subgrade	Not depreciated
- Roads - Pavement	60 to100 years
- Roads - Seal	20 to 35 years
- Roads - Kerbing	60 to 80 years
- Right of Ways - Formation/Subgrade	Not depreciated
- Right of Ways - Pavement	60 to 100 years
- Right of Ways - Seal	20 to 35 years
- Right of Ways - Kerbing	60 to 80 years
- Car Parks - Formation/Subgrade	Not depreciated
- Car Parks - Pavement	60 to 100 years
- Car Parks - Seal	20 to 35 years
- Car Parks - Kerbing	60 to 80 years
- Drainage	80 to100 years
- Footpaths	20 to 60 years
- Lighting and Electrical	20 years
- Parks & Ovals	10 to 40 years
- Streetscapes	15 to 25 years
- Miscellaneous	25 to 60 years
- Irrigation	20 to 100 years

Right of use - plant and equipment Based on the remaining lease

(k) Trade and Other Payables

Trade and other payables represent liabilities for goods and services provided to the Council prior to the end of the financial year that are unpaid and arise when the Council 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.

(I) Employee Benefits

The provisions for employee benefits relates to amounts expected to be paid for long service leave, annual leave, wages and salaries and are calculated as follows:

(i) Wages, Salaries, Annual Leave and Long Service Leave (Short-term Benefits)

The provision for employees' benefits to wages, salaries, annual leave and long service leave expected to be settled within 12 months represents the amount the Town has a present obligation to pay resulting from employees services provided to balance date. The provision has been calculated at nominal amounts based on remuneration rates the Town expects to pay and includes related on-costs.

(ii) Annual Leave and Long Service Leave (Long-term Benefits)

The liability for long service leave is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date using the project unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity and currency that match as closely as possible, the estimated future cash outflows. Where the Town does not have the unconditional right to defer settlement beyond 12 months, the liability is recognised as a current liability.

1 /

TOWN OF COTTESLOE NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY For the Period Ended 30 April 2023

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(m) Interest-bearing Loans and Borrowings

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs.

After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

Borrowings are classified as current liabilities unless the Council has an unconditional right to defer settlement of the liability for at least 12 months after the balance sheet date.

Borrowing Costs

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset.

(n) Provisions

Provisions are recognised when: The council has a present legal or constructive obligation as a result of past events; it is more likely than not that an outflow of resources will be required to settle the obligation; and the amount has been reliably estimated. Provisions are not recognised for future operating losses.

Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow with respect to any one of item included in the same class of obligations may be small.

(o) 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. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Council's operational cycle. In the case of liabilities where Council does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for resale where it is held as non current based on Council's intentions to release for sale.

TOWN OF COTTESLOE NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY For the Period Ended 30 April 2023

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(p) Nature or Type Classifications

Rates

All rates levied under the Local Government Act 1995. Includes general, differential, specific area rates, minimum rates, interim rates, back rates, ex-gratia rates, less discounts offered. Exclude administration fees, interest on instalments, interest on arrears and service charges.

Operating Grants, Subsidies and Contributions

Refer to all amounts received as grants, subsidies and contributions that are not non-operating grants.

Non-Operating Grants, Subsidies and Contributions

Amounts received specifically for the acquisition, construction of new or the upgrading of non-current assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

Profit on Asset Disposal

Profit on the disposal of assets including gains on the disposal of long term investments. Losses are disclosed under the expenditure classifications.

Fees and Charges

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, other fees and charges.

Service Charges

Service charges imposed under Division 6 of Part 6 of the Local Government Act 1995. Regulation 54 of the Local Government (Financial Management) Regulations 1996 identifies the These are television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal charges. Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

Interest Earnings

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

Other Revenue / Income

Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates etc.

Employee Costs

All costs associate with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc.

Materials and Contracts

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information technology, rental or lease expenditures.

Utilities (Gas, Electricity, Water, etc.)

Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

1 6

TOWN OF COTTESLOE NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY For the Period Ended 30 April 2023

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(q) Nature or Type Classifications (Continued)

Insurance

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

Loss on asset disposal

Loss on the disposal of fixed assets.

Depreciation on non-current assets

Depreciation expense raised on all classes of assets.

Interest expenses

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

Other expenditure

Statutory fees, taxes, provision for bad debts, member's fees or levies including WA Fire Brigade Levy and State taxes. Donations and subsidies made to community groups.

(r) Statement of Objectives

Council has adopted a 'Plan for the future' comprising a Strategic Community Plan and Corporate Business Plan to provide the long term community vision, aspirations and objectives.

In order to discharge its responsibilities to the community, the Town has developed a set of operational and financial objectives. These objectives have been established both on an overall basis, reflected by the Town's Community Vision, and for each of its broad activities/programs.

COMMUNITY VISION

"To preserve and improve Cottesloe's natural and built environment and beach lifestyle by using sustainable strategies. Members of the community will continue to be engaged to shape the future for Cottesloe and strengthen Council's leadership role."

(s) Reporting Programs

Council operations as disclosed in this statement encompass the following service orientated activities/programs:

GOVERNANCE

Expenses associated with provision of services to members of council and elections. Also included are costs associated with computer operations, corporate accounting, corporate records and asset management. Costs reported as administrative expenses are redistributed.

GENERAL PURPOSE FUNDING

Rates and associated revenues, general purpose government grants, interest revenue and other miscellaneous revenues. The costs associated with raising the above mentioned revenues, e.g. Valuation expenses, debt collection and overheads.

LAW, ORDER, PUBLIC SAFETY

Enforcement of Local Laws, fire prevention, animal control and provision of ranger services.

HEALTH

Health inspection services and food quality control.

47

TOWN OF COTTESLOE NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY For the Period Ended 30 April 2023

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(s) Reporting Programs (Continued)

COMMUNITY AMENITIES

Sanitation, stormwater drainage, protection of the environment, public conveniences and town planning.

RECREATION AND CULTURE

Parks, gardens and recreation reserves, library services, swimming facilities, walk trails, foreshore and public

TRANSPORT

Construction and maintenance of roads, footpaths, drainage works, parking facilities, traffic control, depot operations, plant purchase, and cleaning of streets.

ECONOMIC SERVICES

Tourism, community development, pest control, building services and private works.

OTHER PROPERTY & SERVICES

Plant works, plant overheads and stock of materials.

TOWN OF COTTESLOE NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY For the Period Ended 30 April 2023

Note 2: EXPLANATION OF MATERIAL VARIANCES (> \$25,000 and 15%)

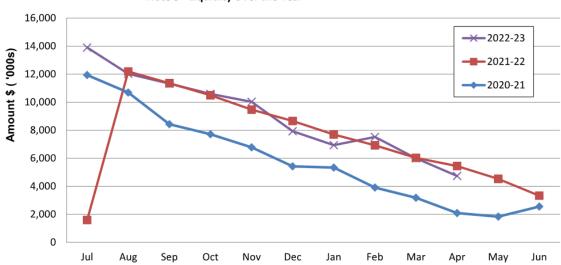
Reporting Program	Var. \$ YTD	Var. %	Timing/ Permanent	Explanation of Variance
Operating Revenues				
Operating Grants, Subsidies & Contributions	(142,517)	(41%)	Timing	Timing of grants received for coastal monitoring and CHRMAP (coastal degradation)
Fees and Charges	(26,326)	(1%)	Permanent	Higher than anticipated income on facility hire (136K less prepaid adjustments), building licence fees (103K), waste revenue (65K), complaince permits (Work zone and materials on verge 33K) and development application fees (44K). Note any prepaid fees for future financial years are yet to be adjusted.
			Permanent	Less than anticipated income from infringements (-336K), verge equipment hire (-46K) & less than anticipated outdoor eating fees (-23K)
Interest Earnings	239,235	115%	Permanent	Higher than anticipated interest earned on investments
Other Revenue	(58,731)	(32%)	Timing	Delays in reimbursements relating to the Cottesloe Village Precinct Plan and lease expenses
Profit on Disposal of Assets	(30,898)	(41%)	Timing	Delay in sale of vehicles due to longer lead time for replacements
Capital Revenues				
Grants, Subsidies and Contributions	(390,666)	(39%)	Timing/Permanent	Timing of grant funded works projects. Note that grant monies received for Marine Parade will need to be refunded to the grant provider as the project is not proceeding
Proceeds from Disposal of Assets	(94,018)	(55%)	Timing	Delay in sale of vehicles due to longer lead time for replacements
Operating Expenses				
Employee Costs	647,066	11%	Timing/Permanent	Some time allocations but also reduced expenditure in various areas including the ERP Project, Administration, Library (timing)
Materials and Contracts	1,687,549	24%	Timing/Permanent	Delays in projects including ERP System Implementation (-472K), Local Planning Strategy Review and Cottesloe Village Precinct (-323K), Foreshore projects (-280K), waste disposal (-161K), other events (-85K), legal expenses town planning (-55K)
Utility Charges Interest Expenses	77,171 34,308	24% 19%	Timing Timing	Various utility costs including road and facilities maintenance Timing of depot lease allocations
Capital Expenses				
Furniture and Equipment	142,997	(100%)	Timing/Permanent	Timing of expenditure on Parking Sensors, purchase of replacement photocopier and software expenditure
Land and Buildings	678,931	(46%)	Timing	Timing of expenditure on Anderson Pavilion
Infrastructure - Roads	572,930	(95%)	Timing/Permanent	Timing of road construction and a project cancellation
Infrastructure - Parks & Reserves	674,656	(81%)	Timing	Timing of expenditure on East Cottesloe Playground and the Skate park
Infrastructure - Miscellaneous	38,971	(23%)	Permanent/Timing	Timing of construction of beach access paths
Infrastructure - Streetscape	57,630	(23%)	Timing	Timing of expenditure on Urban Canopy Program and street tree planting
Financing				
Transfer from Reserves	(140,233)	(100%)	Timing	Timing of transfers from reserves
Transfer to Reserves	173,076	64%	Timing	Timing of transfers to reserves

TOWN OF COTTESLOE NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY For the Period Ended 30 April 2023

Note 3: NET CURRENT FUNDING POSITION

		Positive=Surplus (Negative=Deficit			
		_			
	Note	YTD 30 April 2023	30 June 2022		
Current Assets		16,675,840	15,273,242		
Less: Current Liabilities		(4,225,072)	(5,617,062)		
Less:					
Cash Reserves	7	(8,365,376)	(8,267,063)		
Loans - Clubs		(32,807)	(64,906)		
Other Liabilities		(423,422)	(238,311)		
Add:					
Loans		0	350,347		
Lease Liability		60,539			
Provisions		1,162,431	1,203,286		
Net Current Funding Position		4,852,133	2,696,284		

Note 3 - Liquidity Over the Year



Comments - Net Current Funding Position

20

ATTACHMENTS

TOWN OF COTTESLOE NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY For the Period Ended 30 April 2023

Note 4: CASH AND INVESTMENTS

(a)	Cash Deposits
	Municipal Bank Accoun

(b) Term Deposits

Term Deposit

Total

Term Deposit xx-xxx-9802
Term Deposit xx-xxx-6802
Term Deposit xx-xxx-6859
Term Deposit xx-xxx-1864
Term Deposit (ESGTD)
Term Deposit (ESGTD)
Term Deposit xx-xxx-2215
Term Deposit xx-xxx-2215
Term Deposit xx-xxx-2233
Term Deposit xx-xxx-2839
Term Deposit

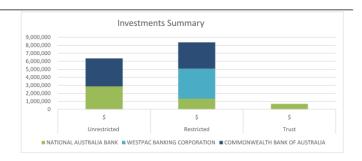
Interest Rate	Green or ESG Deposit	Unrestricted \$	Restricted \$	Trust \$	Total Amount \$	Institution	Maturity Date
Kate	Deposit	,	3	,	Amount 3		Date
Variable	N	2,853,642			2,853,642	NAB	At Call
3.95%	N			690,573	690,573	NAB	16-Jun-23
4.15%	N	6,526			6,526	NAB	12-Jun-23
4.15%	N	6,459			6,459	NAB	13-Jun-23
2.10%	N		1,865,393		1,865,393	WBC	15-Jun-23
4.28%	N		1,877,706		1,877,706	WBC	06-Jun-23
3.71%	Y		1,655,193		1,655,193	CBA	22-May-2
3.62%	Y		1,633,323		1,633,323	CBA	01-May-2
3.99%	N		275,287		275,287	NAB	01-May-2
3.00%	N		960,645		960,645	NAB	03-Oct-23
3.99%	N		97,828		97,828	NAB	01-May-2
4.03%	N	1,500,000			1,500,000	CBA	03-Jun-23
4.03%	N	2,000,000			2,000,000	CBA	03-Jun-23
		6,366,627	8,365,375	690,573	15,422,575		

SUMMARY OF FUNDS INVESTED IN TERM & CASH DEPOSITS

BANK	Unrestricted \$	Restricted \$	Trust \$	Total \$	Total %	Total Green/ESG Deposits \$	Total Non Green Deposits \$
NATIONAL AUSTRALIA BANK	2,866,627	1,333,760	690,573	4,890,960	31.7%		4,890,960
WESTPAC BANKING CORPORATION	2,000,027	3,743,099		3,743,099	24.3%		3,743,099
	0						
COMMONWEALTH BANK OF AUSTRALIA	3,500,000	3,288,516	0	6,788,516	44.0%	3,288,516	3,500,000
TOTAL	6,366,627	8,365,375	690,573	15,422,575	100%	3,288,516	12,134,059

Comments/Notes - Investments

When interest rates are competitive, the Town invests in Green Deposits and in Environmental, Social, Governance Term Governance Term Deposits (ESGTD).



TOWN OF COTTESLOE NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY For the Period Ended 30 April 2023

Note 5: BUDGET AMENDMENTS

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

					Increase in	
				Non Cash	Available	Decrease in
GL Account Code Description		Council Resolution	Classification	Adjustment	Cash	Available Cas
				\$	\$	\$
20029.204.58	Donation - Cottesloe Primary School	10.1.1 July 2022 - OCM106/2022	Operating expense			(3,50
10069.72.12	Outdoor Eating License Fees	10.1.1 July 2022 - OCM106/2022	Operating expense			(25,60
15.1051.2	Eric Street Shared Path	13.1.1 August 2022 - OCM125/2022	Capital expense			(175,00
40089.308.21	Transfer from Active Transport Reserve	13.1.1 August 2022 - OCM125/2022	Capital revenue		175,000	
35.4010.2	Buildings Construction - Anderson Pavillion - Capital expenditure	13.1.1 September 2022 - OCM144/2022	Capital expense			(120,0
40078.220.21	Buildings Construction - Anderson Pavillion - Transfer from reserves	13.1.1 September 2022 - OCM144/2022	Transfer from reserves		120,000	
20025.202.50	Election Expenses	10.1.7 November 2022 - OCM172/2022	Operating expense			(15,0
Various	Budget Review 2022-2023	10.1.2 March 2023 - OCM041/2023 & OCM042/2023	Opening surplus		911,517	
Various	Budget Review 2022-2023	10.1.2 March 2023 - OCM041/2023 & OCM042/2023	Operating revnue		488,743	
Various	Budget Review 2022-2023	10.1.2 March 2023 - OCM041/2023 & OCM042/2023	Operating expense		772,041	
Various	Budget Review 2022-2023	10.1.2 March 2023 - OCM041/2023 & OCM042/2023	Non-cash	(6,690)	•	
Various	Budget Review 2022-2023	10.1.2 March 2023 - OCM041/2023 & OCM042/2023	Capital revenue		780,850	
Various	Budget Review 2022-2023	10.1.2 March 2023 - OCM041/2023 & OCM042/2023	Capital expenditure			(1,640,7
Various	Budget Review 2022-2023	10.1.2 March 2023 - OCM041/2023 & OCM042/2023	Financing activities			(1,305,7
30.7045.2.50	Skate Park construction	10.1.6 March 2023 - OCM37/2023	Capital expenditure			(743,9
10207.244.72	Lotterywest grant funding of the Skate Park	10.1.6 March 2023 - OCM37/2023	Capital revenue		743,900	
40.1126.2	Marine Parade Upgrade Project Funding - Reduced expenditure	10.1.5 April 2023 - OCM065/2023	Capital expenditure		562,483	
10131.8.13	Marine Parade Upgrade Project Funding - Grant funding returned to MRWA	10.1.5 April 2023 - OCM065/2023	Capital revenue			(342,5
40.1130.2	Marine Parade Upgrade Project Funding - Roads to Recovery expenditure reallocated to Melville Street	10.1.5 April 2023 - OCM065/2023	Capital expenditure			(70,0
50065.226.23	Marine Parade Upgrade Project Funding - Transfer to Infrastructure Reserve	10.1.5 April 2023 - OCM065/2023	Transfer to reserves			(149,9
				(6,690)	4,554,534	(4,591,9

TOWN OF COTTESLOE NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY For the Period Ended 30 April 2023

Note 6: RECEIVABLES

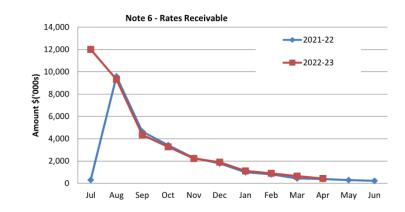
Receivables - Rates

Opening Arrears Previous Years Levied this year Less Collections to date **Equals Current Outstanding**

Net Rates Collectable

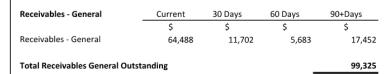
% Collected

YTD 30 April 2023	YTD 30 April 2022	30 June 2022
\$	\$	\$
228,952	361,499	361,499
12,017,926	11,320,011	10,875,226
(11,811,353)	(11,290,244)	(11,007,773)
435,525	391,266	228,952
435,525	391,266	228,952
96.44%	96.65%	97.96%



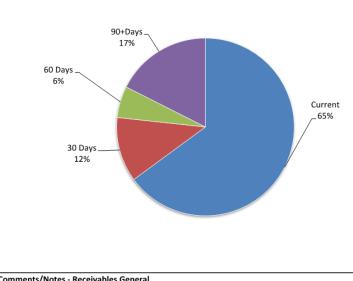
Comments/Notes - Receivables Rates

Rates were issued 12 August 2022, with a due date of 23 September 2022.



Amounts shown above include GST (where applicable)

Note 6 - Accounts Receivable (non-rates)



Comments/Notes - Receivables General

TOWN OF COTTESLOE NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY For the Period Ended 30 April 2023

Note 6: RECEIVABLES (Continued)

Itemised Listing of Sundry Debtors greater than \$1,000 and older than 90 days not on a complying payment arrangement

		90 days		Total	
Debtor Name		\$		\$	Narration
KMAG Events Pty Ltd t/as Cottesloe Eatz & Beatz Festival	\$	3,696.93	\$	3,777.40	Hire of Event bins & Health Licence fees
Cottesloe Medical Centre	\$	1,776.14	\$	2,943.39	Commercial Waste Charges
Sinclair Product Management (WA) Pty Ltd	\$	1,270.89	\$	1,270.89	Commercial Waste Charges
Ocean Group Cottesloe Pty Ltd	\$	2,133.11	\$	2,152.20	Health licence fees & Food Act Infringement
TG Lyons	\$	1,000.00	\$	1,000.00	Building Act Infringement
T Wood	\$	1,689.35	\$	1,717.31	Outdoor eating fees
Love Story	\$	1,278.35	\$	1,482.74	Commercial Waste Charges
	KMAG Events Pty Ltd t/as Cottesloe Eatz & Beatz Festival Cottesloe Medical Centre Sinclair Product Management (WA) Pty Ltd Ocean Group Cottesloe Pty Ltd TG Lyons T Wood	Debtor Name KMAG Events Pty Ltd t/as Cottesloe Eatz & Beatz Festival \$ Cottesloe Medical Centre \$ Sinclair Product Management (WA) Pty Ltd \$ Ocean Group Cottesloe Pty Ltd \$ TG Lyons \$ T Wood \$	KMAG Events Pty Ltd t/as Cottesloe Eatz & Beatz Festival \$ 3,696.93 Cottesloe Medical Centre \$ 1,776.14 Sinclair Product Management (WA) Pty Ltd \$ 1,270.89 Ocean Group Cottesloe Pty Ltd \$ 2,133.11 TG Lyons \$ 1,000.00 T Wood \$ 1,689.35	Debtor Name \$ KMAG Events Pty Ltd t/as Cottesloe Eatz & Beatz Festival \$ 3,696.93 \$ Cottesloe Medical Centre \$ 1,776.14 \$ Sinclair Product Management (WA) Pty Ltd \$ 1,270.89 \$ Ocean Group Cottesloe Pty Ltd \$ 2,133.11 \$ TG Lyons \$ 1,000.00 \$ T Wood \$ 1,689.35 \$	Debtor Name \$ \$ KMAG Events Pty Ltd t/as Cottesloe Eatz & Beatz Festival \$ 3,696.93 \$ 3,777.40 Cottesloe Medical Centre \$ 1,776.14 \$ 2,943.39 Sinclair Product Management (WA) Pty Ltd \$ 1,270.89 \$ 1,270.89 Ocean Group Cottesloe Pty Ltd \$ 2,133.11 \$ 2,152.20 TG Lyons \$ 1,000.00 \$ 1,000.00 T Wood \$ 1,689.35 \$ 1,717.31

Comments/Notes - Receivables General

Dana 2/

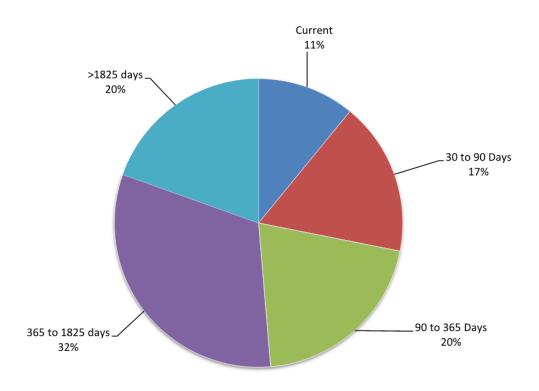
TOWN OF COTTESLOE NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY For the Period Ended 30 April 2023

Note 6: RECEIVABLES (Continued)

Receivables - Infringements	Current	30 to 90 Days	90 to 365 Days	365 to 1825 days	>1825 days
_	\$	\$	\$		\$
Receivables - Infringements	49,899	78,518	93,779	145,110	89,221
Total Receivables General Outsta	nding			_	456,527

Amounts shown above include GST (where applicable)

Note 6 - Accounts Receivable - Infringements



Comments/Notes - Receivables Infringements

The majority of infringement debtors over ninety days are with Fines Enforcement Registry for collection.

Page 153

TOWN OF COTTESLOE NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY For the Period Ended 30 April 2023

Note 7: Cash Backed Reserve

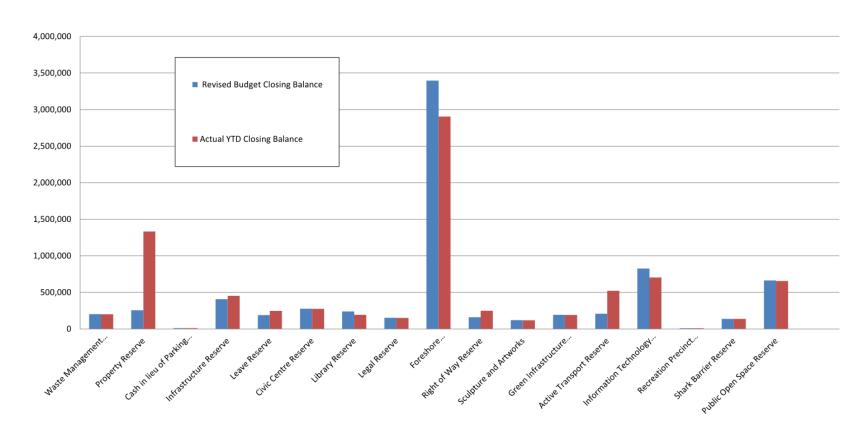
		Opening Revised		Revised Budget	Actual	Revised Budget	Actual	Revised Budget	Actual Transfers		Revised Budget	Actual YTD
	Sub	Balance	Opening	Interest	Interest	Transfers In	Transfers In	Transfers Out	Out	Transfer out	Closing	Closing
Name	Account	Budget	Balance Actual	Earned	Earned	(+)	(+)	(-)	(-)	Reference	Balance	Balance
		\$	\$	\$	\$	\$	\$	\$	\$		\$	\$
Waste Management Reserve	219	199,588	199,587	3,863	2,298	0	0	0	0		203,451	201,885
Property Reserve	220	1,317,550	1,317,550	27,859	16,256	16,500	0	(1,105,198)	0		256,711	1,333,806
Cash in lieu of Parking Reserve	221	11,790	11,790	229	136	0	0	0	0		12,019	11,926
Infrastructure Reserve	226	449,219	449,220	8,694	4,639	0	0	(50,000)	0		407,913	453,859
Leave Reserve	227	242,462	242,534	4,692	3,309	0	0	(57,996)	0		189,158	245,843
Civic Centre Reserve	228	272,045	272,045	5,265	3,132	0	0	0	0		277,310	275,177
Library Reserve	229	191,516	191,516	3,708	2,205	43,000	0	0	0		238,224	193,721
Legal Reserve	262	150,220	150,221	2,910	1,729	0	0	0	0		153,130	151,950
Foreshore Redevelopment Reserve	273	2,868,672	2,868,672	54,044	37,772	473,814	0	0	0		3,396,530	2,906,444
Right of Way Reserve	276	246,035	246,035	3,866	2,386	0	0	(89,251)	0		160,650	248,421
Sculpture and Artworks	299	118,605	118,605	2,297	1,365	0	0	0	0		120,902	119,970
Green Infrastructure Reserve Fund	307	190,463	190,463	3,688	2,193	0	0	0	0		194,151	192,656
Active Transport Reserve	308	516,516	516,516	9,999	5,946	0	0	(317,466)	0		209,049	522,462
Information Technology Reserve	309	695,200	695,200	13,455	8,003	118,453	0	0	0		827,108	703,203
Recreation Precinct Reserve	310	9,588	9,587	186	110	0	0	0	0		9,774	9,697
Shark Barrier Reserve	323	135,936	135,936	2,631	1,565	0	0	0	0		138,567	137,501
Public Open Space Reserve	384	651,588	651,587	12,614	5,269	0	0	0	0		664,202	656,856
								44	_	_		
		8,266,993	8,267,064	160,000	98,313	651,767	0	(1,619,911)	0	0	7,458,849	8,365,377

Comments/Notes - Reserves

TOWN OF COTTESLOE NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY For the Period Ended 30 April 2023

Note 7: Cash Backed Reserve (Continued)

Note 7 - Year To Date Reserve Balance to End of Year Estimate



77

TOWN OF COTTESLOE NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY For the Period Ended 30 April 2023

Note 8: CAPITAL DISPOSALS

			Current Budget						
Actual	Profit/(Loss) of	Asset Disposal				YTD 30	04 2023		
				Disposals					
			Profit		Proceeds full	Annual Budget		Variance	
Cost/Revaluation	Accum Depr	Proceeds	(Loss)		year	Profit/(Loss)	Actual Profit/(Loss)	Profit/(Loss)	
\$	\$	\$	\$		\$	\$	\$	\$	
15,300	0	22,855	7,555	#1462 - Nissan Navara - Mgr Parks & Ops	18,000	0	7,555	7,555	
0	0	0	0	#1447 - Isuzu Dmax - Coord Parks & Ops	24,000	8,250	0	(8,250)	
0	0	0	0	#1469 - Honda CRV - Mgr Finance	22,000	5,800	0	(5,800)	
18,000	(18,000)	23,541	23,541	#1466 - Mazda CX5 - Coord Stat Planning	24,000	8,700	23,541	14,841	
0	0	0	0	#1375 - Hino 3 tonne truck - Ops	50,000	27,500	0	(27,500)	
0	0	0	0	#1430 - Mitsubishi 3 tonne truck - Ops	60,000	40,200	0	(40,200)	
16,200	0	29,586	13,386	#1502 - Holden Colorado Crew Cab - Rangers	0	0	13,386	13,386	
49,500	(18,000)	75,982	44,482		198,000	90,450	44,482	(45,968)	

Comments/Notes - Asset Disposals

20

TOWN OF COTTESLOE NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ended 30 April 2023

								Revised
Note 9: RATING INFORMATION	Rate in	Number	Rateable	Rate	Interim	Back	Total	Budget
	\$	of	Value	Revenue	Rates	Rates	Revenue	Rate
		Properties	\$	\$	\$	\$	\$	Revenue
RATE TYPE								\$
Differential General Rate								
GRV - Residential Improved (RI)	0.07455105	3,232	130,989,303	9,765,390	56,803	5,823	9,828,016	9,822,198
GRV - Residential Vacant (RV)	0.07455105	82	3,504,250	261,246	3,233	(2,739)	261,740	269,038
GRV - Commercial Improved (CI)	0.07455105	62	7,959,186	593,366	(5,458)	0	587,908	593,366
GRV - Commercial Vacant (CV)	0.07455105	2	120,500	8,983	3,848	0	12,831	8,983
GRV - Commercial Town (CT)	0.08639715	119	10,638,957	919,176	1,196	94	920,466	919,176
GRV - Industrial (I)	0.07455105	1	28,020	2,089	0	0	2,089	2,089
Sub-Totals		3,498	153,240,216	11,550,249	59,622	3,178	11,613,049	11,614,850
	Minimum							
Minimum Payment	\$							
GRV - Residential Improved (RI)	1,262	292	4,316,000	368,504	0	0	368,504	367,242
GRV - Residential Vacant (RV)	1,262	4	1,170	5,048	0	0	5,048	5,048
GRV - Commercial Improved (CI)	1,262	11	132,224	13,882	0	0	13,882	13,882
GRV - Commercial Town (CT)	1,262	19	253,171	23,978	(1,262)	(99)	22,617	23,978
Sub-Totals		326	4,702,565	411,412	(1,262)	(99)	410,051	410,150
		•			, , ,	. ,	12,023,100	12,025,000
Concession							(5,174)	(5,000)
Amount from General Rates							12,017,926	12,020,000
Ex-Gratia Rates							0	0
Specified Area Rates							0	0
Totals							12,017,926	12,020,000

Comments - Rating Information

Rates were issued 12 August 2022, with a due date of 23 September 2022.

ATTACHMENTS

TOWN OF COTTESLOE NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY For the Period Ended 30 April 2023

JUNE 2023

10. INFORMATION ON BORROWINGS

(a) Debenture Repayments

Particulars	Principal 1-Jul-22	New Loans	Principal Repayments Actual Budget \$ \$		Principal Outstanding Actual Budget \$ \$		Interest Repayments Actual Budget \$ \$	
Loan 105 - Community Organisation	55,505	0	36,434	36,434	19,071	19,071	2,894	5,059
Loan 107 - Joint Library Project	2,616,935	0	280,682	280,682	2,336,253	2,336,253	165,868	183,285
Loan 108 - Community Organisation	138,464	0	33,231	33,231	105,233	105,233	3,529	4,411
	2,810,904	0	350,347	350,347	2,460,557	2,460,557	172,291	192,755

Loan numbers 105 and 108 are financed from community organisations. Loan number 107 is financed by general purpose revenue.

(b) New Debentures

No new debentures are budgeted during 2022/23.

20

TOWN OF COTTESLOE NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY For the Period Ended 30 April 2023

Note 11: GRANTS AND CONTRIBUTIONS

Program/Details	Grant/Contribution Provider	2022-23	Operating	perating Capital		up Status
		Revised Annual Budget			Received	Not Received
		\$	\$	\$	\$	\$
GENERAL PURPOSE FUNDING						
Grants Commission - General Purpose	WA Local Government Grants Commission	78,201	78,201	0	37,006	41,195
Grants Commission - Local Roads	WA Local Government Grants Commission	47,165	47,165	0	27,234	19,931
GOVERNANCE						
Occupational Health and Safety Initiatives	Local Government Insurance Services	100	100	0	0	100
Australia Day	National Australia Day Council	30,000	30,000	0	30,000	0
LAW. ORDER & PUBLIC SAFETY						
All West Australians Reducing Emerencies (AWARE)	Department of Fire and Emergency Services	5,000	5,000	0	5,000	0
EDUCATION AND WELFARE						
Contributions	Various	0	О	0	157	0
COMMUNITY AMENITIES	Department of Webs 0. For incorporate Department	30,000	20.000	0	20.000	0
Food Organic Garden Organics	Department of Water & Environmental Regulation	20,000	20,000	U	20,000	0
RECREATION AND CULTURE						
Coastal degradation (CHRMAP)	Department of Planning, Lands and Heritage	100,000	100,000	0	674	99,326
East Cottesloe Playground	POS Cash in lieu	440,182	0	440,182	0	440,182
East Cottesloe Playground	Department of Transport	20,000	0	20,000	0	20,000
Skatepark	Lotterywest	743,900	0	743,900	0	743,900
Contribution towards ANZAC day	RSL	1,818	1,818	0	0	1,818
Contribution to Cottesloe Cat	Public Transport Authority	9,495	9,495	0	10,763	0
Contributions	Various	250	250	0	662	0
TRANSPORT						
Direct Grant	Main Roads WA	26,052	26,052	0	26,052	0
Eric St Shared Path	Department of Transport	350,000	0	350,000	200,000	150,000
Eric St Shared Path	Local Roads Community Infrastructure Program (LRCI) Phase 3	207,534	0	207,534	155,651	51,883
Railway Street Resurfacing	Local Roads Community Infrastructure Program (LRCI) Phase 1	0	0	0	10,376	0
Rotunda Drainage Project	Local Roads Community Infrastructure Program (LRCI) Phase 2	0	0	0	68,071	0
Roads to Recovery Grant Funding	Department of Infrastructure, Regional Development and Cities	66,950	0	66,950	0	66,950
Marine Parade	Metropolitan Regional Road Group (MRRG) - To be refunded - Project cancelled	345,551	0	345,551	138,220	207,331
Urban Canopy Program	Main Roads WA	48,500	0	48,500	0	48,500
Anderson Pavillion	Department of Local Government Sports and Recreation (CSRFF)	300,000	0	300,000	0	300,000
Extra grant funding for Eric Street shared path variation plus						
Marine Parade upgrade	Main Roads WA	66,950	0	66,950	0	66,950
Street Light Subsidy	Main Roads WA	9,600	9,600	0		9,600
Ex-gratia contribution for emergency repairs at Marine Parade	Water Corporation	30,000	0	30,000	30,000	0
Parking Management Plan	Contributions	67,500	67,500	0	45,000	22,500
TOTALS		3,014,748	395,181	2,619,567	804,866	2,290,166
IVION		3,014,748	333,181	2,013,307	504,600	2,250,100
Operating		395,181			202,548	
Non-Operating		2,619,567			602,318	
		3,014,748			804,866	
	3·					

TOWN OF COTTESLOE NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY For the Period Ended 30 April 2023

Note 12: TRUST FUND

Funds held at balance date over which the Town has no control and which are not included in this statement are as follows:

Description	Opening Balance 1 Jul 22	Amount Received	Amount Paid	Closing Balance 30-Apr-23
Cash in lieu of public open space	\$ 671,603	\$ 18,970	\$	\$ 690,573
	671,603	18,970	0	690,573

TOWN OF COTTESLOE NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY For the Period Ended 30 April 2023

te 13: CAPITAL WORKS PROGRAM

of							
etion ator	Infrastructure Assets	Project No	YTD Actual	Revised YTD Budget	Revised Annual Budget	YTD Variance (Under)/Over	Comment
		-				,	
	Car Parks						
	Implementation of Parking Strategy	5.9000.5	4,471	1,490	4,471	0	C/fwd from 21/22
•	ACROD Bays Installation and Upgrade	5.9000.2	36,266	16,830	36,494	(228)	C/fwd from 21/22
,	Car Parks Total		40,737	18,320	40,965	(228)	
			,		,	(===)	
	Drainage/Culverts	40.0004.0				4 245	
	Drainage Construction - Foreshore Drainage Upgrade	10.6081.2 10.9000.2	1,215 25,916	50,000	50,000	1,215 (24,084)	
		201000012	25,520	30,000	50,000	(= 1,00 1,	
	Drainage/Culverts Total		27,131	50,000	50,000	(22,869)	
	Footpaths						
)	Eric Street Shared Path	15.1051.2	843,150	808,924	1,026,806	(183,656)	
	Various (Missing Links), Pram Ramp upgrades and kerb replacement	15.9000.2	10,915	10,333	15,000	(4,085)	
	Footpaths Total		854,065	819,257	1,041,806	(187,741)	
	Irrigation						
	Replacement of Reticulation Pump at Cottesloe	20.1136.2	8,110	8,110	8,110	0	C/fwd from 21/22
	Oval	20.1130.2	8,110	8,110	0,110	0	C/1Wd 110111 21/22
)	Replacement of Reticulation Pump at Pearse	20.6090.2	9,505	9,505	9,505	0	C/fwd from 21/22
	Street						
,	Irrigation Total		17,615	17,615	17,615	0	
	Bight of Ways						
	Right of Ways						
)	ROW 4A	24.2021.2	7,470	7,157	7,470	0	
	ROW 11	24.2055.2	12,056	16,019	12,056	0	C/5 1 5 21 /22
	ROW 14B ROW 58	24.2074.2 24.2290.2	53,090 24,195	48,363 24,732	53,090 24,195	0	C/fwd from 21/22
		24.2230.2	24,133	24,732	24,133	0	
	Right of Way Total		96,811	96,271	96,811	0	
	Parks and Ovals						
	Dutch Inn Playground Upgrade (C/F)	30.7031.2	57,328	56,043	57,328		C/fwd from 21/22
	East Cottesloe Playground Upgrade (cash in lieu) (C/F)	30.7035.2	26,538	448,843	466,169	(439,631)	C/fwd from 21/22
	Skatepark Preliminaries - landscaping design	30.7045.2	31,505	271,941	775,900	(744,395)	C/fwd from 21/22
	(C/F)	20 4005 2	4.500	42.222	40.000	IF FOOT	C/f-ud f 24 /22
	Shade Sails (C/F) Harvey Field Preliminaries	30.4085.2 30.6100.2	4,500 15,152	13,333 27,000	10,000 30,000	(5,500)	C/fwd from 21/22
	Replace Grant Marine Park Softfall	30.6180.2	17,136			3,736	
	Turf Refurbishment for Jasper Green	30.6110.2	3,745		0	3,745	
	Parks and Ovals Total		155.004	930 500	1 252 707	(1 106 003)	
	rains allu UVdis IUldi		155,904	830,560	1,352,797	(1,196,893)	
	Buildings						
	Civic Centre	35.4050.2	43,033	21,000	21,000	22,033	
,	Lessor Hall Solar Panel Installation	35.4052.2	1,635	7,000		(5,365)	
	Anderson Pavillion Development (C/F)	35.4010.2	728,684	1,405,586			C/fwd from 21/22
	Kitchen Upgrade - Seaview Kindergarten (C/F)	35.4180.2	15,303	34,000	34,000		C/fwd from 21/22
,	Buildings Total		788,655	1,467,586	1,842,000	(1,053,345)	

TOWN OF COTTESLOE NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY For the Period Ended 30 April 2023

te 13: CAPITAL WORKS PROGRAM

Level of							
mpletion				Revised YTD	Revised Annual	YTD Variance	
ndicator	Infrastructure Assets	Project No	YTD Actual	Budget	Budget	(Under)/Over	Comment
	Roads						
	Trous						
0	Marine Parade	40.1126.2	22,794	595,276	615,277	(592,483)	Project not proceeding
	Railway Street	40.1156.2	0	3,910	11,730	(11,730)	
	Broome Street	41.1030.2	5,193	1,731	5,193	0	
0	Roads Total		27,987	600,917	632,200	(604,213)	
	Miscellaneous Infrastructure						
0	Beach Access Path Upgrades & Modifications - S10, S12, N6 & N7	45.4131.2	46,331	118,000	150,000	(103,669)	
	Principal Shared Paths - Curtin Ave	45.1055.2	21,442	6,036	18,111	3,331	
	Foreshore Development	45.6080.50	61,786	44,494	133,495	(71,709)	C/fwd from 21/22
0	Miscellaneous Infrastructure Total		129,559	168,530	301,606	(172,047)	
	Streetscapes						
0	Street Furniture	42.9000.2	0	10,000	10,000	(10,000)	
•	Street Tree Planting on verges	42.9000.5	186,768	196,737	258,868	(72,100)	
_	Street Tree Planting - Urban Canopy Program -	42.6125.2	10,839	48,500	48,500	(37,661)	C/fwd from 21/22
0	Perth to Fremantle Stage 3 (C/F)						
•	Streetscapes Total		197,607	255,237	317,368	(119,761)	
	Plant , Equipment & Vehicles Total						
•	Plant, Machinery & Equipment	47.9000.2	300,733	302,000	334,800	(34,067)	
•	Plant , Equip. & Vehicles Total		300,733	302,000	334,800	(34,067)	
	Furniture & Office Equip.						
0	Photocopier	49.9000.16	0	25,000	25,000	(25,000)	C/fwd from 21/22
0	Public Consultation Software (C/F)	49.9000.27	0	11,500	11,500	(11,500)	C/fwd from 21/22
0	Parking sensors	49.9000.20	0	56,500		(56,500)	
0	Software Upgrade	49.9000.24	0	19,998	60,000	(60,000)	
0	Live streaming of meetings -	49.9000.28	0	29,999	50,000	(50,000)	
0	hardware/software						
0	Furniture & Office Equip. Total		0	142,997	203,000	(203,000)	
0	Capital Expenditure Total		2,636,804	4,769,290	6,230,968	(3,594,164)	

rel of Completion Indicators

0%

20%

40%

60%

80%

100%

TOWN OF COTTESLOE

LIST OF ACCOUNTS PAID DURING APRIL 2023 AND PRESENTED TO A MEETING OF THE COUNCIL, HELD ON 27 JUNE 2023

<u>Date</u>	Payment Reference	<u>Payee</u>	<u>Description</u>		Amount
3/04/2023	27253	Australia Post	Post office box services	\$	365.00
4/04/2023	2138.1042-01	Iron Mountain Australia Group Pty Ltd	Offsite storage of records	Š	469.21
4/04/2023	2138.1245-01	Nu-Trac Rural Contracting	Beach cleaning services	Ś	13,370.00
4/04/2023	2138.139-01	Australia Post	Mail services	\$	3,168.36
4/04/2023	2138.146-01	Bring Couriers	Envelopes	Ś	79.59
4/04/2023	2138.1479-01	Environmental Wastewater C S Pty Ltd	Street sweeping services	\$	4,970.68
4/04/2023	2138.1503-01	Diamond Hire	Plant hire	\$	400.00
4/04/2023	2138.1615-01	Armando Sports	Spalding 54" backboard and bracket	\$	550.00
4/04/2023	2138.1630-01	P Miller	Reimbursement	\$	79.22
4/04/2023	2138.1672-01	Environmental Health Australia (WA)	EHA membership	\$	230.00
4/04/2023	2138.1812-01	A J Lemonnier	Reimbursement	\$	78.00
4/04/2023	2138.1877-01	Department of Planning, Lands and Heritage	Design advisory panel fees	\$	249.00
4/04/2023	2138.19-01	McLeods Barristers & Solicitors	Legal services	\$	23,687.49
4/04/2023	2138.1915-01	Marketforce Pty Ltd	Graphic design services	\$	627.00
4/04/2023	2138.1954-01	AusQ Training	Traffic management services	\$	660.00
4/04/2023	2138.1994-01	West Australian Newspaper Ltd	Newspaper subscription	\$	181.20
4/04/2023	2138.210-01	Hays Specialist Recruitment (Aust.)	Temporary staff	\$	5,148.52
4/04/2023	2138.21-01	Landgate	Certificate of title	\$	28.20
4/04/2023	2138.2147-01	DN Construction Group Pty Ltd	Playground equipment	\$	110.00
4/04/2023	2138.2151-01	JK Foster & B Quinn	Australia Day 2023 security services	\$	864.00
4/04/2023	2138.2159-01	A Morrissey	Reimbursement	\$	87.00
4/04/2023	2138.2248-01	Coastline Mowers	Kubota buggy and plant repairs	\$	25,551.18
4/04/2023	2138.2265-01	R Gianatti	Reimbursement	\$	70.45
4/04/2023	2138.2270-01	M Hood	Infrastructure bond refund	\$	1,500.00
4/04/2023	2138.2354-01	CSCH Pty Ltd t/as Charles Service Cleaning	Cleaning services	\$	23,657.50
4/04/2023	2138.24-01	ZircoDATA Pty Ltd	Storage of records	\$	478.83
4/04/2023	2138.2512-01	Trustee for Fiford Family Trust	Tree pruning services	\$	495.00
4/04/2023	2138.2570-01	Greenshed Pty Ltd	Landscaping supplies	\$	1,980.00

Date	<u>Payment</u> Reference	Payee	Description	Amount
4/04/2023	2138.2674-01	Ricoh Australia Pty Ltd	Photocopying charges	\$ 858.98
		,	,, ,	
4/04/2023	2138.2742-01	Pathfinder Holdings Pty Ltd	Software licence fees	\$ 13,101.00
4/04/2023	2138.2749-01	Rottnest Channel Swim Association	Bond refund	\$ 1,000.00
04/04/2023	2138.2772-01	Department of Mines, Industry Regulation & Safety	Cottesloe building services levies	\$ 6,060.08
04/04/2023	2138.2823-01	Great Aussie Patios	Bond refund	\$ 1,000.00
04/04/2023	2138.2899-01	E Group Holdings Pty Ltd	Fire system maintenance	\$ 379.50
04/04/2023	2138.3254-01	Ultimo Catering & Events Pty Ltd	Catering services	\$ 322.95
04/04/2023	2138.3415-01	S Divine	Bond refund	\$ 500.00
04/04/2023	2138.3560-01	ASV Sales & Services (WA) Pty Ltd	Plant hire	\$ 550.00
04/04/2023	2138.3614-01	Valrose Pty Ltd	Consultancy services - ERP	\$ 11,980.23
04/04/2023	2138.3632-01	Higgo Nominees Pty Ltd	Building supplies	\$ 900.00
04/04/2023	2138.3673-01	Fujifilm Data Management Solutions	Scanning services	\$ 13,439.86
04/04/2023	2138.37-01	Winc Australia Pty Limited	Stationery order	\$ 2,414.17
04/04/2023	2138.3727-01	Helene Pty Ltd T/as LO-GO Appointments	Temporary staff	\$ 1,045.12
04/04/2023	2138.3774-01	Datacom Solutions (AU) Pty Ltd	Software licence fees	\$ 3,166.23
04/04/2023	2138.3785-01	BCA Consultants (WA) Pty Ltd	Building consultancy advice	\$ 1,540.00
04/04/2023	2138.3888-01	Unplug Test Tag Pty Ltd	Electrical works	\$ 3,593.52
04/04/2023	2138.3889-01	Carey, Christopher Michael	Review of dogs local laws	\$ 280.00
04/04/2023	2138.3891-01	J Jackson	Refund	\$ 1,720.00
04/04/2023	2138.3892-01	K Brown	Refund	\$ 3,440.00
04/04/2023	2138.3893-01	G Manton	Bond refund	\$ 1,500.00
04/04/2023	2138.3894-01	C Holtham	Bond refund	\$ 1,000.00
04/04/2023	2138.3895-01	Westnet Construction	Bond refund	\$ 1,500.00
04/04/2023	2138.3896-01	AllPro Ceilings Pty Ltd	Bond refund	\$ 1,000.00
04/04/2023	2138.3897-01	J Howell	Bond refund	\$ 500.00
04/04/2023	2138.3899-01	K Brand	Bond refund	\$ 200.00
04/04/2023	2138.3900-01	Suburban Vibes Pty Ltd	Bond refund	\$ 1,000.00
04/04/2023	2138.45-01	Town of Mosman Park	Public health plan - WESROC Project	\$ 375.00
04/04/2023	2138.523-01	Local Government Professionals	Training course	\$ 1,070.00
04/04/2023	2138.545-01	Department of Fire & Emergency Services	2022/23 Emergency service levies	\$ 558,782.51
04/04/2023	2138.574-01	Burgess Rawson (WA) Pty Ltd	Napoleon Street carpark rent	\$ 8,250.00
04/04/2023	2138.610-01	Construction Training Fund	Cottesloe CTF levies	\$ 100.95

_	<u>Payment</u>			
<u>Date</u>	<u>Reference</u>	Payee	<u>Description</u>	 Amount
04/04/2023	2138.62-01	Bunnings Group Ltd	Hardware supplies	\$ 597.90
04/04/2023	2138.656-01	Surf Life Saving Western Australia	Surf life saving patrols	\$ 35,711.87
04/04/2023	2138.75-01	Safety Zone Australia Pty Ltd	Protective clothing	\$ 176.00
04/04/2023	2138.84-01	West Australian Local Government Association	Training course	\$ 6,083.00
04/04/2023	2138.85-01	Western Metropolitan Regional Council	Waste disposal costs	\$ 17,481.47
04/04/2023	2138.88-01	Managed IT Pty Ltd	Computer equipment	\$ 9,157.52
04/04/2023	2138.941-01	Boatshed Market Pty Ltd T/A Boatshed	Catering services	\$ 1,305.00
04/04/2023	2138.948-01	J & K Hopkins	Furniture	\$ 907.00
04/04/2023	2138.976-01	PRW Contracting Pty Ltd T/A Claremont Asphalt	Asphalt works	\$ 3,168.00
06/04/2023	2139.2575-01	SuperChoice Services Pty Ltd	Superannuation contributions	\$ 36,052.30
06/04/2023	2140.2-01	Australian Services Union	Payroll deductions	\$ 207.20
06/04/2023	2140.3505-01	Fleet Choice Pty Ltd	Payroll deductions	\$ 374.57
06/04/2023	2141.113-01	Telstra Corporation Limited	Communications charges	\$ 100.00
06/04/2023	2141.118-01	Water Corporation	Utility charges	\$ 13,591.64
06/04/2023	2141.128-01	Total Packaging (WA) Pty Ltd	Dog bags	\$ 3,775.20
06/04/2023	2141.1361-01	Department of Transport	Disclosure of information fees	\$ 3,288.95
06/04/2023	2141.1611-01	EJ Australia Pty Ltd	Drainage supplies	\$ 624.80
06/04/2023	2141.188-01	Bob Jane T-Mart	Plant repairs	\$ 40.00
06/04/2023	2141.19-01	McLeods Barristers & Solicitors	Legal services	\$ 5,589.10
06/04/2023	2141.1949-01	West Coast Shade Pty Ltd	Repairs to Napier street shade sail	\$ 825.00
06/04/2023	2141.1985-01	Julieman Pty Ltd	Plant parts	\$ 525.25
06/04/2023	2141.1997-01	Stone Supplies WA Pty Ltd	Crushed limestone	\$ 1,224.15
06/04/2023	2141.200-01	Paint Industries Pty Ltd	Supply paint for graffiti removal	\$ 28.55
06/04/2023	2141.2028-01	Bug Busters	Remove bee hive	\$ 198.00
06/04/2023	2141.2067-01	Rico Enterprises P/L	Waste disposal costs	\$ 89,781.18
06/04/2023	2141.210-01	Hays Specialist Recruitment (Aust.)	Temporary staff	\$ 1,729.86
06/04/2023	2141.2248-01	Coastline Mowers	Vehicle licencing	\$ 478.60
06/04/2023	2141.2424-01	Corsign WA Pty Ltd	Bus signs	\$ 3,886.30
06/04/2023	2141.2511-01	IPN Medical Centres Pty Ltd	Pre-employment medicals	\$ 506.00
06/04/2023	2141.2514-01	Element Advisory Pty Ltd	Town planning services	\$ 4,229.50
06/04/2023	2141.2544-01	Lionel Samson Packaging Unit Trust	Plastic bin liners	\$ 401.26
06/04/2023	2141.2570-01	Greenshed Pty Ltd	Landscaping supplies	\$ 2,002.00
06/04/2023	2141.2612-01	Instant Toilets & Showers Pty Ltd	Hire of toilets	\$ 148.97

	<u>Payment</u>			
<u>Date</u>	<u>Reference</u>	<u>Payee</u>	Description	 Amount
06/04/2023	2141.2674-01	Ricoh Australia Pty Ltd	Photocopying charges	\$ 851.57
06/04/2023	2141.2782-01	Classic Contractors Pty Ltd	Anderson Pavilion development	\$ 64,239.12
06/04/2023	2141.3117-01	oOh!media Operations Pty Ltd	Advertising services	\$ 226.03
06/04/2023	2141.3593-01	The Property Valuation & Advisory (WA) Unit Trust	Cottesloe parking assessment	\$ 7,535.00
06/04/2023	2141.3614-01	Valrose Pty Ltd	Consultancy services - ERP	\$ 9,369.54
06/04/2023	2141.3632-01	Higgo Nominees Pty Ltd	Building supplies	\$ 570.00
06/04/2023	2141.37-01	Winc Australia Pty Limited	Stationery supplies	\$ 805.07
06/04/2023	2141.3727-01	Helene Pty Ltd T/as LO-GO Appointments	Temporary staff	\$ 623.24
06/04/2023	2141.3735-01	AMS Technology Group Pty Ltd	Quarterly air conditioner maintenance	\$ 1,485.00
06/04/2023	2141.3739-01	Magenta T/as Palassis Architects	Heritage conservation consultant	\$ 6,765.00
06/04/2023	2141.3774-01	Datacom Solutions (AU) Pty Ltd	Datascape implementation service fees	\$ 21,711.80
06/04/2023	2141.3801-01	Hames Sharley (WA) Pty Ltd	Town planning services	\$ 53,143.75
06/04/2023	2141.3824-01	M J Fergusson	Reimbursement	\$ 87.00
06/04/2023	2141.3834-01	Superior Nominees Pty Ltd	Playground equipment	\$ 3,773.00
06/04/2023	2141.3890-01	X Liu	Reimbursement	\$ 58.70
06/04/2023	2141.3898-01	T Black	Bond refund	\$ 1,000.00
06/04/2023	2141.3902-01	Programmed Skilled Workforce Limited	Placement Fee	\$ 18,718.70
06/04/2023	2141.3903-01	The Trustee for Belgravia Leisure	Catering services	\$ 400.00
06/04/2023	2141.3904-01	Procurement Associates Pty Ltd	Tender evaluation services	\$ 3,938.00
06/04/2023	2141.3906-01	L Cousins	Bond refund	\$ 200.00
06/04/2023	2141.48-01	Cannon Hygiene Australia Pty Ltd	Sanitary services	\$ 2,184.84
06/04/2023	2141.544-01	B M Pember	IT support	\$ 5,967.50
06/04/2023	2141.62-01	Bunnings Group Ltd	Hardware supplies	\$ 170.08
06/04/2023	2141.656-01	Surf Life Saving Western Australia	Surf life saving patrols	\$ 35,711.87
06/04/2023	2141.661-01	T-Quip	Plant parts	\$ 12,468.15
06/04/2023	2141.75-01	Safety Zone Australia Pty Ltd	Protective clothing	\$ 688.84
06/04/2023	2141.77-01	Galvins Plumbing Supplies	Plumbing supplies	\$ 2,749.18
06/04/2023	2141.80-01	Kennards Hire Pty Ltd	Plant hire	\$ 1,523.52
06/04/2023	2141.843-01	Albion Hotel (WA) Pty Ltd	Catering services	\$ 507.00
06/04/2023	2141.86-01	Midshore Pty Ltd T/as Statewide Linemarking	Line marking services	\$ 330.00
06/04/2023	2141.88-01	Managed IT Pty Ltd	IT parts	\$ 872.92
06/04/2023	2141.89-01	Major Motors Pty Ltd	Truck service	\$ 1,023.44

	<u>Payment</u>			
<u>Date</u>	<u>Reference</u>	<u>Payee</u>	<u>Description</u>	 Amount
12/04/2023	2142.3722-01	Flexi Staff Group Pty Ltd	Temporary staff	\$ 7,783.05
12/04/2023	2143.98000-01	Australian Taxation Office	Business activity statement	\$ 41,559.39
13/04/2023	2144.2575-01	SuperChoice Services Pty Ltd	Superannuation contributions	\$ 37,193.79
14/04/2023	2145.2-01	Australian Services Union	Payroll deductions	\$ 207.20
14/04/2023	2145.3505-01	Fleet Choice Pty Ltd	Payroll deductions	\$ 374.57
14/04/2023	2146.1721-01	Business Fuel Cards Pty Ltd	Fuel for fleet	\$ 7,871.94
17/04/2023	2147.1721-01	Business Fuel Cards Pty Ltd	Fuel for fleet	\$ 7,574.23
17/04/2023	2148.1721-01	Business Fuel Cards Pty Ltd	Fuel for fleet	\$ 8,358.68
18/04/2023	2149.3722-01	Flexi Staff Group Pty Ltd	Temporary staff	\$ 3,847.80
24/04/2023	2150.103-01	Quito Pty Ltd atf Quito Unit Trust	Plants	\$ 643.28
24/04/2023	2150.1042-01	Iron Mountain Australia Group Pty L	Offsite storage of records	\$ 301.26
24/04/2023	2150.1115-01	Green Skills Inc	Landscaping services	\$ 3,910.50
24/04/2023	2150.113-01	Telstra Corporation Limited	Communication charges	\$ 1,926.21
24/04/2023	2150.1199-01	Drainflow Services Pty Ltd	Drain educting	\$ 2,662.00
24/04/2023	2150.1245-01	Nu-Trac Rural Contracting	Beach cleaning services	\$ 14,640.00
24/04/2023	2150.1361-01	Department of Transport	Disclosure of information fees	\$ 3,700.65
24/04/2023	2150.139-01	Australia Post	Mail services	\$ 1,925.72
24/04/2023	2150.1479-01	Environmental Wastewater C S Pty Ltd	Street sweeping services	\$ 6,685.25
24/04/2023	2150.1671-01	Work Clobber	Protective clothing	\$ 222.00
24/04/2023	2150.1672-01	Environmental Health Australia (WA)	Training course	\$ 490.00
24/04/2023	2150.1724-01	Galena Nominees P/L atf Jason Signs	Signs	\$ 2,412.96
24/04/2023	2150.1778-01	Western Heritage Pty Ltd	Wall repairs	\$ 3,740.00
24/04/2023	2150.183-01	Porter Consulting Engineers	Engineering advice	\$ 2,640.00
24/04/2023	2150.19-01	McLeods Barristers & Solicitors	Legal services	\$ 29,956.53
24/04/2023	2150.1915-01	Marketforce Pty Ltd	Advertising services	\$ 5,388.33
24/04/2023	2150.1956-01	Toolmart Australia Pty Ltd	Tools	\$ 568.00
24/04/2023	2150.1985-01	Julieman Pty Ltd	Building supplies	\$ 526.68
24/04/2023	2150.1997-01	Stone Supplies WA Pty Ltd	Sand	\$ 2,496.60
24/04/2023	2150.2063-01	Arbor Carbon	Imagery urban forest monitoring	\$ 6,745.20
24/04/2023	2150.2093-01	Talis Consultants Pty Ltd	Asset management plan services	\$ 2,695.00
24/04/2023	2150.210-01	Hays Specialist Recruitment (Aust.)	Temporary staff	\$ 8,157.03
24/04/2023	2150.21-01	Landgate	Certificate of titles	\$ 84.60
24/04/2023	2150.2107-01	MEC 929 Pty Ltd T/A Murphy's Electrical	Electrical repairs	\$ 164.45

	<u>Payment</u>			
<u>Date</u>	<u>Reference</u>	<u>Payee</u>	<u>Description</u>	 Amount
24/04/2023	2150.217-01	Blackwood & Sons	Landscaping supplies	\$ 480.00
24/04/2023	2150.2296-01	HiTech Security (WA) Pty Ltd	Communication charges	\$ 239.25
24/04/2023	2150.2341-01	Electricity Generation and Retail	Streetlight charges	\$ 46,103.88
24/04/2023	2150.24-01	ZircoDATA Pty Ltd	Storage of records	\$ 406.73
24/04/2023	2150.2504-01	The Fruit Box Group Pty Ltd	Catering supplies	\$ 251.76
24/04/2023	2150.2512-01	Trustee for Fiford Family Trust	Remove dead tree	\$ 4,180.00
24/04/2023	2150.2514-01	Element Advisory Pty Ltd	Local planning policy signs	\$ 4,651.37
24/04/2023	2150.2612-01	Instant Toilets & Showers Pty Ltd	Hire portable toilets	\$ 976.06
24/04/2023	2150.2644-01	Integrated Management Consultants Pty Ltd	Vehicle service	\$ 513.75
24/04/2023	2150.2663-01	Officeworks Ltd	Office supplies	\$ 418.32
24/04/2023	2150.2702-01	Office of the Auditor General	Audit services	\$ 99,082.50
24/04/2023	2150.2725-01	AMPAC Debt Recovery (WA) Pty Ltd	Debt recovery costs	\$ 104.50
24/04/2023	2150.2886-01	Quadient Finance Australia Pty Ltd	Folding machine lease	\$ 411.40
24/04/2023	2150.2892-01	AFGRI Equipment Australia Pty Ltd	Plant service	\$ 1,737.30
24/04/2023	2150.3020-01	Cobblestone Concrete Pty Ltd	Replace footpath	\$ 5,724.66
24/04/2023	2150.3088-01	Mammoth Security Pty Ltd	Security alarm services	\$ 358.23
24/04/2023	2150.3135-01	Heritage Way Pty Ltd	Plants	\$ 2,391.32
24/04/2023	2150.3254-01	Ultimo Catering & Events Pty Ltd	Catering services	\$ 402.30
24/04/2023	2150.3484-01	M T Duckett	Emergency management services	\$ 874.91
24/04/2023	2150.3534-01	Moore Australia (WA) Pty Ltd	Strategic plan services	\$ 2,750.00
24/04/2023	2150.3614-01	Valrose Pty Ltd	Consultancy services - ERP	\$ 9,862.97
24/04/2023	2150.3632-01	Higgo Nominees Pty Ltd	Footpath repairs	\$ 525.00
24/04/2023	2150.3636-01	Cardia Bioplastics (Australia) Pty	FOGO Caddy Liners etc	\$ 13,002.00
24/04/2023	2150.3695-01	The Trustee for Downundr T/as Down Under Stump	Stump grinding	\$ 990.00
		Grinding		
24/04/2023	2150.37-01	Winc Australia Pty Limited	Office stationery	\$ 584.70
24/04/2023	2150.3710-01	Illion Australia Pty Ltd	Tender services	\$ 354.20
24/04/2023	2150.3727-01	Helene Pty Ltd T/as LO-GO Appointments	Temporary staff	\$ 1,045.12
24/04/2023	2150.3735-01	AMS Technology Group Pty Ltd	Air filters	\$ 2,107.60
24/04/2023	2150.3754-01	CGM Communications Pty Ltd	Consultancy services - Cottesloe beach	\$ 6,600.00
24/04/2023	2150.3774-01	Datacom Solutions (AU) Pty Ltd	Software licence fees	\$ 5,530.82
24/04/2023	2150.3779-01	FJ Fitz & Co Pty Ltd T/A FJ Fitzsimmons	Patch section of drive way	\$ 660.00
24/04/2023	2150.3781-01	D. B. Cunningham Pty Ltd	Eric Street shared path	\$ 180,449.72

	<u>Payment</u>				
<u>Date</u>	Reference	<u>Payee</u>	Description	_	Amount
24/04/2023	2150.3857-01	Localise Pty Limited	Business plan	\$	2,200.00
24/04/2023	2150.3866-01	Woolworths Group Limited	Catering supplies	\$	100.40
24/04/2023	2150.3901-01	WA Bus and Coachlines Pty Ltd	Shuttle service	\$	23,354.97
24/04/2023	2150.3905-01	R G Bunning	Refund overpayment	\$	100.00
24/04/2023	2150.3907-01	J K Murdoch	Rates refund	\$	1,034.76
24/04/2023	2150.3908-01	A Brine	Bond refund	\$	500.00
24/04/2023	2150.3909-01	S Saeedi	Bond refund	\$	500.00
24/04/2023	2150.3910-01	M N Coniglio	Bond refund	\$	1,000.00
24/04/2023	2150.3911-01	J Don	Bond refund	\$	200.00
24/04/2023	2150.3912-01	D I Percy	Bond refund	\$	1,500.00
24/04/2023	2150.3913-01	G Clarke	Bond refund	\$	1,500.00
24/04/2023	2150.3914-01	Brolga Developments & Construction	Bond refund	\$	1,500.00
24/04/2023	2150.3915-01	J Mylonas	Event refund	\$	4,660.00
24/04/2023	2150.3916-01	P J Toll	Bond refund	\$	500.00
24/04/2023	2150.3917-01	S Waugh	Bond refund	\$	500.00
24/04/2023	2150.3918-01	G D Booth	Bond refund	\$	1,500.00
24/04/2023	2150.3919-01	L Bolitho	Bond refund	\$	1,500.00
24/04/2023	2150.3920-01	Programmed Property Services Pty Ltd	Painting services	\$	25,850.00
24/04/2023	2150.3921-01	J M Hunt	Refund	\$	150.00
24/04/2023	2150.45-01	Town of Mosman Park	Annual depot emergency services levy	\$	321.01
24/04/2023	2150.52-01	Town of Claremont	WHS officer shared resources	\$	4,540.38
24/04/2023	2150.55-01	Shire of Peppermint Grove	Grove library contribution	\$	151,041.00
24/04/2023	2150.602-01	WA Treasury Corporation	Loan repayment	\$	18,380.01
24/04/2023	2150.62-01	Bunnings Group Ltd	Hardware supplies	\$	875.80
24/04/2023	2150.661-01	T-Quip	Plant parts	\$	2,099.90
24/04/2023	2150.84-01	West Australian Local Government Association	Training course	\$	330.00
24/04/2023	2150.85-01	Western Metropolitan Regional Council	Waste disposal costs	\$	44,088.31
24/04/2023	2150.86-01	Midshore Pty Ltd T/as Statewide Linemarking	Line marking services	\$	615.78
24/04/2023	2150.88-01	Managed IT Pty Ltd	IT services	\$	11,022.44
24/04/2023	2150.89-01	Major Motors Pty Ltd	Truck service	\$	352.44
24/04/2023	2150.941-01	Boatshed Market Pty Ltd T/A Boatshed	Catering services	\$	636.00
24/04/2023	2150.976-01	PRW Contracting Pty Ltd	Footpath repairs	\$	1,320.00
26/04/2023	2151.3722-01	Flexi Staff Group Pty Ltd	Temporary staff	\$	991.10

	<u>Payment</u>			_
<u>Date</u>	<u>Reference</u>	<u>Payee</u>	<u>Description</u>	 Amount
28/04/2023	2152.113-01	Telstra Corporation Limited	Communication charges	\$ 1,677.53
28/04/2023	2152.210-01	Hays Specialist Recruitment (Aust.)	Temporary staff	\$ 4,551.29
28/04/2023	2152.21-01	Landgate	Valuation services	\$ 1,495.80
28/04/2023	2152.2340-01	M Harkins	Elected member allowances	\$ 4,337.50
28/04/2023	2152.2345-01	L Young	Elected member allowances	\$ 13,500.00
28/04/2023	2152.2346-01	H B Sadler	Elected member allowances	\$ 6,087.50
28/04/2023	2152.2951-01	K P Barrett	Elected member allowances	\$ 4,337.50
28/04/2023	2152.2952-01	C Masarei	Elected member allowances	\$ 4,337.50
28/04/2023	2152.2954-01	P R Macfarlane	Elected member allowances	\$ 4,337.50
28/04/2023	2152.2955-01	M C Bulbeck	Elected member allowances	\$ 4,337.50
28/04/2023	2152.3240-01	S Boulos	Rates refund	\$ 1,597.13
28/04/2023	2152.3276-01	Battery World Claremont	New battery	\$ 1,947.00
28/04/2023	2152.3326-01	American Womens Club of WA	Bond refund	\$ 500.00
28/04/2023	2152.3497-01	B Wylynko	Elected member allowances	\$ 4,337.50
28/04/2023	2152.3866-01	Woolworths Group Limited	Catering supplies	\$ 191.70
28/04/2023	2152.3922-01	R M Atkins	Elected member allowances	\$ 1,494.03
28/04/2023	2152.544-01	B M Pember	IT support consulting	\$ 6,336.00
28/04/2023	2152.88-01	Managed IT Pty Ltd	IT services	\$ 14,543.72
28/04/2023	2152.89-01	Major Motors Pty Ltd	New truck	\$ 82,589.07
3/04/2023		Commonwealth Bank of Australia	Bank fees	\$ 395.34
4/04/2023		Commonwealth Bank of Australia	New term deposit	\$ 1,500,000.00
4/04/2023		Commonwealth Bank of Australia	New term deposit	\$ 2,000,000.00
13/04/2023		Town of Cottesloe staff	Fortnightly payroll	\$ 138,007.24
17/04/2023		National Australia Bank	Bank fees	\$ 51.58
21/04/2023		National Australia Bank	Bank fees	\$ 34.56
27/04/2023		Town of Cottesloe staff	Fortnightly payroll	\$ 138,508.12
28/04/2023		National Australia Bank	Bank fees	\$ 41.45
28/04/2023		National Australia Bank	Bank fees	\$ 85.43
28/04/2023		National Australia Bank	Bank fees	\$ 433.55
28/04/2023		National Australia Bank	Bank fees	\$ 1,325.09
TOTAL				\$ 6,113,005.23

TOWN OF COTTESLOE



ORDINARY COUNCIL MEETING

ATTACHMENT

ITEM 10.1.6A:
DOG REFUGE HOME AGREEMENT

THIS AGREEMENT is made on 8 May 2018

BETWEEN

TOWN OF COTTESLOE, 109 Broome Street, Cottesloe WA 6011

AND

DOGS' REFUGE HOME (WA) Inc. (DRH) 30 Lemnos Street Shenton Park, WA

TERMS

- 1. Town of Cottesloe and Dogs' Refuge Home (DRH) have agreed that the pound facility of DRH shall be used by the Town of Cottesloe for the detaining and impounding of dogs seized or found wandering at large within the districts of the Town of Cottesloe and Peppermint Grove and shall be used for all related purposes incidental to such impounding under the provisions of the Dog Act 1976 (Dog Act).
- 2. Town of Cottesloe appoints and DRH accepts the appointment as pound keeper for a term of five years from 1 July 2018 to 30 June 2023 upon the terms and conditions below:
 - \$9,100 annual fee for the 2018/2019 financial year
 - A 3% increase in annual fee in each new financial year
 - An invoice for the full annual fee will be sent to Town of Cottesloe at the start each new financial year
 - DRH will collect the impound fee on behalf of Town of Cottesloe in accordance with the fee schedule provided by Town of Cottesloe
 - Impound fees collected on behalf of the Town of Cottesloe will be reimbursed on a monthly basis by DRH unless otherwise agreed

3. OBLIGATIONS OF DOGS' REFUGE HOME

DRH shall:

(a) Accept for impounding in the pound any dogs seized or found wandering in the districts of the Town of Cottesloe and Peppermint Grove at any time during the hours when DRH is ordinarily open for business or at such times as arranged between DRH and the Town of Cottesloe

SIGNED

Catherine Purvis

Chief Executive Officer

SIGNED

Town

Manager Corporate &

Community Services

Attachment 10.1.6(a)

Page 172

TOWN OF COTTESLOE



ORDINARY COUNCIL MEETING

ATTACHMENT

ITEM 10.1.7A:

DRAFT LOCAL PLANNING POLICY - DEVELOPMENT CONTRIBUTIONS FOR PUBLIC ART POLICY - JUNE 2023 FOR ADOPTION (CLEAN COPY, MODIFICATIONS NOT SHOWN)

Developer Contributions for Public Art



Local Planning Policy No. 3 - Developer Contributions for Public Art			
Responsible Business Unit:	Development and Regulatory Services		
Date of Adoption:	Date Revised: June 2023		

Introduction

The Town seeks to facilitate the provision of public art as part of the development application approval process, by requiring developers of prescribed developments to contribute towards public art.

Public art has the ability to enhance the social, physical and cultural environment of the Town and add to a community's sense of place.

Objectives

- (a) To improve the quality of the built environment.
- (b) To enhance public enjoyment and understanding of places through the integration of art into developments.
- (c) To provide a clear and consistent approach for the provision of public art as part of the development application approval process.

Scope

This policy applies to prescribed development within the Town with a development cost of \$2 million or greater.

Definitions

Artist: An individual (or team of people) who meets at least two of the following criteria:

- Has a tertiary qualification in visual arts or a similar field.
- Has experience or a history of exhibiting and/or selling their own art.
- Has chosen to commit a significant amount of their time to their artwork practice and earns the majority of their income from arts related activities such as teaching art, selling their own art or undertaking public art commissions.

Development cost: The estimated cost of the proposed development nominated on the Application for Development Approval form.

109 Broome Street, Cottesloe WA 6011 | P 9285 5000 | E town@cottesloe.wa.gov.au

cottesloe.wa.gov.au

Prescribed development: Development with a development cost of \$2 million or more, but does not include:

- a single house;
- wholly residential developments containing less than 10 dwellings;
- development comprising solely of demolition, site works and/or servicing infrastructure; or
- development within an area the subject of an approved Structure Plan, Local Development Plan or other planning instrument adopted by Council that contains alternative requirements for the provision of public art within that area.

Public art: Work created by an artist that:

- is permanent in nature and constructed of materials which are durable, resistant as possible to vandalism, low maintenance and can be repaired if necessary;
- is freestanding or integrated into the exterior of a building or other structure;
- is reflective of the local history, culture and/or community of the place in which it is to be situated;
- is highly visible from the public domain;
- is not considered by the Town to be offensive in any manner; and
- does not have the potential to cause injury or hazard to persons or animals;

but does not include:

- advertising or directional signage;
- commercial branding and logos;
- mass produced art objects or off-the-shelf productions; and
- building features and enhancements or elements which would normally be associated with the development.

Public domain: An outdoor public space such as a street, park, town square or foreshore, from which the public has the ability to view and appreciate art.

Policy requirements

1. Public art contribution

- 1.1 Approval of a development application for a prescribed development shall include a condition requiring a public art contribution to a minimum value of 1% of the development cost.
- 1.2 The public art contribution may include the following costs:
 - artist's fees, insurance during fabrication, transport to site and installation, permits, business and legal expenses (no more than 30% of the public art contribution);

109 Broome Street. Cottesloe WA 6011 | P 9285 5000 | E town@cottesloe.wa.gov.au

cottesloe.wa.gov.au

Page 2 of 5

- materials and labour;
- site preparation;
- fabrication and installation;
- documentation, including a maintenance plan; and
- a plaque or similar identifier.

2. Options to satisfy public art contribution

- 2.1 On submission of a development application for a prescribed development, the developer must nominate how they propose to satisfy their public art contribution.
- 2.2 The developer can satisfy their public art contribution in one or both of the following ways:
 - (a) Option 1: public art within the development site as detailed in section 3 below;
 - (b) Option 2: payment (cash-in-lieu) of the required contribution amount to the Town of Cottesloe's Community Art Fund for the future provision of public art by the Town as detailed in section 4 below.

3. Option 1: Public art within the development site

- 3.1 Developers/land owners are strongly encouraged to provide conceptual details of the public art at the development application stage to ensure that its design, installation and maintenance has been considered as part of the overall design.
- 3.2 The following information on the proposal is to be submitted to the Town for approval prior to the lodgement of a building permit application:
 - (a) Artist's qualifications, experience and suitability for the project.
 - (b) Concept development and how the proposal meets the requirements of this policy.
 - (c) Plans, to scale and dimensioned, showing:
 - the location of the public art in relation to the building(s) and site;
 - 3D perspective of the public art where considered necessary by the Town;
 and
 - details of the public art and associated plaque or similar identifier, including materials, colours and installation.
 - (d) Budget and indicative costings.
 - (e) Care and maintenance plan for the land owner.

109 Broome Street, Cottesloe WA 6011 | P 9285 5000 | E town@cottesloe.wa.gov.au

cottesloe.wa.gov.au

Page 3 of 5

3.3 Where the property is subject to the Heritage Protection requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the heritage assessment submitted for the development application is to include consideration of the public art.

- 3.4 Following the Town's approval of the public art, the land owner/developer enters into a contract with the artist to design, fabricate, install and/or complete delivery of the public art.
- 3.5 A copy of the contract as per 3.4 above is to be provided to the Town prior to the commencement of the development, or other timeframe as agreed to in writing by the Town.
- 3.6 The public art, and accompanying plaque or similar identifier, is to be installed prior to the occupation of the development (or later as agreed by the Town) and thereafter maintained for the life of the development by the land owner and subsequent land owners.
- 3.7 The Town is to be notified in writing of the completed installation of the public art, so an inspection can be undertaken to confirm the satisfactory installation of the public art. In addition, evidence of expenditure of the required public art contribution is to be provided.

4. Option 2: Cash-in-lieu payment

- 4.1 The Town invoices the developer/land owner for 1% of the development cost, or any deficit below the 1% in the amount expended by the developer/land owner in fulfilling Option 1 above, to be paid as a cash-in-lieu contribution into the Town's Community Art Fund.
- 4.2 The cash-in-lieu contribution is to be paid to the Town prior to the occupation of the development.
- 4.3 The cash-in-lieu contribution is to be expended by the Town on public art in accordance with this policy, in the vicinity of the development, or may be accrued for larger or more comprehensive public art projects.
- 4.4 The cash-in-lieu contribution may be used to meet any costs reasonably associated with the production, installation and documentation/identification of the public art.
- 4.5 The selection of public art that is paid for by a cash-in-lieu contribution shall be in accordance with the requirements of this policy, having regard to the Town's Public Art Strategy and Acquisition of Public Artworks Policy.

109 Broome Street, Cottesloe WA 6011 | P 9285 5000 | E town@cottesloe.wa.gov.au

cottesloe.wa.gov.au

Page 4 of 5

4.6 The cash-in-lieu contribution shall be spent within ten (10) years of receipt, or as otherwise determined by the Town.

Related documents

Town of Cottesloe Public Art Strategy
Town of Cottesloe Acquisition of Public Artworks Policy (POL/51)
Town of Cottesloe Management of Public Artworks Policy (POL/108)
Town of Cottesloe Strategic Community Plan 2013 - 2023

VERSION CONTROL Date initially adopted:





cottesloe.wa.gov.au

Page 5 of 5

Attachment 10.1.7(a) Page 178

TOWN OF COTTESLOE



ORDINARY COUNCIL MEETING

ATTACHMENT

ITEM 10.1.7B:
DRAFT LOCAL PLANNING POLICY - DEVELOPMENT
CONTRIBUTIONS FOR PUBLIC ART POLICY - JUNE
2023 FOR ADOPTION (INCLUDING CHANGES

TRACKED)

Developer Contributions for Public Art



Local Planning Policy No. 3 - Developer Contributions for Public Art			
Responsible Business Unit:	Development and Regulatory Services		
Date of Adoption:	Date Revised: June 2023		

Introduction

The Town seeks to facilitate the provision of public art as part of the development application approval process, by requiring developers of prescribed developments to contribute towards public art.

Public art has the ability to enhance the social, physical and cultural environment of the Town and add to a community's sense of place.

Objectives

- (a) To improve the quality of the built environment.
- (b) To enhance public enjoyment and understanding of places through the integration of art into developments.
- (c) To provide a clear and consistent approach for the provision of public art as part of the development application approval process.

Scope

This policy applies to prescribed development within the Town with a development cost of \$2 million or greater.

Definitions

Artist: An individual (or team of people) who meets at least two of the following criteria:

- Has a tertiary qualification in visual arts or a similar field.
- Has experience or a history of exhibiting and/or selling their own art.
- Has chosen to commit a significant amount of their time to their artwork practice and earns the majority of their income from arts related activities such as teaching art, selling their own art or undertaking public art commissions.

Development cost: The estimated cost of the proposed development nominated on the Application for Development Approval form.

109 Broome Street. Cottesloe WA 6011 | P 9285 5000 | E town@cottesloe.wa.gov.au

Prescribed development: Development with a development cost of \$2 million or more, but does not include:

- a single house;
- wholly residential developments containing less than 10 dwellings;
- development comprising solely of demolition, site works and/or servicing infrastructure; or
- development within an area the subject of an approved Structure Plan, Local Development Plan or other planning instrument adopted by Council that contains alternative requirements for the provision of public art within that area.

Public art: Work created by an artist that:

- is permanent in nature and constructed of materials which are durable, resistant as possible to vandalism, low maintenance and can be repaired if necessary;
- is freestanding or integrated into the exterior of a building or other structure;
- is reflective of the local history, culture and/or community of the place in which it is to be situated;
- is highly visible from the public domain realm;
- is not considered by the Town to be offensive in any manner; and
- does not have the potential to cause injury or hazard to persons or animals;

but does not include:

- advertising or directional signage;
- commercial branding and logos;
- mass produced art objects or off-the-shelf productions; and
- building features and enhancements or elements which would normally be associated with the development.

Public realm-domain: An outdoor public space such as a street, park, town square or foreshore, from which the public has the ability to view and appreciate art.

Policy requirements

1. Public art contribution

- 1.1 Approval of a development application for a prescribed development shall include a condition requiring a public art contribution to the a minimum value of at least 1% of the development cost.
- 1.2 The public art contribution may include the following costs:
 - artist's fees, insurance during fabrication, transport to site and installation, permits, business and legal expenses (no more than 30% of the public art contribution);

109 Broome Street. Cottesloe WA 6011 | P 9285 5000 | E town@cottesloe.wa.gov.au cottesloe.wa.gov.au

Page 2 of 5

- materials and labour;
- site preparation;
- fabrication and installation;
- documentation, including a maintenance plan; and
- a plaque or similar identifier.

2. Options to satisfy public art contribution

- 2.1 On submission of a development application for a prescribed development, the developer must nominate how they propose to satisfy their public art contribution.
- 2.2 The developer can satisfy their public art contribution in one or both of the following ways:
 - (a) Option 1: public art within the development site as detailed in section 3 below;
 - (b) Option 2: payment (cash-in-lieu) of the required contribution amount to the Town of Cottesloe's Community Art Fund for the future provision of public art by the Town as detailed in section 4 below.

3. Option 1: Public art within the development site

- 3.1 Developers/land owners are strongly encouraged to provide conceptual details of the public art at the development application stage to ensure that its design, installation and maintenance has been considered as part of the overall design.
- 3.2 The following information on the proposal is to be submitted to the Town for approval prior to the lodgement of a building permit application:
 - (a) Artist's qualifications, experience and suitability for the project.
 - (b) Concept development and how the proposal meets the requirements of this policy.
 - (c) Plans, to scale and dimensioned, showing:
 - the location of the public art in relation to the building(s) and site;
 - 3D perspective 360 degree of the public art where considered necessary by the Town; and
 - details of the public art and associated plaque or similar identifier, including materials, colours and installation.
 - (d) Budget and indicative costings.
 - (e) Care and maintenance plan for the land owner.

109 Broome Street. Cottesloe WA 6011 | P 9285 5000 | E town@cottesloe.wa.gov.au

cottesloe.wa.gov.au

Page 3 of 5

3.3 Where the property is subject to the Heritage Protection requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the heritage assessment submitted for the development application is to include consideration of the public art.

- 3.4 Following the Town's approval of the public art, the land owner/developer enters into a contract with the artist to design, fabricate, install and/or complete delivery of the public art.
- 3.5 A copy of the contract as per 3.4 above is to be provided to the Town prior to the commencement of the development, or other timeframe as agreed to in writing by the Town.
- 3.6 The public art, and accompanying plaque or similar identifier, is to be installed prior to the occupation of the development (or later as agreed by the Town) and thereafter maintained for the life of the development by the land owner and subsequent land owners.
- 3.7 The Town is to be notified in writing of the completed installation of the public art, to undertake so an inspection can be undertaken to confirm the satisfactory installation of the public art. In addition, evidence of expenditure of the required public art contribution is to be provided.

4. Option 2: Cash-in-lieu payment

- 4.1 The Town invoices the developer/land owner for 1% of the development cost, or any deficit below the 1% in the amount expended by the developer/land owner in fulfilling Option 1 above, to be paid as a cash-in-lieu contribution into the Town's Community Art Fund.
- 4.2 The cash-in-lieu contribution is to be paid to the Town prior to the occupation of the development.
- 4.3 The cash-in-lieu contribution is to be expended by the Town on public art in accordance with this policy, in the vicinity of the development, or may be accrued for larger or more comprehensive public art projects.
- 4.4 The cash-in-lieu contribution may be used to meet any costs reasonably associated with the production, installation and documentation/identification of the public art.
- 4.5 The selection of public art that is paid for by a cash-in-lieu contribution shall be in accordance with the requirements of this policy, having regard to the Town's Public Art Strategy and Acquisition of Public Artworks Policy.

109 Broome Street, Cottesloe WA 6011 | P 9285 5000 | E town@cottesloe.wa.gov.au

cottesloe.wa.gov.au

Page 4 of 5

4.6 The cash-in-lieu contribution shall be spent within ten (10) years of receipt, or as otherwise determined by the Town, in accordance with the Town's Public Art Strategy and Acquisition of Public Artworks Policy.

5. Approval and selection of art works

5.1 The selection and any modification of proposed artworks will be determined having regard to current Council policies.

Related documents

Town of Cottesloe Public Art Strategy
Town of Cottesloe Acquisition of Public Artworks Policy (POL/51)
Town of Cottesloe Management of Public Artworks Policy (POL/108)
Town of Cottesloe Strategic Community Plan 2013 - 2023

VERSION CONTROL Date initially adopted:

Date(s) amended:

109 Broome Street, Cottesloe WA 6011 | P 9285 5000 | E town@cottesloe.wa.gov.au

cottesloe.wa.gov.au

Page 5 of 5

Attachment 10.1.7(b) Page 184

TOWN OF COTTESLOE



ORDINARY COUNCIL MEETING

ATTACHMENT

ITEM 10.1.7C:
PUBLIC SUBMISSION RECEIVED DURING
ADVERTISING

From: To:

Subject: Online submission form - Local Planning Policy - Developer Contributions for

Public Art Form Response

Date: Monday, 8 May 2023 3:17:14 AM



The following form was filled out on the Town of Cottesloe website.

Online submission form - Local Planning Policy -

Developer Contributions for Public Art
Contact details
Name:
Address
Phone number (optional):
Email address:
Submission
Please state how your interests are affected (whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property): As an art management professional and as a local resident ratepayer
Submission (please provide your comments in full and any arguments to support them): DEFINITIONS
Artist or Designer: add 'or Designer' The two from three qualifications is too restrictive e.g. a developer could hold a competition for arts graduates that don't yet fulfill these requirements. Consider early career artists or designers. If there is to be a Town approval process to assess the

concept then that should be enough.

Prescribed development:

4th point

This should be for developments anywhere within the Town boundaries.

Public art:

Add new point – 'New site-specific commission created by an Artist that:

3rd point is too restrictive. An aesthetically designed work may be purely decorative and not fit within these determinants

Add – 'but does not include: pre-existing artworks or parts or editions thereof

POLICY REQUIREMENTS

Public art contribution

Add - New point to 1.2

Developers are free to increase the percentage to achieve a greater impact, to suit scale and location or the complexities of the design.

Question: What if the Developer does not expend the full amount. Require financial final report. Any surplus to ToC art fund??

Option 1

3.2 (c) Add – Supply 360 deg 'views analysis elevations'

3.4 Question: What is the Town's concept approval process? This point must be strengthened made clear and be objective. Current Policies are 'open' on art selection or de-aquisitioning

Option 2

4.3. remove – 'in vicinity of the development' – there may not be a suitable location. Just have within the Town boundaries

Add New suggestion -

Any such artwork will be incorporated into the Town Public Art collection and the Developer will have no ownership, influence or further responsibility.

Point 5

This needs to be clear whether this applies to both options.

Option 1 Approval process needs clarification.

Add somewhere: -

The Town is committed to promoting Public Art within the Town and its own Collection. All commissioned artworks under Option 1 or 2 will be included in the ToC Public Art database.

Depending on location, the artworks may also be included in cultural or public art walks or events promoted by the Town.

The Developer and the Artist will provide copyright free use in perpetuity of any images of the artwork and its location for publication or promotional use.

There is nothing about sustainability but may be hard to include.

Include a requirement to acknowledge ToC in Option 1 information plaques

Suitable visuals and documentation lodged with the Grove Library for local archive

Submitted:

8/05/2023 3:16:56 AM

IP:

31.94.16.63

Reference Id:

35650

Spark CMS is © Market Creations Pty Ltd All Rights Reserved

TOWN OF COTTESLOE



ORDINARY COUNCIL MEETING

ATTACHMENT

ITEM 10.1.8A:
DRAFT PAYMENT IN LIEU OF PARKING PLAN FOR
ADOPTION

Payment in Lieu of Parking Plan



Payment in Lieu of Parking Plan	
Responsible Business Unit:	Development and Regulatory Services
Date of Adoption:	Date Revised:

1. Introduction

1.1 Regulatory compliance

This Payment in Lieu of Parking Plan (the Plan) has been created under Schedule 2, Part 9A of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) and has been prepared in the Manner and Form approved by the Western Australian Planning Commission (WAPC).

1.2 Purpose

This Plan, together with the Regulations, governs the application of payments in lieu of providing car parking for development in the areas identified in this Plan. This Plan outlines the purposes for which payment in lieu of car parking will be used in the areas identified and how money collected will be administered.

1.3 Operational dates

The Plan commenced operation on (xx-xx-2023).

The Plan will cease operation on (insert date), being xx-xx-2033, being 10 years from the operational date, unless extended in writing by the WAPC prior to the expiry date.

1.4 Amendments to the Plan

Amendments to the Plan shall be made in accordance with clause 77M of the Regulations and the current version shall be published in accordance with clause 77L.

A record of amendments to the Plan shall be maintained in the table below:

Amendment No.	Date	Comment	

09 Broome Street. Cottesloe WA 6011 | P 9285 5000 | E town@cottesloe.wa.gov.au

1.5 Objectives of the Plan

The Plan has the following objectives:

 To facilitate the provision and development of adequate parking facilities within the town centre and foreshore precinct which reflects the planning intent for a mixed use, urban, vibrant and accessible locality.

- To provide the optimal balance of parking, which recognises and supports the desired planning intent for an accessible town centre and foreshore by all modes of transport.
- To ensure that parking does not create an adverse impact upon the planned public realms of the town centre and the foreshore precinct.
- To support access by public transport, walking and cycling, as well as private vehicles.

1.6 Linkages to relevant adopted planning documents

The Plan supports the implementation of the following documents and the Integrated Planning and Reporting framework:

- Local Planning Scheme No. 3
- Local Planning Policy No.1 Parking Matters
- Local Planning Strategy
- Draft Cott Village Precinct Structure Plan
- Corporate Business Plan 2020 2024
- Foreshore Masterplan
- Strategic Community Plan 2013-2023

2. Terms used

The terms used in the Plan have the same meaning as in the Regulations.

3. Parking Plan application and area

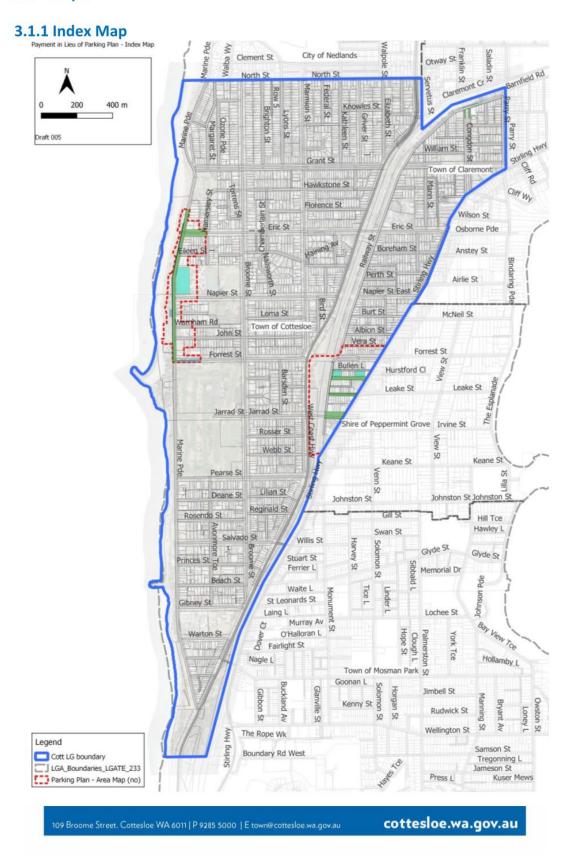
This Plan relates to the area specified in Section 3.1. Moneys collected within the Plan area must be spent in the Plan area.

09 Broome Street. Cottesloe WA 6011 | P 9285 5000 | E town@cottesloe.wa.gov.au

cottesloe.wa.gov.au

Page 2 of 10

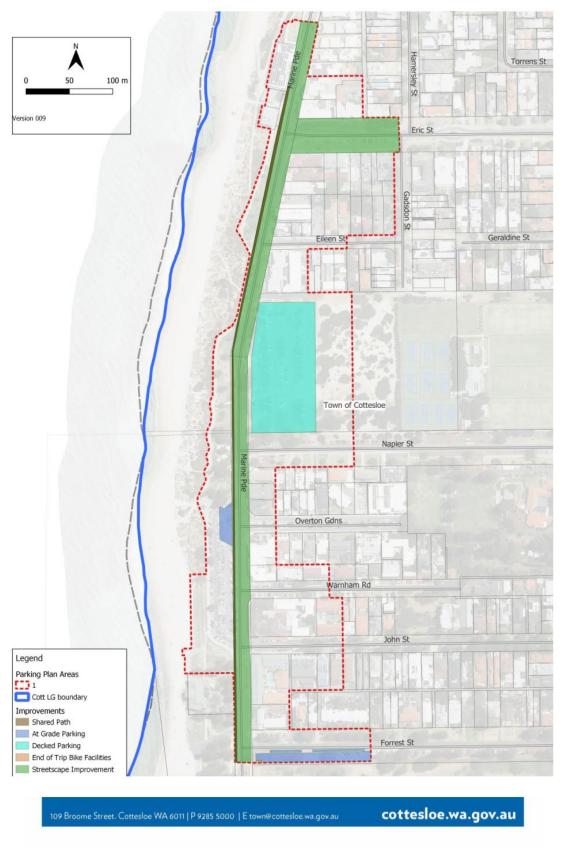
3.1 Maps



Page 3 of 10

Attachment 10.1.8(a) Page 192

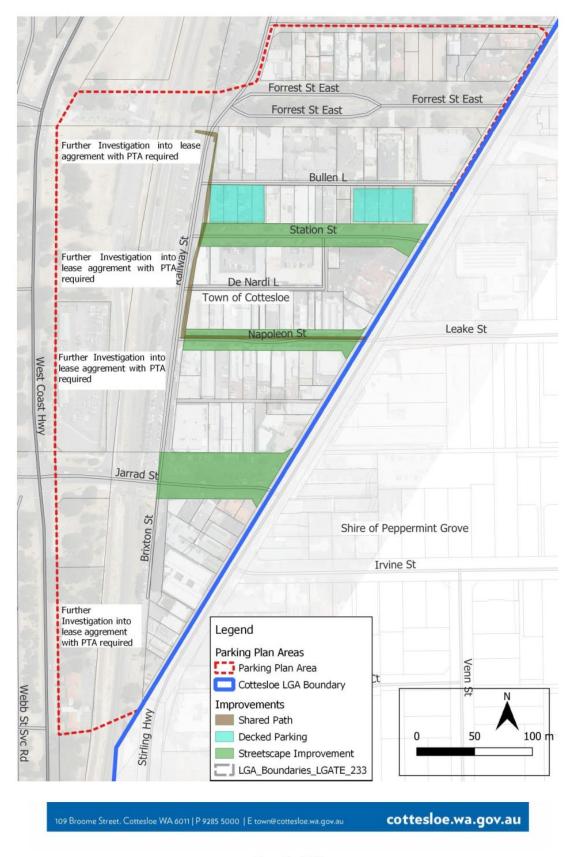
3.1.2 Parking Plan Area 1 - Foreshore



Page 4 of 10

Attachment 10.1.8(a) Page 193

3.1.3 Parking Plan Area 2 - Draft Cottesloe Precinct Structure Plan Area



Page 5 of 10

4. Reasonable estimate of costs for payment in lieu

4.1 Calculation of reasonable estimate of costs

The reasonable estimate of costs in this Plan are based on the WAPC's approved method(s) of calculation, in accordance with clause 77H(4) and (5) of the Regulations. The approved method of calculation is accessible via the web link at:

https://www.wa.gov.au/system/files/2021-08/PD-Clause-77H-4-Method-of-calculation.pdf

The approved method of calculation bases the calculation upon an infrastructure cost per m², which is indexed annually.

Clause 5.8.3 (b) in Local Planning Scheme No. 3 advises:

the construction standard for the purposes of estimating the cash in lieu shall be assumed to be in the form of a decked structure (full civil works, including lighting, signage, line marking and landscaping) but only included in the calculation for the first level of parking;

The current estimate of infrastructure cost in accordance with clause 5.8.3 (b) is \$1722 per m^2 (2023).

4.2 Revisions to reasonable estimate of costs

The Reasonable Estimate of Costs in this Plan can be revised by a Local Government from time to time using the method(s) approved by the WAPC (as published in the Gazette). Revised Estimates of Cost are to be published in the updated version of the Plan in Section 4.1, together with a note confirming the date of inclusion of the revised estimate.

4.3 Attribution of costs

The Plan recognises that the cost for different types of items do not have to be applied equally across the Plan area. Costs can be attributed depending on variables such as locational factors and the mix of items proposed in the Plan.

109 Broome Street. Cottesloe WA 6011 | P 9285 5000 | E town@cottesloe.wa.gov.au

cottesloe.wa.gov.au

Page 6 of 10

5. Purpose for which payment-in-lieu will be applied

In accordance with clause 77I(2) of the Regulations, money collected under the Plan must be applied for the purposes set out below:

Infrastructure	Cost	
Decked parking as stated in Local Planning Scheme No. 3, clause 5.8.3 (b)	\$1722 per m ²	
At grade parking	\$260 per m ²	
Car park improvements (such as parking meters, technology to increase efficiency and turnover)	\$9900 each	
Streetscape improvements:		
street trees	\$1000 each	
street lighting	\$12665 each	
 security cameras (base prepare, pole supply and installation 	\$8800 each	
 End of trip bike facilities 	\$5200 each	
Bike path:		
within road	\$224 per m ²	
within verge	\$417 per m ²	
Bike shelter	\$3056 per m ²	
Electrical charging facilities	\$100 000 each	

6. Other information required by the WAPC

No further information has been required by the WAPC.

7. Operation

7.1 Operational requirements

The Plan shall operate in accordance with Part 9A of the Regulations.

7.2 Triggers for payments to be made

Payment of money shall be made to the Town to satisfy a payment in lieu of car parking condition validly applied to a development approval for development located in the area subject to the Plan. The payment in lieu of car parking condition applied to

109 Broome Street. Cottesloe WA 6011 | P 9285 5000 | E town@cottesloe.wa.gov.au cottesloe.wa.gov.au

Page 7 of 10

the development approval shall specify when the Town requires payment of monies to be made.

Where it is intended to condition the payment in lieu of parking <u>and</u> a shared parking arrangement, the Town shall give the applicant a notice of apportionment (see Attachment 1) in accordance with clause 77F(1)(b) of the Regulations. This confirms the number of car parking spaces which the payment in lieu is being applied to and the number of car parking spaces which form part of a shared parking arrangement.

7.3 Payment in lieu of parking condition

"Prior to the commencement of development, payment of \$<Insert total amount> shall be made to the Town of Cottesloe for Payment in Lieu of <Insert number of car parking bays> car parking bays which have not been provided on site or in a shared parking arrangement. This condition has been imposed under the requirements of the Town of Cottesloe's Payment in Lieu of Parking Plan and Schedule 2, clause 77H of the Planning and Development (Local Planning Schemes) Regulations 2015."

The Town may provide further information by way of an advice note to confirm its expectations for when payment should be made, which could relate to the building permit stage, where applicable.

7.4 Decision making on development applications using this Plan

Decision makers are to have due regard to the Plan when making decisions on development applications that seek or require consideration of payment in lieu of car parking under the Plan.

8. Financial administration (clause 77I of the Regulations)

8.1 Reserve account to be established and maintained

The Town has established and maintains a Reserve Account for money collected under the Plan (clause 77I (1) of the Regulations). The Reserve Account has been established under the provisions of the *Local Government Act 1995*, Section 6.11 and operates in accordance with the *Local Government (Financial Management) Regulations 1996*.

8.2 Interest earned

Interest earned on the Reserve Account under the Plan shall be treated in accordance with clause 77I of the Regulations.

109 Broome Street, Cottesloe WA 6011 | P 9285 5000 | E town@cottesloe.wa.gov.au

cottesloe.wa.gov.au

Page 8 of 10

8.3 Records to be kept

Records of income and expenditure for the Reserve Account established under the Plan shall be maintained by the Town until all funds have been expended or repaid.

8.4 Reporting

Report of the Reserve Account shall be provided in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996*.

8.5 Invoice for payment of money

In addition to a payment-in-lieu of parking condition applied to a development approval under clause 77H of the Regulations, the Town shall issue an invoice to the payer at the appropriate time to enable the payer to satisfy the condition of development approval. The invoice shall specify the method and timing for payment of the money required to satisfy the payment in-lieu of parking development approval condition.

8.6 Money held in the Reserve Account at the expiry of the Plan

Money held in the Town's Reserve Account at the expiry of the Plan will be treated in accordance with clauses 77I (5), (6) and (7) of the Regulations.

109 Broome Street. Cottesloe WA 6011 | P 9285 5000 | E town@cottesloe.wa.gov.au

cottesloe.wa.gov.au

Page 9 of 10

Attachment 1





APPORTIONMENT

NOTICE OF RTIONMENT

Clause 77F(1)(b)(i) and (ii) of the Planning and Development (Local Planning Schemes) Regulations 2015

Version: 1.0 (June 2021)

Date of Notice: [insert date of notice]	
Issuing Authority: [insert name of Local Government]	
Notice is hereby given that the car parking space shortfall for the	
Insert address]	
is	
Apportionment	
Payment In Lieu of Parking	
For the purposes of imposing a payment in lieu of parking condition in accordance with	
clause 77H, the number of car parking spaces for which payment in lieu is required is	
insert number of car spaces subject to payment in lieu	
Shared Parking Arrangement	
For the purposes of imposing a shared parking arrangement condition in accordance with	h
clause 77Q, the number of car parking spaces for which a shared parking arrangement	
condition is imposed is	
Signed:	
Name:	
Position:	
r dattori.	
VERSION CONTROL Date initially adopted: Date(s) amended :	
109 Broome Street, Cottesloe WA 6011 P 9285 5000 E town@cottesloe.wa.gov.au cottes loe.wa.gov.au	

Page 10 of 10

Attachment 10.1.8(a) Page 199

TOWN OF COTTESLOE



ORDINARY COUNCIL MEETING

ATTACHMENT

ITEM 10.1.9A:
DRAFT LOCAL PLANNING POLICY - ADVERTISING
SIGNAGE FOR ADOPTION

Advertising Signage



Local Planning Policy No. 3	
Responsible Business Unit:	Development and Regulatory Services
Date of Adoption:	Date Revised:

Purpose

- To define advertising signage that is exempt from requiring development approval.
- To establish guidelines that apply to advertising signage requiring development approval.
- To identify advertising signage that generally will not be supported by the Town.

Objectives

The objectives of this policy are to:

- encourage advertising signage that preserves and enhances the amenity of the locality and positively contributes to the character, vibrancy and viability of businesses within the Town;
- ensure the safe and efficient use of roads from which advertising signage is visible;
- protect the future use of the zoned land by recognising the temporary nature of advertising signage; and
- avoid the proliferation of advertising signage that may contribute to visual clutter, especially along transport corridors.

Scope

This policy applies to all zoned land and local reserves under the Town of Cottesloe's Local Planning Scheme 3 (LPS 3), but excludes land reserved under the Metropolitan Region Scheme (MRS), which may require approval from the Western Australian Planning Commission (WAPC).

Where any provision of this policy is inconsistent with a local law, the provision of this policy prevails. However, all signage will still require an application for a Sign Licence which will be assessed separately to the planning process against the requirements of any relevant local law(s).

Definitions

For this policy the following definitions apply:

Definition	Meaning		
Advertisement - Has the same meaning as defined in the Planning and Development (Local Planning Schemes) Regulations 2015.	Any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, that is used wholly or partly for the purposes of advertising, announcing or directing, and includes — (a) any hoarding or similar structure used, or adapted for use, for the display of advertisements; and (b) any airborne device anchored to any land or building used for the display of advertising; and (c) any vehicle or trailer or other similar object placed or located to serve the purpose of displaying advertising.		
Advertising signage	A sign used for the purpose of displaying an 'advertisement'.		
Heritage-protected place Has the same meaning as defined in clause 1A of the Planning and Development (Local Planning Schemes) Regulations 2015.	 A place — (a) that is entered in the State Register of Heritage Places under the Heritage Act 2018 section 42; or (b) that is under consideration for entry into the State Register of Heritage Places; or (c) that is the subject of an order under the Heritage Act 2018 Part 4; or (d) that is the subject of a heritage agreement that has been certified under the Heritage Act 2018 section 90; or (e) that is included on a heritage list as defined in clause 7; or (f) that is within a heritage area as defined in clause 7. 		
Large Digital Format Sign (LFDS)	A large digital sign which displays advertising based on light emitting diode or fibre optic matrix technology that is capable of displaying an unlimited range of text and graphical images which can be electronically changed by remote or automatic means but does not include a window digital sign.		
Advertising mural	A painting or other work of art depicting an advertisement that is applied to a wall, but does not include a wall sign.		

109 Broome Street. Cottesloe WA 6011 | P 9285 5000 | E town@cottesloe.wa.gov.au

General requirements

All advertising signage shall –

- protect the amenity of the locality and respect the scale and form of any building on which it is placed or to which it relates;

- protect the appearance and reflect the cultural-significance of a heritage-protected place;
- reinforce and reflect the local neighbourhood character relating to historical, cultural or architectural themes;
- relate to services and/or products that are being offered on a site on which the sign is erected, except where specifically exempt in this policy or approved by Council;
- not interfere with vehicle, bicycle or pedestrian sightlines, distract drivers, or have the
 potential to hinder the interpretation of or become confused with traffic signals or road
 signs;
- not contain offensive or discriminatory content;
- not emit flashing or moving light, emit noise, contain reflective, retro-reflective or fluorescent materials, or include any form of animation, variable or electronically variable content, except where specifically exempt in this policy or approved by Council; and
- not include new hoarding or billboard signs.

Advertising signage exempt from development approval

In accordance with cl. 61, Part 7, Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015,* the following advertisements do not require development approval:

- all signs that meet the 'General requirements' and 'Acceptable development standards'
 of this policy, except where located in a heritage-protected place or within 1.5 metres
 of any part of a crossover or street truncation;
- temporary election signs, where they satisfy cl. 9, Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015;*
- works to change existing advertising signage that has been erected or installed on land where they satisfy cl. 11, Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015;

09 Broome Street. Cottesloe WA 6011 | P 9285 5000 | E town@cottesloe.wa.gov.au

advertising signage that is in existence for less than 48 hours in any 12-month period, except where located in a heritage-protected place or within 1.5 metres of any part of a crossover or street truncation.

In addition to the above, all 'exempted advertisements' in Schedule 5 of LPS 3 are exempt from requiring development approval.

Acceptable development standards

Advertising signage on buildings Name plate Definition A flat, usually rectangular, sign on which the name of a person, company etc is printed or engraved. **Development provisions for exemption** Maximum size of 0.2m². Not to be illuminated. • One per tenancy. Location All zones. **Projecting sign** Definition A sign attached to a building, horizontally or vertically, at or by one end only. Development provisions for exemption Maximum size of 2m². Affixed perpendicular to a wall. Does not project above the height of the wall to which it is attached. Does not project more than 1m from the wall to which it is attached. Not located above the awning of a building.

Location

All zones except the Residential zone.

One per tenancy or street frontage.

May be illuminated.



Minimum height clearance of 2.7m from ground level.

Roof sign

Definition

A sign attached to the roof.

Development provisions for exemption

- Maximum size of 2m².
- Maximum height of 5m above ground level;
- Is integral with the design of the building.
- Not to be illuminated.
- One per tenancy or street frontage.

Location

All zones except the Residential zone.



Verandah sign

Definition

A sign attached above, on, or under a verandah fascia or awning.

Development provisions for exemption

- Maximum length of 2.4m and maximum height of 0.6m.
- Orientated perpendicular to the wall of a building unless on a corner site where the sign may be orientated to be visible from both streets.
- Does not project beyond the extent of the verandah or awning.
- Minimum height clearance of 2.7m from ground level.
- May be illuminated.
- · One per tenancy or street frontage.

Location

All zones except the Residential zone.



Wall sign

Definition

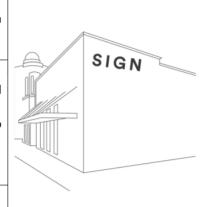
A sign attached to, or painted directly onto, the external face of a building, but does not include an advertising mural.

Development provisions for exemption

- Maximum size of 10% of the wall area to which it is attached or painted, to a maximum of 5m².
- Does not extend above the height or length of the wall to which it is attached.
- Not to be internally illuminated.
- One per tenancy or street frontage.

Location

All zones except the Residential zone.



09 Broome Street. Cottesloe WA 6011 | P 9285 5000 | E town@cottesloe.wa.gov.au

cottesloe.wa.gov.au

Attachment 10.1.9(a)

Window sign

Definition

A sign painted or affixed to the glazed area of an external window or door.

Development provisions for exemption

- Maximum size of 25% of the glazed area, in aggregate.
- Does not unduly obstruct surveillance from within the building to the public domain.
- Not to be illuminated.

Location

All zones except the Residential zone.



Window digital sign

Definition

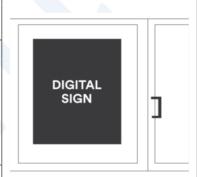
A sign that incorporates illuminated images or text which may move or change, but does not include a Large Digital Format Sign.

Development provisions for exemption

- Maximum size of 0.5m².
- Attached to a window parallel to a road or thoroughfare and not facing a Residential zone.
- Size is not additional to the maximum Window sign size exemption provisions.
- One per tenancy.

Location

All zones except the Residential zone.



Laneway sign

Definition

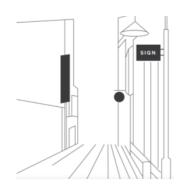
A sign fronting a laneway and attached to a building adjacent to the laneway.

Development provisions for exemption

- Refer to the 'development provisions for exemption' for the sign type proposed.
- · Located within the property boundary.
- Does not obstruct the vehicle or pedestrian path.
- One per tenancy.

Location

All zones except the Residential zone.



09 Broome Street. Cottesloe WA 6011 | P 9285 5000 | E town@cottesloe.wa.gov.au

cottesloe.wa.gov.au

Attachment 10.1.9(a)

Freestanding advertising signage

Fence sign

Definition

A sign attached to a fence related to an approved commercial or community use.

Development provisions for exemption

- Maximum size of 2m² per street frontage.
- Shall be within the property boundary.
- One per property, regardless of the number of tenancies.

Location

All zones.



Flagpole sign

Definition

A flag is a piece of material illustrating an advertisement.

Development provisions for exemption

- Flagpole is a maximum height of 6m above ground level and 0.2m in diameter.
- Flag is a maximum size of 1.5m².
- · One per property.

Location

All zones except the Residential zone.



Portable sign

Definition

A sign which is not permanently attached to a building, structure, fence or the ground, and includes an 'A-frame' or 'sandwich board' sign

Development provisions for exemption

- Maximum size of 0.6m².
- Located adjacent to the building to which the sign relates.
- Displayed only during the normal business hours of the business to which the sign relates.
- Satisfies the Town's Activities on Thoroughfares and Trading in Thoroughfares and Public Spaces Local Law if not located within private property.
- Not to be illuminated.
- · One per tenancy.

Location

All zones except the Residential zone.



9 Broome Street. Cottesloe WA 6011 | P 9285 5000 | E town@cottesloe.wa.gov.au

cottesloe.wa.gov.au

Attachment 10.1.9(a)

Pylon sign

Definition

A sign which is affixed to a pylon where the overall height (inclusive of any supports) is greater than the sign's horizontal dimension

Development provisions for exemption

- Maximum height of 6m above ground level.
- Maximum width of 2.5m.
- Maximum depth of 0.5m.
- Maximum signage area of 4m² per side.
- Set back to provide adequate vehicle and pedestrian sight lines.
- Not to be illuminated.
- One per property, regardless of the number of tenancies.

Location

All zones except the Residential zone.

Sponsorship sign

Definition

A sign which is for a financial or other benefit to a sporting or community club but is not directly related to the functions or activities of the club.

Development provisions for exemption

- Complies with relevant provisions of the club's lease arrangements with the Town, if applicable.
- · Located within the lot boundary of the reserve.
- Set back sufficiently from lot boundaries so as not to be visually prominent from the street.
- Faces internally to the reserve.
- Not to be illuminated.
- Maximum number as determined under the club's leasing arrangements with the Town, if applicable.

Permitted location

Local reserves.



SIGN

SIGN

SIGN

SIGN

SIGN

cottesloe.wa.gov.au

109 Broome Street, Cottesloe WA 6011 | P 9285 5000 | E town@cottesloe.wa.gov.au

Attachment 10.1.9(a)

Temporary advertising signage

Construction and development sign

Definition

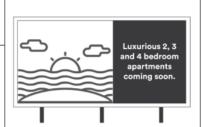
A sign that provides details or promotional material of the project, professional consultants, contractors and/or builders; displayed during construction of a building, development or subdivision.

Development provisions for exemption

- Located within the property boundary.
- Single-sided.
- Not to be illuminated.
- Is removed within 14 days from the date of practical completion of the development.



All zones.



For sale or for lease sign

Definition

A sign designed to promote the sale or lease of a property and includes the words 'for sale' or 'for lease'.

Development provisions for exemption

- Maximum size of 4m².
- Located within the property boundary.
- Is removed within 14 days from completion of settlement or leasing of a property.
- One per street frontage.

Location

All zones.



Statutory or development advisory sign

Definition

A sign required to be exhibited by, or pursuant to, any law or policy. Includes all categories of signs.

Development provisions for exemption

Limited to the requirements of any applicable Act or Statute.

Location

All zones.



09 Broome Street. Cottesloe WA 6011 | P 9285 5000 | E town@cottesloe.wa.gov.au

cottesloe.wa.gov.au

Attachment 10.1.9(a)

Advertising signage in a Residential zone				
Land use	Maximum number	Development provisions for exemption		
Single house	One sign	Maximum 0.2m².		
		Relates to a professional nameplate.		
Home occupation	One sign	Maximum 0.2m².		
		Describes the nature of the home occupation.		
Home business	One sign	Maximum 0.2m².		
		Describes the nature of the home business.		

Advertising signage requiring development approval

The following forms of advertising signage are often considered to be incompatible with the existing and desired future character of the Town:

- Large Digital Format Sign (LFDS);
- advertising mural; and
- advertising signage not included in this policy, excluding public works or directional signs.

Proposals for these specific types of signs require a development application and generally will only be considered for approval where they are for a change or replacement of an existing similar approved sign on the same lot and it can be demonstrated that the proposed sign will not adversely affect the amenity of the locality.

Heritage-protected places

For advertising signage proposed in heritage-protected places:

- original and early signage (including remnants) that contribute to the cultural heritage significance of a heritage-protected place shall be retained and conserved;
- the location of previous original and early signage should be considered as appropriate locations for the placement of new signs;
- signage shall not obscure architectural features, detailing, windows or door openings on a heritage-protected place; and
- signs shall not visually dominate or detract from the architectural characteristics of a heritage-protected place. Matters to be considered in this regard include the location, scale, size, materials, design and the cumulative effects of signage.

109 Broome Street. Cottesloe WA 6011 | P 9285 5000 | E town@cottesloe.wa.gov.au

Advertising signage not supported

The following advertising signage will generally not be supported:

- New hoarding signs or billboards.
- Bill posting visible from a public place.
- Advertising signage suspended from or tethered to any building/structure (with or without supporting framework) and made of paper, plastic, fabric or similar materials.
 The term includes balloons, blimps, inflatables, bunting and kites.

Related documents

- Planning and Development Act 2005
- Planning and Development (Local Planning Schemes) Regulations 2015
- Town of Cottesloe Local Planning Scheme No.3
- State Planning Policy 7.3 Residential Design Codes
- WAPC Development Control Policy 5.4 Advertising on Reserved Land
- Main Roads WA Policy and application guidelines for advertising signs.
- Activities on Thoroughfares and Trading in Thoroughfares and Public Spaces Local Law

VERSION CONTROL Date initially adopted:

Date(s) amended:

TOWN OF COTTESLOE



ORDINARY COUNCIL MEETING

ATTACHMENT

ITEM 10.1.11A:
RIGHT OF WAY POLICY - DRAFT - ADOPTED OCM
23 JUNE 2020 - REVISED JUNE 2023

Council Policy



Council Policy: Pol/59	Right of Way			
Reference	Strategic Community Plan 2013- 2023 Priority Area: 5		Corporate Business Plan 2020 - 2024 Priority Area: 5	
	Major Strategy: 5.2		Actions: 5.2	
Responsible Officer	Director Engineering Services			
Policy Area	Engineering Services			
Council Adoption Date	23 June 2020	Version Number		
Amendment Dates	15 June 2023	Next Review Date		

This Policy replaces all previous policies related to this topic.

1. Policy Purpose

- 1.1. Establish guidelines towards managing the administration of Rights of Ways (ROWs), having regard to legislative requirements and other existing Council policies, strategies and guidelines.
- 1.2. The intent would be to provide an unobstructed, safe trafficable surface for property access and public thoroughfare.

2. Policy Scope

- 2.1. This policy applies to all employees, contractors and entities involved with any works associated with or affecting any ROW owned or controlled by the Town of Cottesloe.
- 2.2. The associated ROW Strategy provides an approach toward any upgrade done by the Town of Cottesloe or any adjacent future development.
- 2.3. It provides a future direction towards obtaining the required funding to finance upgrades that will be completed by the Town of Cottesloe and the administration of the previous ROW contribution as part of any property development.

109 Broome Street, Cottesloe WA 6011 | P 9285 5000 | E town@cottesloe.wa.gov.au

Council Policy



2.4. This policy will provide a process for the transfer of land held by Council as private property and used by the public as access to the Crown.

2.5. All privately owned ROWs are exempted from this policy.

3. Policy Requirements

3.1. Ownership

All ROWs either owned or transferred under the ownership of the Town of Cottesloe shall be reclassified as Crown land and vested to the Council in accordance with the Land Administration Act (1997). All encroachments and unauthorised use must be removed before transferring such land to the Crown.

3.2. Encroachments and Unauthorised Use

The Town does not support encroachments into ROW's under its control. Encroaching landowners shall remove all unauthorised structures and obstructions from ROW's to which this policy applies. Where an encroaching landowner puts forward a proposal alternative to removal, the alternative proposals may be referred to Council for consideration, if the CEO is of the view that the circumstances of the case are extraordinary and that the alternative proposal may have merit.

3.3. **Bonds**

A bond shall be held for any building and construction works that occur adjacent to or along a ROW. This will be calculated by the Manager Parks and Operations and paid for by the property developer, builder, property owner or any other third party before a building licence or work zone permit is approved for the works.

Upon completion, the laneway shall be inspected by the Manager Parks and Operations and once this officer is satisfied with the condition of the laneway, the bond will be returned. Any damage identified will either be deducted from the bond paid or repaired by the applicant.

3.4. ROW Naming

All naming of ROW shall be approved by Council. Preliminary approval shall be obtained from Landgate for any proposed name(s). Residents and property owners along the unnamed ROW will then be consulted before the matter is brought to Council for consideration. Once this has been approved by Council and Landgate, a street sign shall be installed.

109 Broome Street, Cottesloe WA 6011 | P 9285 5000 | E town@cottesloe.wa.gov.au

cottesloe.wa.gov.au

Council Policy



3.5. ROW Upgrade and Preservation

All resurfacing, upgrades and preservation of laneways shall be consistent with the ROW Strategy. Council will fund all resurfacing works by allocating a percentage of annual property rates to a ROW reserve. All rates received from privately owned laneways shall be deposited into this reserve.

All unsealed ROWs will then be prioritised accordingly and resurfaced over a ten year program. Any deviation from the design specified within the approved ROW Strategy and the long term program shall be at the discretion of the Manager of Engineering Services. The ROW Strategy shall be updated upon the completion of any upgrade or resurfacing works undertaken for each laneway.

Where a development or subdivision approval includes a condition requiring the sealing and drainage of a portion of ROW/Laneway to allow rear vehicle access, the developer shall be responsible for the cost and completion of such works.

3.6. Table of Exemptions from Upgrade

The Town shall maintain a table of any ROWs for which Council has granted exemption from upgrading.

Property owners of properties adjoining such ROW's shall be consulted and the results of such consultation reported to Council prior to any upgrading work being carried out.

Right of Way Number	Date of Council Decision				
14A (Volume 1909 Folio 485 P2735)	23 June 2020				

109 Broome Street, Cottesloe WA 6011 | P 9285 5000 | E town@cottesloe.wa.gov.au

cottesloe.wa.gov.au

4. Definitions

4.1. There are no definitions relevant to this Policy.

5. Legislation

- 5.1. Local Government Act (1995)
- 5.2. Land Administration Act (1997)

6. Other Relevant Procedures/Key Documents

6.1. ROW Strategy June 2020 Version

cottesloe.wa.gov.au

TOWN OF COTTESLOE



ORDINARY COUNCIL MEETING

ATTACHMENT

ITEM 10.1.13A:

MANAGEMENT PROTOCOL FOR PLAY

EQUIPMENT ON STREET VERGES OR ATTACHED

TO STREET TREES - UPDATED JUNE 2023

TOWN OF COTTESLOE PROTOCOL

MANAGEMENT PROTOCOL FOR PLAY EQUIPMENT ON STREET VERGES OR ATTACHED TO STREET TREES

Objective

The Town of Cottesloe recognises the environmental, social and aesthetic contribution that street verges and street trees provide to the community. The objective of this Management Protocol is to provide processes which allow for Play Equipment to be place on or attached to Street Verge and/or Street Trees.

Scope

This protocol applies to all privately owned play or recreational equipment placed on or attached to street verges and Street Trees owned or managed by the Town of Cottesloe. Play Equipment is defined as any material, treatment or apparatus primarily designed for the recreation, enjoyment and/or play of children. This Management Protocol is not to be used for any material, treatment or apparatus placed on or attached to a Street Verge or Street Tree, which is considered by the Town of Cottesloe Administration not to meet the definition of Play Equipment.

These protocols will apply until the Council considers recommendations from the Taskforce for Residential and Recreational use of Verges.

Management Protocol

The Town of Cottesloe (the town) will permit privately owned play equipment to be placed on Town owned or managed Street Verges and Street Trees in the following situations:

1) Street Tree Attachments and Other Exempt Items

An owner or occupier of land which abuts a verge may on a street tree located on the verge directly in front of their residential property, install a permissible street tree attachment in accordance with the following protocols:

- Permissible Street Tree attachments (no permit required) are as follows:
 - a. Swings;
 - b. Ropes/ladders
 - c. Platforms/structures (ie Tree Houses/Chubby Houses)
 - d. Any other item (not listed above) my be considered at the discretion of the Director Engineering Service in accordance with this protocol
- Street Tree attachments:
 - a. Cannot be permanently fixed to Street Trees and must not incorporate sharp objects, protrusions or other elements which, in the town's opinion would present a hazard to people or property;
 - b. Must not, in the Town's opinion, obstruct or interfere with a clear line of sight for pedestrians, cyclists or motorists including lighting, signage and any other traffic control devices:

Management Protocol for Play Equipment on Street Verges or Attached to Street Trees

Page 1 of 4

TOWN OF COTTESLOE PROTOCOL

- must be setback from and provide clear access to any infrastructure/services located on the verge;
- d. are to be fitted to tree branches of safe and suitable dimensions;
- e. must be constructed of durable material, securely installed and so that annual pruning requirements can be undertaken where required;
- f. must provide a minimum 1.5 metre setback from the face of the kerb, a footpath and/or crossover/driveway;
- g. shall not swing or protrude into and must not be able to swing or protrude into the space immediately above any road carriageway, footpath and or driveway.
- All materials to be used as part of the installation are to be in good condition.
- All ropes or attachments around tree branches should be fitted as to prevent strangulation and eventual decline in the tree's health and vigour.
- Method of securing attachments to the tree should avoid the use of fixings that penetrate the tree for example nails, screws, bolts, which, in the opinion of Council, would/will damage or 'injure' trees.
- Platforms/Structures are not permitted in street trees located under power lines or above ROW's including verges that contain bus stop and/or formal road crossing points.
- It is the responsibility of Owners/Occupiers to ensure that the street tree remains healthy with due regard given to the street tree policy limitations (https://www.cottesloe.wa.gov.au/documents/1631/street-tree-policy) and attachments are well maintained.
- The Town of Cottesloe will maintain a register of Street Tree Attachments identified within the District;
- Once a Street Tree Attachment has been identified within the district, the owner and/or Occupier of land that abuts the verge the Street Tree is located on will be notified in writing that:
 - a. The Town of Cottesloe reserves the right to remove Street Tree Attachment at any time;
 - The Town of Cottesloe will not accept responsibility for any loss, injury, damage or impact caused to persons or property as a result of a the owner and/or occupiers private installation of a Street Tree attachment;
 - c. The Town of Cottesloe will not accept responsibility for any loss, damage or removal that occurs to the street tree attachment as part of the Town's ongoing Street Tree and/or Street Verge maintenance program.
- Other exempt items:
 - a. Basketball hoops (fixed or mobile)
- If in the opinion of the Director Engineering Services a Street Tree attachment or any other exempt items are considered to not meet the requirements of these protocols,

Management Protocol for Play Equipment on Street Verges or Attached to Street Trees

Page 2 of 4

TOWN OF COTTESLOE PROTOCOL

then the adjacent Owner and/or Occupier will be required to remove and/or modify all or part of the Street Tree attachment or exempt item to become acceptable to the Town.

2) Other Play Equipment

An owner and/or occupier of land which abuts a verge may on a Street Verge, or on a Street Tree on the Street Verge directly in front of their residential property, install or attach play equipment that does not meet the requirements of a Permissible Street Tree Attachments in accordance with the following protocols:

- Other Play Equipment (other than Permissible Street Tree Attachment):
 - a. will be deemed to be Private Works on, over or under public places as defined by the Local Government (Uniform Local Provisions) Regulations 1996;
 - b. will require a permit to be issued in accordance with:
 - Local Government (Uniform Local Provisions) Regulations 1996; and
 - Town of Cottesloe Residential Verges Policy and these protocols;
 - These protocols;
 - cannot be permanently fixed to the Street Verge or Street Trees and must not incorporate sharp objects, protrusions or other elements which, in the town's opinion would present a hazard to people or property;
 - must not, in the Town's opinion, obstruct or interfere with a clear line of sight for pedestrians, cyclists or motorists ROW's including verges that contain bus stop and/or formal road crossing points;
 - e. must be setback from and provide clear access to any infrastructure/services located on the verge;
 - f. if fitted to tree branches, are to be fitted to tree branches of safe and suitable dimensions;
 - g. must be constructed of durable material, securely installed and so that annual pruning requirements can be undertaken where required;
 - h. Method of securing attachments to the tree should avoid the use of fixings that penetrate the tree for example nails, screws, bolts, which, in the opinion of Council, would/will damage or 'injure' trees.
 - i. must provide a minimum 1.5 metre setback from the face of the kerb, a footpath and/or crossover/driveway;
 - j. shall not swing or protrude into and must not be able to swing or protrude into the space immediately above any road carriageway, footpath and or driveway.
- All materials to be used as part of the installation are to be in good condition.
- If fitted on a street tree, all ropes or attachments around tree branches should be fitted as to prevent strangulation and eventual decline in the tree's health and vigour.
- Platforms/Structures are not permitted on the Street Verge or attached to Street Trees located under power lines or above ROW's.
- It is the responsibility of Owners/Occupiers to ensure that any street tree on the Management Protocol for Play Equipment on Street Verges or Attached to Street Trees

Page 3 of 4

TOWN OF COTTESLOE PROTOCOL

street verge remains healthy with due regard given to the street tree policy limitations (https://www.cottesloe.wa.gov.au/documents/1631/street-tree-policy);

- The Owner and/or Occupier of the of land that abuts the Street Verge must obtain from an insurance company approved by the Town of Cottesloe an insurance policy, in joint names of the local government and the person, indemnifying the Town of Cottesloe against any claim for damages which may arise in, or out of, its construction, maintenance or use, in accordance with regulation 17 (8)(b), Local Government (Uniform Local Provisions) Regulations 1996;
- Owners of existing play equipment that would be dealt with under these protocols will be given 28 days to apply for a permit under these protocols;
- If in the opinion of the Director Engineering Service play equipment on Street Verges and/or Street Tree pose an identifiable hazard to public safety may have it removed after reasonable notice has been provided to the owner to make safe and a report is provided to Council.
- Removal of unsafe or unauthorised Play Equipment on Street Verges or installed on Street Trees

No privately owned Play Equipment on Street Verges or install on Street Trees will be removed unless:

- The owner has had reasonable notice to make it safe and compliant with these protocols;
- Any structure that presents an unacceptable risk either in its current state or due to other circumstances such as but not limited to damage due to vandalism, misuse, poor maintenance, storm damage, the owner/occupier vacating the premises; and
- There has been a decision of Council to do so.

Management Protocol for Play Equipment on Street Verges or Attached to Street Trees

Page 4 of 4

TOWN OF COTTESLOE



ORDINARY COUNCIL MEETING

ATTACHMENT

ITEM 10.1.14A:
LETTER TO MAYOR LORRAINE YOUNG



Minister for Regional Development; Disability Services; Fisheries; Seniors and Ageing

Our Ref:77-08430

Ms Lorraine Young
Mayor
Town of Cottesloe
mayor.young@cottesloe.wa.gov.au

Dear Ms Young

The topic of fishing for sharks from popular Perth beaches and in the Swan and Canning rivers has recently attracted considerable public interest.

The State Government is committed to keeping water users as safe as possible while also providing a range of diverse opportunities for recreational fishers to enjoy. Recent reports of anti-social fishing practice by small groups of recreational fishers targeting large sharks at popular metropolitan swimming beaches is not considered compatible with community expectations of responsible recreational fishing behaviour.

As you may be aware, in February 2022 I introduced a ban on the use of wire trace at Port and Leighton beach. This provides an effective and enforceable way to stop recreational shark fishing that can be easily understood by fishers.

A number of local councils have subsequently contacted me requesting I extend the wire trace ban to their local areas. Following these requests, and in response to increasing concern over the practice of shark fishing from popular beaches, I am considering extending the ban on the use of wire trace to include beaches from Two Rocks down to the Dawesville Cut, including the Swan and Canning Rivers.

The proposal would provide for a single consistent rules across the greater Perth metropolitan area and would complement the existing prohibition on the use of blood and offal as an attractant that was introduced in 2013 to discourage targeting of large sharks. Importantly, the proposal would have negligible impact on other forms of responsible recreational fishing.

Level 7, Dumas House, 2 Havelock Street, West Perth, Western Australia, 6005

2

As Minister for Fisheries, my strong preference is for the regulation of fishing activities to occur under appropriate State-based legislation, supported by the expert advice of the Department of Primary Industries and Regional Development. This provides the appropriate platform for development of legislation, enforcement, and communication of fishing rules. Accordingly, upon the identification of an appropriate way forward, it would be my expectation that local governments repeal local laws directed at these activities.

Before making a decision on this matter, I would greatly appreciate the views of your council on the above proposal. If you could provide a response at your earliest convenience that would be much appreciated.

If you have any further question on this matter, please reach out to my Senior Fisheries Advisor - Griffin Grounds in the first instance <u>Griffin.Grounds@dpc.wa.gov.au</u>, (08) 6552 6900.

Yours sincerely

HON DON PUNCH MLA

MINISTER FOR REGIONAL DEVELOPMENT; DISABILITY SERVICES;

FISHERIES; SENIORS AND AGEING

11 May 2023

Level 7, Dumas House, 2 Havelock Street, West Perth, Western Australia, 6005

TOWN OF COTTESLOE



ORDINARY COUNCIL MEETING

ATTACHMENT

ITEM 10.2.1A:
UNCONFIRMED MINUTES - AUDIT COMMITTEE 12 JUNE 2023

TOWN OF COTTESLOE



AUDIT COMMITTEE

UNCONFIRMED MINUTES

AUDIT COMMITTEE
HELD IN THE
Mayor's Parlour, Cottesloe Civic Centre
109 Broome Street, Cottesloe
4.30pm Monday, 12 June 2023

WILLIAM MATTHEW SCOTT Chief Executive Officer

15 June 2023

TABLE OF CONTENTS

ITEM			SUBJECT	PAGE NO
1	DEC	ΙΔΡΔΤΙΛ	ON OF MEETING OPENING/ANNOUNCEMENT OF VISITORS	1
•			OWLEDGEMENT OF COUNTRY	
2			WEEDGEWENT OF COONTRI	
			MENTS BY PRESIDING MEMBER WITHOUT DISCUSSION	
3				
4			CE	
5			ON OF INTERESTS	
6			TION OF MINUTES	
7	PRE	SENTATI	ONS	2
8	REP	ORTS		2
	8.1	REPOR	RTS OF OFFICERS	2
		8.1.1	PURCHASE ORDER CONTROLS	3
		8.1.2	AUDIT REPORT ACTION PLAN FY22	5
	8.2	ITEMS	FOR DISCUSSION	6
		8.2.1	COMPLIANCE CALENDAR	6
		8.2.2	AUDIT COMMITTEE RESOLUTION DATABASE	7
9	GEN	ERAL BU	JSINESS	8
	9.1	COMM	IITTEE MEMBERS	8
	9.2	OFFICE	ERS	8
10	MEE	TING CL	OSED TO PUBLIC	8
	10.1	MATT	ERS FOR WHICH THE MEETING MAY BE CLOSED	8
11	NEX	T MEETI	NG	8
12	MEE	TING CL	OSURE	8

AUDIT COMMITTEE MEETING MINUTES

12 JUNE 2023

1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member announced the meeting opened at 4.34pm.

1.1 ACKNOWLEDGEMENT OF COUNTRY

I would like to begin by acknowledging the Whadjuk Nyoongar people, Traditional Custodians of the land on which we meet today, and pay my respects to their Elders past and present. I extend that respect to Aboriginal and Torres Strait Islander peoples here today.

2 DISCLAIMER

The Presiding Member drew attention to the Town's Disclaimer.

3 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil.

4 ATTENDANCE

Members

Cr Craig Masarei Presiding Member, Elected Member

Cr Paul MacFarlane Elected Member

Mr Ian McKenzie Community Representative

Officers

Mr Matthew Scott Chief Executive Officer

Mr Shane Collie Director Corporate Services and Governance

Ms Martina Liu Finance Manager

Ms Irene Wai Shan Au-Yeung Assistant Finance Manager
Ms Kate Saunders Executive Services Officer

Visitors

Mr Michael Hoang Ernst & Young (Consultants)
Neil de Villiers Ernst & Young (Consultants)

Ms Nayna Raniga Director – Financial Audit, Office of the Auditor

General of Western Australia

Apologies

Cr Brad Wylynko Elected Member

Mr Andrew Dimsey Community Representative

5 DECLARATION OF INTERESTS

There were no declarations of interest.

AUDIT COMMITTEE MEETING MINUTES

12 JUNE 2023

6 CONFIRMATION OF MINUTES

AC004/2023

Moved Cr MacFarlane

Seconded Mr McKenzie

That the Minutes of the Audit Committee Meeting held on Wednesday 12 April 2023 be confirmed as a true and accurate record.

Carried 3/0

7 PRESENTATIONS

AC005/2023

MOTION FOR ADJOURNMENT

Moved Presiding Member Masarei Seconded Mr McKenzie

That the Audit Committee adjourn the meeting to members for the presentation of the Financial Year 2022/23 Audit Plan.

Carried 3/0

The meeting was adjourned at 4.40pm.

AC006/2023

MOTION TO RECONVENE THE MEETING

Moved Presiding Member Masarei Seconded Mr McKenzie

That the Audit Committee meeting be reopened.

Carried 3/0

There were no members of the public in attendance at the meeting, the Audit Committee meeting re-opened at 5.45pm.

Ms Raniga, Mr Hoang and Mr de Villiers left the meeting at 5.45pm.

- 8 REPORTS
- 8.1 REPORTS OF OFFICERS

AUDIT COMMITTEE MEETING MINUTES

12 JUNE 2023

8.1.1 PURCHASE ORDER CONTROLS

Directorate: Corporate and Community Services
Author(s): Martina Liu, Finance Manager

Authoriser(s): Matthew Scott, Chief Executive Officer

File Reference: D23/15834

Applicant(s):

Author Disclosure of Interest: Nil

SUMMARY

As part of 2021/2022 financial year audit, a number of findings were identified and raised as part of the management letter.

This management letter is attached, point one covers purchase order quotation summary completion.

OFFICER RECOMMENDATION IN BRIEF

THAT the Audit Committee notes the processes and controls implemented for purchase orders.

BACKGROUND

The auditor identified instances where the quotations summaries were not properly completed, and the corresponding completed purchase orders were not properly authorised. These mainly related to suppliers that the Town have previously engaged and have contracts with, specifically relating to IT upgrades and license renewals. Please see attached three purchase orders identified in the management letter.

OFFICER COMMENT

The Purchasing Policy has been re-circulated to all staff to enforce the purchasing controls and requirements for quotations and authorisations. Oversight of the implementation of the policy has precisely been reinforced by the Finance team.

As of July 2024, the Town is moving to a new Enterprise Resource Planning system, which will incorporate the online purchasing with relevant controls in place.

ATTACHMENTS

- 8.1.1(a) Attachment Management Letter Purchase Order Controls (extract) [under separate cover]
- 8.1.1(b) Audit Committee Attachment Purchase Order Samples [under separate cover]

CONSULTATION

Consultation with auditors and senior managers.

AUDIT COMMITTEE MEETING MINUTES

12 JUNE 2023

STATUTORY IMPLICATIONS

Local Government Act 1995

POLICY IMPLICATIONS

There are no perceived policy implications arising from the officer's recommendation.

STRATEGIC IMPLICATIONS

This report is consistent with the Town's Strategic Community Plan 2013 – 2023.

Priority Area 6: Providing open and accountable local governance

Major Strategy 6.2: Continue to deliver high quality governance, administration, resource management and professional development.

RESOURCE IMPLICATIONS

There are no perceived additional resource implications from the office's recommendation.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

There are no perceived sustainability implications arising from the officer's recommendation.

VOTING REQUIREMENT

NA

OFFICER RECOMMENDATION

THAT the Audit Committee notes the processes and controls implemented for purchase orders.

The Purchase Order Controls report was noted by the Audit Committee.

AUDIT COMMITTEE MEETING MINUTES

12 JUNE 2023

8.1.2 AUDIT REPORT ACTION PLAN FY22

Attachments: 8.1.2(a) Findings identified in the Audit FY22 [under separate cover]

The 2021/22 Financial Audit performed by Ernst and Young identified four items for improvement. The table below summarises the action taken in relation to these items:

Audit – Index of fi	ndings	Response
Purchase order summary com	•	Implemented on the manual system currently in place. The new Enterprise Resource Planning system will capture this electronically from July 2024. For more information, refer to the Purchase Order Controls Report of this agenda.
2. Financial state preparation.	ement	Automated process implemented.
3. Significant age payable.	ed bonds	Plan to be finalised and implemented.
4. Bonds payable classification.	9	Plan to be finalised and implemented.

Refer to the attachment for full details of each finding.

The Audit Report Action Plan FY22 was noted by the Audit Committee.

AUDIT COMMITTEE MEETING MINUTES

12 JUNE 2023

8.2 ITEMS FOR DISCUSSION

8.2.1 COMPLIANCE CALENDAR

Attachments: 8.2.1(a) Compliance Calendar - June 2023 [under separate cover]

The Compliance Calendar – June 2023 is provided for the information of the Audit Committee. Actions are underway on matters outstanding.

The Compliance Calendar – June 2023 was noted by the Audit Committee.

AUDIT COMMITTEE MEETING MINUTES

12 JUNE 2023

8.2.2 AUDIT COMMITTEE RESOLUTION DATABASE

Attachments: 8.2.2(a) Resolution Database - June 2023 [under separate cover]

The Audit Committee Resolution Database – June 2023 provides an update on Council resolutions put forward by the Audit Committee.

The Resolution Database – June 2023 was noted by the Audit Committee.

Page 7

AUDIT COMMITTEE MEETING MINUTES

12 JUNE 2023

- 9 GENERAL BUSINESS
- 9.1 COMMITTEE MEMBERS
- 9.2 OFFICERS
- 10 MEETING CLOSED TO PUBLIC
- 10.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

2022/23 AUDIT PLAN

The Chief Executive Officer withdrew this item as the Audit Committee did not need to make a decision or recommendation in relation to it.

11 NEXT MEETING

Monday, 4 September 2023.

12 MEETING CLOSURE

The Presiding Member announced the meeting closed at 6.11pm.

TOWN OF COTTESLOE



ATTACHMENTS

AUDIT COMMITTEE - 12 JUNE 2023

ATTACHMENTS JUNE 2023

TABLE OF CONTENTS

ITEN	/		SUBJECT P.	AGE NO
8.1	REPORTS	OF OFFICER	RS	_
OFF	ICER REPO	RTS		_
	8.1.1	PURCHAS	E ORDER CONTROLS	
		8.1.1(a)	ATTACHMENT - MANAGEMENT LETTER - PURCHAS ORDER CONTROLS (EXTRACT)	
		8.1.1(b)	AUDIT COMMITTEE ATTACHMENT - PURCHASE ORDE SAMPLES	
	8.1.2	AUDIT RE	PORT ACTION PLAN FY22	
		8.1.2(a)	FINDINGS IDENTIFIED IN THE AUDIT FY22	8
ITEN	IS FOR DIS	CUSSION		
	8.2.1	COMPLIA	NCE CALENDAR	
		8.2.1(a)	COMPLIANCE CALENDAR - JUNE 2023	14
	8.2.2	AUDIT CO	MMITTEE RESOLUTION DATABASE	
		8.2.2(a)	RESOLUTION DATABASE - IUNE 2023	21

Page (i)

TOWN OF COTTESLOE



AUDIT COMMITTEE

ATTACHMENT

ITEM 8.1.1A:
ATTACHMENT - MANAGEMENT LETTER PURCHASE ORDER CONTROLS (EXTRACT)

ATTACHMENT

TOWN OF COTTESLOE

PERIOD OF AUDIT: 1 JULY 2021 TO 30 JUNE 2022 FINDINGS IDENTIFIED DURING THE FINAL AUDIT

Current year findings

1. Purchase order quotation summary completion

Finding

As part of our test of controls across the procurement to payables cycle, we have inspected a sample of purchase orders. Our testing noted that there were instances where the quotation summaries were not properly completed, and the corresponding completed purchase orders were not properly authorised. After further inquiries, we noted that these instances related to suppliers that the Town have previously engaged and have contracts with, specifically relating to upgrades and license renewals. Although in compliance with the Town's purchasing policy, we note that the completion of the quotation summaries is considered a key control.

Rating: Moderate

Implication

Lack of documentation of control procedures being performed does not allow management, to monitor the proper execution of the procurement process.

If purchases are made without obtaining sufficient quotes, there is a risk of favouritism of suppliers and or the Town not obtaining value for money.

Recommendation

Management should document why the purchase of a good or service is not supported by a quotation acceptance, if applicable, in consideration of the exemptions available under the purchasing policy. An appropriate member of management should only authorise the purchase order prior to the initiation of purchase transaction to the extent they are satisfied that a quotation acceptance is not required to be completed.

Management comment

Management accepts this recommendation. Staff training can be increased to ensure compliance in this area along with a more robust ERP solution that guides staff through the procurement process. Our new ERP solution has a proposed go live date of July 2024.

Responsible person: New Finance Manager

Completion date: The Town will incorporate this as part of the requirements for the

new ERP system to be implemented in FY24.

Page 2 of 5

TOWN OF COTTESLOE



AUDIT COMMITTEE

ATTACHMENT

ITEM 8.1.1B:
AUDIT COMMITTEE ATTACHMENT - PURCHASE
ORDER SAMPLES

POSTAL:	of Cottesloe 109 Broome Street, Cottesloe WA 6011 PO Box 606, Cottesloe WA 6911 824 630 520 Telephone: 08 9285 5000 ouncil@cottesloe.wa.gov.au.	Please quo	R 58 te order num d delivery n
Supplier	Name: TECHNOLOGY ON	Dat	e 16/0
Supplier	Address:	Cre	editor No
	ne Email		
QTY	DETAILS	ACCOUNT No.	AM
41.	UNCEADE INTERMARS ENTERPRISE VE.O		3117
	TO ZOZIA (19.10)		
	Similar or region		
			+
			-
		NETT	\$117
		I INFII	35 1 1 /
	FOR STANDING ORDER, ENTER QUANTITY OF SERVICE	GST	\$4.17
	d By (signature):	GST TOTAL Full Name: Class C	\$117
Author Have you		TOTAL Full Name: Strain Strai	\$1.17
Author Have you Budgete Quote/T	d By (signature):	TOTAL Full Name: Strain Strai	\$1.17
Author Have you Budgete Quote/T QU NAM	d By (signature):	TOTAL Full Name: Strain Strai	\$117 \$129 2008
Author Have you Budgete Quote/T QU NAM PRICE	d By (signature):	TOTAL Full Name:	\$117
Author Have you Budgete Quote/T QU NAM PRICE	d By (signature):	TOTAL Full Name:	\$117 \$129 2006 F CO
Author Have you Budgete Quote/T QU NAM PRICE	d By (signature):	TOTAL Full Name:	\$117 \$129 2006 F CO
Author Have you Budgete Quote/T QU NAM PRICE If require	d By (signature):	TOTAL Full Name: Strain t Full Name: Strain icy? Yes / No Budget? Yes / No d with, please detail reason	\$1.17 \$129 \$100 \$100 \$100 \$100 \$100 \$100 \$100 \$10

POSTAL: PO ABN 19 824 Email: cour	Box 606, Cottes 4 630 520 Telep ncil@cottesloe.wa	hone: 08 9285 5000	Please quo invoices an	ER 5892 te order number d delivery notes
Supplier Na	me: <u>/11/4/4</u>	el 1 Ducker		te39
Supplier Ad	dress:	Unury W	1.602.5 Cre	editor No
Telephone.		Email		······································
QTY	1000 -	DETAILS	ACCOUNT No.	AMOU
	PINATAL	CINEMAKUM WANDOONIAK	CI DOM DIC	45,0
			<u> </u>	
	Name of the second			
				New York
		a Lauretta en Visado Vaner		
				11.00
	941		NETT	
FC	DR STANDING ORDER,	ENTER QUANTITY OF SERVICE 13	NETT GST	
Prepared By	or STANDING ORDER, (signature):	Print Fu	GST TOTAL III Name	\$15,00
Authorise Have you co Budgeted Al	d Officer (signature): mplied with the relocation: \$	Print Furner: Print Furner: Print	GST TOTAL III Name Full Name: 9+668	\$15,00
Authorise Have you co Budgeted Al Quote/Tend	d Officer (signature):	Print Fure): Print Fure): Print Fure): Print Fure Purchasing Police Is purchase within Burchase Within Burchas	GST TOTAL III Name Full Name: 9+668	\$15,00
Prepared By Authorise Have you co Budgeted Al Quote/Tend QUOT NAME O	d Officer (signature):	Print Fure): Print Fure): Print Fure): Print Fure Purchasing Police Is purchase within Burchase Within Burchas	GST TOTAL III Name Full Name: 9+668	STEPPE
Prepared By Authorise Have you co Budgeted Al Quote/Tend QUOT NAME O PRICE (GS	d Officer (signature): d Officer (signature) mplied with the relocation: \$	Print Further Purchasing Policy Is purchase within Bures:	Full Name: PASCA TOTAL III Name: PASCA Ey? Yes / No Idget? Yes / No with, please detail reason	s for variatio
Authorise Have you co Budgeted Al Quote/Tend QUOT NAME O PRICE (GS	d Officer (signature): d Officer (signature): mplied with the relocation: \$	Print Further Purchasing Policy have not been complied within Burners Policy have not been complied with Burner	Full Name: SHALLAND AND AND AND AND AND AND AND AND AND	s for variatio

Town	of Cottesloe		
POSTAL: ABN 19	109 Broome Street, Cottesloe WA 6011 PO Box 606, Cottesloe WA 6911 824 630 520 Telephone: 08 9285 5000 puncil@cottesloe.wa.gov.au.	Please quot invoices and	R 60402 e order number on d delivery notes.
Supplier	Name: CRAYON	Dat	e 28/10/21
Supplier	Address: ,	Cre	editor No
	ne Email		
QTY	DETAILS	ACCOUNT No.	AMOUNT
45	CORCAL ASING SA OLV D 17 AQYA 1	20032.208.50	\$2668.50
**()	PLTFRM DUCCOL - WO6-01571		
45	WINCONTRUCTOR ALONG SA OUD DIT .	20031 (206,50	\$3394.35
	AQVA 1 PLTERM - KV3-00341	_ le	
46	OFFICE PROPERTY PLANE SA QUE D IT ARTI	20032.208.50	\$7068.40
	PUTFRM - 798-02343		
5	OFFICE PEOPLUS PLACE LICSAPE OUV D 17	20032.208.50	\$1436-65
	PATT PRIFON - 79P-02341		
5	WINN 3 PER OVER THENG WEED SAPK OLV D	20032, 208, 50	\$ 471.75
	1 AQY'S PUTPOP - KV3-00343		
	- 100 100 100	NETT	\$15059.65
	FOR STANDING ORDER, ENTER QUANTITY OF SERVICE	GST	\$1505.96
		TOTAL	\$11545.61
Author Have yo	d By (signature):	t Full Name:	
	7 NEW		
	UOTATIONS: 1E OF SUPPLIER		
PRICE	(GST INCLUDED)		
200	ements of the Purchasing Policy have not been complied		

Attachment 10.2.1(a) Page 243

Supporting narration for supplier recommendation:

TOWN OF COTTESLOE



AUDIT COMMITTEE

ATTACHMENT

ITEM 8.1.2A: FINDINGS IDENTIFIED IN THE AUDIT FY22

ATTACHMENT

TOWN OF COTTESLOE

PERIOD OF AUDIT: 1 JULY 2021 TO 30 JUNE 2022 FINDINGS IDENTIFIED DURING THE FINAL AUDIT

INDEX OF FINDINGS	RATING					
	Significant	Moderate	Minor			
Current year findings						
Purchase order quotation summary completion		✓				
Unresolved findings identified in prior year						
2. Financial statement preparation		✓				
3. Significantly aged bonds payable		✓				
4. Bonds payable classification			✓			

Key to ratings

The Ratings in this management letter are based on the audit team's assessment of risks and concerns with respect to the probability and/or consequence of adverse outcomes if action is not taken. We give consideration to these potential adverse outcomes in the context of both quantitative impact (for example financial loss) and qualitative impact (for example inefficiency, non-compliance, poor service to the public or loss of public confidence).

Significant -

 Those findings where there is potentially a significant risk to the entity should the finding not be addressed by the entity promptly. A significant rating could indicate the need for a modified audit opinion in the current year, or in a subsequent reporting period if not addressed. However even if the issue is not likely to impact the audit opinion, it should be addressed promptly.

Moderate

- Those findings which are of sufficient concern to warrant action being taken by the entity as soon as practicable.

Minor

 Those findings that are not of primary concern but still warrant action being taken.

Page 1 of 5

ATTACHMENT

TOWN OF COTTESLOE

PERIOD OF AUDIT: 1 JULY 2021 TO 30 JUNE 2022 FINDINGS IDENTIFIED DURING THE FINAL AUDIT

Current year findings

1. Purchase order quotation summary completion

Finding

As part of our test of controls across the procurement to payables cycle, we have inspected a sample of purchase orders. Our testing noted that there were instances where the quotation summaries were not properly completed, and the corresponding completed purchase orders were not properly authorised. After further inquiries, we noted that these instances related to suppliers that the Town have previously engaged and have contracts with, specifically relating to upgrades and license renewals. Although in compliance with the Town's purchasing policy, we note that the completion of the quotation summaries is considered a key control.

Rating: Moderate

Implication

Lack of documentation of control procedures being performed does not allow management, to monitor the proper execution of the procurement process.

If purchases are made without obtaining sufficient quotes, there is a risk of favouritism of suppliers and or the Town not obtaining value for money.

Recommendation

Management should document why the purchase of a good or service is not supported by a quotation acceptance, if applicable, in consideration of the exemptions available under the purchasing policy. An appropriate member of management should only authorise the purchase order prior to the initiation of purchase transaction to the extent they are satisfied that a quotation acceptance is not required to be completed.

Management comment

Management accepts this recommendation. Staff training can be increased to ensure compliance in this area along with a more robust ERP solution that guides staff through the procurement process. Our new ERP solution has a proposed go live date of July 2024.

Responsible person: New Finance Manager

Completion date: The Town will incorporate this as part of the requirements for the

new ERP system to be implemented in FY24.

ATTACHMENT

TOWN OF COTTESLOE

PERIOD OF AUDIT: 1 JULY 2021 TO 30 JUNE 2022 FINDINGS IDENTIFIED DURING THE FINAL AUDIT

Unresolved findings identified in the prior year

2. Financial statement preparation

Finding

In completing the tie out of the financial statements to the underlying schedules and data, we noted that while the figures in the excel version of the financial statements were linked to an input data sheet, the input data sheet contained hard coded, manually entered numbers that were not linked to the trial balance or underlying schedules.

Rating: Moderate (2021: Moderate)

Implication

By manually entering all of the input data for the financial statements, this creates inefficiencies in both preparing the financial statements and once prepared, attempting to agree the figures in the financial statements to the trial balance and underlying schedules.

Recommendation

We recommend that management implement a more automated process for the preparation of the financial statements. All figures in the excel version of the financial statements and supporting notes should be linked directly from the trial balance or underlying schedules, rather than an input data sheet with manually entered numbers

Management comment

The current statements have been linked to a separate trial balance worksheet (with minimal hard coding) and the Town intends to continue and improve this process in future periods.

Responsible person: New Finance Manager Completion date: December 2023

Page 3 of 5

ATTACHMENT

TOWN OF COTTESLOE

PERIOD OF AUDIT: 1 JULY 2021 TO 30 JUNE 2022 FINDINGS IDENTIFIED DURING THE FINAL AUDIT

3. Significantly aged bonds payable

Finding

From our review of the Bonds Payable reconciliation, we noted that there were a number of bonds that were aged greater than three years. From discussions held with management, these items represent bonds lodged in relation to construction/demolition projects that were completed two or more years ago and remained unclaimed. We also note that no action has been taken to date by management to attempt to return the unclaimed bonds, that will never be claimed such as those due to companies that have since been wound down, to unclaimed monies.

The Unclaimed Money Act 1990 (the Act) deems unclaimed moneys as moneys over \$100 that have been held for six years without being returned to owners. Under the Act this money is to be transferred to the Department of Treasury.

Rating: Moderate (2021: Moderate)

Implication

If there are no policies and processes around periodically assessing and clearing unclaimed bonds, there is a risk that a material portion of the bonds payable balance relates to bonds that will never be claimed or cleared from the books through submission to unclaimed money funds. Further the Town may not be in compliance with legislative requirements.

Recommendation

We recommend that management implement an annual process whereby all bonds aged three years or older are assessed as if they should be paid to unclaimed money funds. As part of this process, management should attempt to notify the bond recipients of the outstanding balances to attempt to clear the significantly aged payable balances. Further, the Town should investigate its obligations under the Unclaimed Moneys Act 1990 to determine moneys that should be transferred to the Department of Treasury

Management comment

The Town currently does follow its obligations under the Unclaimed Moneys Act 1990 to determine monies that should be transferred to the Department of Treasury. In January each year we are required to submit a listing to the Department of Treasury and then periodically the Town is sent a request to pay over any remaining monies that are still outstanding.

We intend to implement a process to notify bond recipients of outstanding balances.

Responsible person: New Finance Manager Completion date: December 2023

Page 4 of 5

ATTACHMENT

TOWN OF COTTESLOE

PERIOD OF AUDIT: 1 JULY 2021 TO 30 JUNE 2022 FINDINGS IDENTIFIED DURING THE FINAL AUDIT

4. Bonds payable classification

Finding

Bond repayment due dates are not included in the Infrastructure, Right of Way and Miscellaneous Bonds Payable registers maintained by the Town.

Rating: Minor (2021: Minor)

Implication

Since the bond repayment due dates are not included in the Infrastructure, Right of Way and Miscellaneous Bonds Payable registers, it is not easily determinable as to which bonds are due for repayment within the next 12 months and which bonds are due for repayment later than 12 months. This increases the likelihood of bonds payable being incorrectly classified as current when the bonds are due for repayment later than 12 months or non-current when the bonds are due for repayment within the next 12 months.

Recommendation

We recommend that management include bond repayment due dates for all bonds listed in the Infrastructure, Right of Way and Miscellaneous Bonds Payable registers maintained by the Town

Management comment

The Bonds Classification matter is one that is Authority software based and the split between current and non-current will be undertaken manually for FY22 with this matter proposed to be incorporated as part of the requirements for the new ERP system to be implemented in FY24.

Responsible person: Completion date:

Shane Collie (Director Corporate and Community Services) The Town will incorporate this as part of the requirements for the

new ERP system to be implemented in FY24.

Page 5 of 5

TOWN OF COTTESLOE



AUDIT COMMITTEE

ATTACHMENT

ITEM 8.2.1A:
COMPLIANCE CALENDAR - JUNE 2023

2023 Compliance Calendar

Updated June 2022

	Compliance Action	Compliance Requirement	Section / Ref	Good Practice Resources and LG Operational Procedures	Compliance Frequency	Position Title Officer Responsible for Action Compliance	Date Completed	Records Ref (Evidence of completion)	Comments. If Action not completed, report on plan to rectify non-compliance
	April - Take Action								
Apr	Monthly Financial Report LG is to prepare each month a statement of financial activity reporting on the revenue and expenditure as set out in the annual budget under FM.Reg.22(1)(d). Presented at an Ordinary Council meeting within 2-months after the end of the month to which the statement relates.	Local Government Act 1995	s.6.4 FM.Reg.34	DLGSC WA Local Government Accounting Manual	Monthly	Finance Manager			Complete
Apr	Elections - Enrolment Eligibility Claims (Owners and Occupiers) Register - Prepare for Elections - Review register and take action re expired Eligibility Claims (no longer property owner / claim based on occupation or nominee expired)	Local Government Act 1995	s.4.35 Elections Regs.14 and 15 Form 6 and 7	WALGA Template Enrolment Eligibility Claims Register	Annual	Finance Manager			Completed in February before the Extraordinary Election. Another review scheduled prior to the October Election
Apr	Audit - Compliance Audit Return Action Plan Prepare a Compliance Audit Return Action Plan that assigns responsibility and timeframes for implementing outcomes / actions arising from the Compliance Audit Return. Provide Compliance Audit Return Action Plan to Council via Audit Committee for endorsement.	n/a	n/a	Operational Practice	Annual or as required	Director Corporate and Community Services	31/03/2023	D23/15625 & D23/22456	Complete
Apr	Audit - Compliance Audit Return Action Plan Prepare an Compliance Audit Return Action Plan progress report that details progress to completing outcomes / actions arising from the Audit Report. Provide Compliance Audit Return Action Plan Progress Report to Council via Audit Committee for endorsement.	n/a	n/a	Operational Practice	Annual or as required	Director Corporate and Community Services	30/05/2023		Complete
Apr	Public Access to Information - Audit Check LG website, Library and LG lies to ensure all information listed in s.5.94 and Admin. Reg 29 is publicly accessible (see s.5.96 too) and that customer service staff are trained to provide access accordingly, Audit to note limitations: s.5.95 and Admin. Regs. 29A and 29B	Local Government Act 1995	s.5.94 Admin. Reg.29 s.5.95 s.5.96 Admin. Regs 29A and 29B	WALGA Guideline - Schedule of Public Information Access	Annual	Director Corporate and Community Services			Completed November 2022
Apr	Annual Budget - Fees and Charges Schedule In preparation for the Annual Budget, a preliminary Council report may be provided detailing the revised Schedule of Fees and Charges, recommending endorsement for inclusion in the Annual Budget. Council's early consideration enables separate and detailed review, outside of the budget adoption, with any changes proposed then included in the Budget calculations. In any case, the Schedule of Fees and Charges must be included in the Annual Budget and Annual Budget Report, with a separate recommendation for Council to impose the Schedule of Fees and Charges, by absolute majority, as part of the Annual Budget adoption.	Local Government Act 1995	s.6.16 s.6.17 s.6.18	DLGSC website - WA Local Government Accounting Manual	Annual	Director of Coporate and Community Services			Workshops underway. To go to the July OCM
Apr	Annual Budget - Health (Miscellaneous Provisions) Act 1911 Fees and Charges Fees or charges fixed by resolution under a Health Local Law as prescribed in s344C(1), notice of the resolution must be published at least 14-days before the day on which the resolution is to take effect: - in the Government Gazette and - in a newspaper circulating gernally throughout the LG's District	Health (Miscellaneous Provisions) Act 1911	s.344C		Annual	Director of Development and Regulatory Services			NA NA

	Compliance Action	Compliance Requirement	Section / Ref	Good Practice Resources and LG Operational Procedures	Compliance Frequency	Position Title Officer Responsible for Action Compliance	Date Completed	Records Ref (Evidence of completion)	Comments. If Action not completed, report on plan to rectify non-compliance
Apr	Annual Budget - Rate Setting Statement In preparation for the Annual Budget, a preliminary Council report may be provided detailing the Rates Setting Statement. Early Council consideration enables: consideration of public submissions on Differential Rates - see. s.6.38(4) separate and detailed review of rating implications, outside of the budget adoption - Any changes proposed are then included in the Budget calculations. In any case, the Rate Setting Statement must be included in the Annual Budget Adoption Report, with a separate recommendation for Council to impose, by absolute majority: - the general rate (uniformly or differentiality) - a specified area rate - minimum payment, - service charges - impose a discount	Local Government Act 1995	s.6.32 s.6.35 s.6.36(4) s.6.37 s.6.38 s.6.46 FM.Regs. r.22(1)(d) (2) r.26 r.33(1)(c)	DLGSC website - WA Local Government Accounting Manual	Annual	Finance Manager			Workshops underway. To go to the July OCM
Apr	Annual Budget - Borrowings - Changes or New In preparation for the Annual Budget, the preliminary Council report may be provided, recommending endorsement for inclusion in the Annual Budget. Early Council sondieration enables - detailed review outside of the Budget adoption - any changes proposed are then included in the Budget calculations. In any case, Borrowings <u>must</u> be include in the Annual Budget and Annual Budget report, with a separate recommendation for Council to resolve, to expend the money or ustilise the loan.	Local Government Act 1995	s.6.20 s.6.21	DLGSC website - WA Local Government Accounting Manual	Annual	Finance Manager			NA NA
Apr	Annual Budget - Setting Elected Member Fees, Payments and Reimbursements Salaries and Allowances Tribunal Determination for Local Government Elected Members (published annually usually in April). Report to Council for decision to set fees, allowances and reimbursements in accordance with the determination.	Local Government Act 1995	Part 5, Div.8 Admin. Regs. Part 8	Salaries and Allowances Tribunal website - Determination for Local Government	Annual	Finance Manager			In progress
Apr	Annual Budget - Reserve Accounts - Changes or New Council decision, by absolute majority, if Annual Budget proposes: - Changes to the purpose of a Reserve Account; OR - Using the money in a Reserve Account for another purpose	Local Government Act 1995	s.6.11	DLGSC website - WA Local Government Accounting Manual	Annual	Finance Manager			In progress
Apr	Annual Budget - Setting Interest Rate for Money Owed Council decision, by absolute majority, to require a person to pay interest rate set in the Annual Budget on any amount of money (other than rates and service charges) owed to the Local Covernment for a period of time as determined by Council that is not less than 35 days. May be by separate report or included in Annual Budget report with separate recommendation.		s.6.14 FM.Reg.19A and 19B	DLGSC website - WA Local Government Accounting Manual	Annual	Finance Manager			In progress

	Compliance Action	Compliance Requirement	Section / Ref	Good Practice Resources and LG Operational Procedures	Compliance Frequency	Position Title Officer Responsible for Action Compliance	Date Completed	Records Ref (Evidence of completion)	Comments. If Action not completed, report on plan to rectify non-compliance
Apr	Annual Budget - Differential Rates and Minimum Payment Setting - Local Public Notices After the Council endorsement for advertising proposed Differential Rates and minimum payments, Local Public Notice must be published with sufficient time to comply with: - Notice must be published within the period 2 months before the commencement of the financial year - Notice must contain details of each rate or minimum payment. - Notice must invite public submissions within 21 days (or longer) of the notice - Notice must advise where public can inspect a document describing the object of, and reasons for, each proposed rate and minimum payment.	Local Government Act 1995	s.6.33 s.6.35 s.6.36 FM.Reg.52A	DLGSC websile - WA Local Government Accounting Manual	Annual	Director of Coporate and Community Services			In progress, 28 June public notice following June OCM.
Apr	Audit - Audit Report Published on Website CEO must publish on the LGs website, a copy of the Council's report and resolutions made in regard to the Auditor's Report, within 14 days of giving the report to the Minister. Note - this requirement is separate and in addition to the publication of the report on the website as part of the official Council minutes.	Local Government Act 1995	s.7.12A (5)		Annual or as required	Executive Officer (CCS)			Complete
Apr	Workforce Plan - Review Update the Workforce Plan to include outcomes of Corporate Business Plan Review and report, with recommendations to Council.	Local Government Act 1995	s.5.56 Admin.Reg.19DA	DLGSC website - Integrated Planning and Reporting Framework and Guidelines	Annual	Manager People and Culture			A new Workforce Plan will be developed for 2024, informed by the Council Plan (incorporating the Strategic Community Plan and Business Plan).
Apr	Asset Management Plan - Review Update the Asset Management Plan to include outcomes of the Corporate Business Plan Review and report with recommendations to Council	Local Government Act 1995	s.5.56 Admin.Reg.19DA	DLGSC website - Integrated Planning and Reporting Framework and Guidelines	Annual	Director Engineering Services			Complete
Apr	Long Term Financial Plan - Review Update the Local Term Financial Plan to include outcomes of Corporate Business Plan Review and report with recommendations to Council	Local Government Act 1995	s.5.56 Admin.Reg.19DA	DLGSC website - Integrated Planning and Reporting Framework and Guidelines	Annual	Director of Coporate and Community Services			Complete
Apr	Other - ANZAC Day Ceremony					Events Coordinator			Complete
	May - Take Action								
May	Monthly Financial Report LG is to prepare each month a statement of financial activity reporting on the revenue and expenditure as set out in the annual budget under FM.Reg.22(1)(d). Presented at an Ordinary Council meeting within 2-months after the end of the month to which the statement relates.	Local Government Act 1995	s.6.4 FM.Reg.34	DLGSC WA Local Government Accounting Manual	Monthly	Finance Manager			Complete
May	Primary Returns - Request Primary Return from any new employee who is a Designated Employee. Return must be received by CEO within 3 months of the person's start day	Local Government Act 1995	s.5.75	WALGA Guideline - Primary and Annual Returns Management DLGSC Operational Guideline No.21 Disclosure of Financial Interests in Returns	Bi-monthly	Executive Support and Governance Coordinator			Complete
May	Financial Interests Register - Review Review register to remove Primary and Annual Returns (not other interest disclosures) from the Financial Interest Register that relate to persons who are no longer Designated Employees (resigned or changed roles) or for Elected Members who have resigned. Returns that are removed are to be kept by the CEO as LG Record for at least 5 years after the person ceased to be a Designated Employee.	Local Government Act 1995	s.5.88(3)(4)		Bi-monthly	Executive Support and Governance Coordinator			Scheduled for June
May	Elected Members - Review Meeting Attendance Register - check EMs have not been absent for 3 consecutive meetings without Leave of Absence being granted	Local Government Act 1995	s.2.25		Quarterly	Executive Support and Governance Coordinator			Scheduled for June

	Compliance Action	Compliance Requirement	Section / Ref	Good Practice Resources and LG Operational Procedures	Compliance Frequency	Position Title Officer Responsible for Action Compliance	Date Completed	Records Ref (Evidence of completion)	Comments. If Action not completed, report on plan to rectify non-compliance
	Customer Complaints Handling - Review Review the complaint handling policy, procedures and Elected Member and Employee training Analyse complaints data to identify opportunities to improve service provision Provide periodic reports to Council on complaints data analysis	n/a	n/a		Annual	Director Corporate and Community Services			Scheduled for July
May	Official Conduct Complaints Officer - Internal Audit Local Government has designated a Senior Employee [s.5.37] as its Complaints Officer, if not, then the CEO is the Complaints Officer.	Local Government Act 1995	s.5.120	DLGSC Website - Local Government Standards Panel	Annual	Chief Executive Officer			Complete
May	Audit - Audit Report Action Plan Prepare an Audit Report Action Plan that assigns responsibility and timeframes for implementing outcomes / actions arising from the Audit Report. Provide Audit Report Action Plan to Council via Audit Committee for endorsement. For June Audit meeting.	n/a	n/a	Operational Practice	Annual or as required	Finance Manager			Scheduled for June OCM
May	Audit - Council Minutes re Auditor's Report Provide a copy of the Council report / minutes, detailing Council's consideration and resolutions regarding the Auditor's Report to the Minister within 3 months after the audit report is received by the Council.	Local Government Act 1995	s.7.12A(4)(b)		Annual or as required	Finance Manager			Completed in April 2023
May	Fines Enforcement - Designated Prosecuting Officers Review Designated Prosecuting Officers and provide written advice to Fines Enforcement Registry of changes.	Fines, Penalties and Infringement Notices Enforcement Act 1994	s.13(2)		Annual	Director Development and Regulatory Services			Scheduled for July
May	Designated Employees - Review status of employees who have been nominated as Designated Employees but who are not delegated authority and are not members of a Council Committee.	Local Government Act 1995	s.5.74		Annual	Chief Executive Officer			Scheduled for July
May	Senior Employees - Review status of employees who have been designated as Senior Employees under s.5.37. Provide report to Council to amend Senior Employee status.	Local Government Act 1995	5.36		Annual	Chief Executive Officer			Scheduled for July
May	Delegation Register Review - Delegations are to be reviewed by the delegator at least once every financial year Last Reviewed: dd/fbyyyy Next Due: dd/mm/yyyy	Local Government Act 1995	s.5.16, 5.17, 5.18 s.5.42, 5.43, 5.44, 5.45, 5.46 s.7.1B	WALGA website - Decision Making in Practice Toolkit Part 2 Delegations WALGA website - Webinar - Decision Making in Practice - Delegations DLGSC website - Operational Guideline No.17 Delegations	Annual	Director Corporate and Community Services			Planned for the July OCM
May	Other - Complete Insurance Renewal					Director Corporate and Community Services			Complete
May	Other - Check Performance Appraisals					Director Corporate and Community Services			Audit has commenced
	June - Take Action								
Jun	Monthly Financial Report LG is to prepare each month a statement of financial activity reporting on the revenue and expenditure as set out in the annual budget under FM.Reg. 22(1)(d). Presented at an Ordinary Council meeting within 2-months after the end of the month to which the statement relates.	Local Government Act 1995	s.6.4 FM.Reg.34	DLGSC WA Local Government Accounting Manual	Monthly	Finance Manager			Undertaken monthly
Jun	Decision Objection and Review Rights - Internal Audit Review the LG's template permits, licences, notices and approval letters issued under the Act and Local Laws to ensure they include advice to the receipient of their objection and review rights.	Local Government Act 1995	s.9.4		Annual	Director Development and Regulatory Services			Not yet commenced
Jun	FOI Annual Statistical Data - Response to Information Commissioner Due by: 30 June	Freedom of Information Act 1992	s.111(3)		Annual	Executive Services Officer (CCS)			Awaiting request

Ī	Compliance Action	Compliance Requirement	Section / Ref	Good Practice Resources and LG Operational Procedures	Compliance Frequency	Position Title Officer Responsible for Action Compliance	Date Completed	Records Ref (Evidence of completion)	Comments. If Action not completed, report on plan to rectify non-compliance
Jun	Financial Reporting - Material Variances Each Financial Year, a LG is to adopt a percentage or value, calculated in accordance with AAS, to be used in statements of financial activity for reporting material variances. (adopt and apply in the following Financial Year)	Local Government Act 1995	s.34(5)		Annual	Finance Manager	28/03/2023	OCM 042/2023	Completed
Jun	Elections - Council Report required to determine if Electoral Commission will conduct the Election. Electoral Commission agreement to conduct the election required by: (80th day)	Local Government Act 1995	s.4.20(2)(3)(4) s.4.61(2)(4)	DLGSC Elections Timetable DLGSC Returning Officer Manual	Biennial	Director Corporate and Community Services			Complete
Jun	Revaluation of Assets - Plant and Equipment LG must revalue all assets within the Plant and Equipment Class by the expiry of each 3-yearly interval after 30 June 2016.	Local Government Act 1995	FM.Reg.17A(4)		No longer required due to the Town's size	Finance Manager			N/A
Jun	Revaluation of Assets - Land, Buildings and Infrastructure (due 2023) LG must revalue all assets within the Land Building and Infrastructure Class by the expiry of each 5-yearly interval after 30 June 2017 (2020, 2023, 2026)	Local Government Act 1995	FM.Reg.17A(4)		5-yearly Next due: 2023	Finance Manager			Infrastructure revaluation completed 30/06/22, additional assets will be valued at 30/06/23. Commenced in June - Land and Buildings valuation (primarily desktop).
Jun	Revaluation of Assets - All Other Classes of Assets LG must revalue all oithber classes of assets (other than, Pland and Equipment and Land Building and Infrastructure classes) by the expiry of each 5-yearly interval after 30 June 2018 (2021, 2024)	Local Government Act 1995	FM.Reg.17A(4)		5-yearly Next due: 2024	Finance Manager			N/A
Jun	Annual Budget - Adoption (Start) During period 1 June to 31 August, Local Government is to prepare and adopt, by absolute majority, an Annual Budget for the next finanial year. Annual budget content to comply with FMR Reg 22.	Local Government Act 1995	s.6.2(1) FM.Reg.22	DLGSC WA Local Government Accounting Manual	Annually Due by 31 August 2023	Finance Manager			Scheduled for July OCM
Jun	Elections - Electoral Commission agreement to conduct the election required by: (80th day) Report required to Council June OCM	Local Government Act 1995	s.4.20(2)(3)(4) s.4.61(2)(4)	DLGSC Elections Timetable DLGSC Returning Officer Manual	Biennial Due: 30 June 2023	Director Corporate and Community Services			Complete - February
Jun	Disability Access and Inclusion Plan to be made available - Internal Audit LG must publish the DAIP on request in electronic format, hard copy in standard and large print, on request by email and on the website	Disability Services Act 1992	s.29A Reg.9.	Dept. fo Community Services - Disability Services - Website - Local Government Resource Manual	Annual	Executive Services Officer (CCS)			A review is underway, with the new plan to be developed
Jun	Annual Review of Employee Performance – Undertake an audit to ensure each employee (including CEO and senior employees) who has been employed for more than 1 year, has been reviewed at least once in relation to every year of employment.	Local Government Act 1995	s.5.38		Annual	Manager People and Culture			Ongoing when anniversaries fall. CEO's review is planned for July
Jun	Local Laws - to be publicised - Internal Audit Ensure all Local Laws (as amended) are available on website, libraries and LG's Office	Local Government Act 1995	s.3.15	WALGA website - Local Laws Manual Subscription Service DLGSCI website - Local Laws Statutory Procedures Checklist DLGSCI website - Local Laws Register	Annual	Director Corporate and Community Services			Complete
Jun	Information Statement LG must publish an up-to-date Information Statement, reviewed within every 12-months Lst completed: 22/08/22 Due by: 21/08/2023	Freedom of Information Act 1992	s.96		Annual	Executive Services Officer (CCS)			Scheduled for July
Jun	Information Statement & Internal Manuals - Publicly Available LG must cause copies of the most up-to-date Information Statement and internal manuals to be made available for public inspection (deleting any exempt matter from those copies.	Freedom of Information Act 1992	s.97		Annual	Executive Services Officer (CCS)			Scheduled for July

	Compliance Action	Compliance Requirement	Section / Ref	Good Practice Resources and LG Operational Procedures	Compliance Frequency	Position Title Officer Responsible for Action Compliance	Date Completed	Records Ref (Evidence of completion)	Comments. If Action not completed, report on plan to rectify non-compliance	
Jun	Corporate Business Plan - Review (Council Adoption) Due by: 30 June Council to adopt by absolute majority. Amended Corporate Business Plan informs the preparation of the budget.	Local Government Act 1995	s.5.56 Admin.Reg.19DA	DLGSC website - Integrated Planning and Reporting Framework and Guidelines	Annual	Chief Executive Officer			The Council Plan, incorporating the Strategic Business Plan 2024-2034 and the Corporate Business Plan will be put to the July or August OCM	
Jun	Strategic Community Plan - Review (Start the process) Review completed after community consultation, and adopted by Council, by absolute majority, at least once every 4 years Last reviewed (OCM decision date): 13/12/2013 Next Due by: 12/12/2023 NOTE - Corporate Business Plan and Informing Strategy Reviews are listed as part of the prelimary Actions for the Annual Budget	Local Government Act 1995	s.5.56 Admin.Reg.19C	DLGSCI website - Integrated Planning and Reporting Framework and Guidelines	4-yearly Next Due: December 2023	Chief Executive Officer			The Council Plan, incorporating the Strategic Business Plan 2024-2034 and the Corporate Business Plan will be put to the July or August OCM	
Jun	Heritage Inventory - Annual Update LG must compile and maintain a Heritage Inventory, which must be updated annually and a copy provided to the Heritage Council. Due by: 2023	Heritage of Western Australia Act 1990	s.45(2)(a), (3)	State Heritage Office Website - Basic Principles for Local Government Inventories State Heritage Office Website - Criteria for the Assessment of Local Heritage Places and Areas	Annual	Director of Development and Regulatory Services			Commenced	
Jun	Heritage Inventory - Review LG must compile and maintain a Heritage Inventory, which must be reviewed every 4 years and a copy provided to the Heritage Council. Last completed: 2020 Due by: 2024	Heritage of Western Australia Act 1990	s.45(2)(b), (3)	State Heritage Office Website - Basic Principles for Local Government Inventories State Heritage Office Website - Criteria for the Assessment of Local Heritage Places and Areas	4-yearly Next Due: 2024	Director of Development and Regulatory Services			Due 2024	

TOWN OF COTTESLOE



AUDIT COMMITTEE

ATTACHMENT

ITEM 8.2.2A:
RESOLUTION DATABASE - JUNE 2023

Audit Committee Resolution Database

Updated June 2023



Council Meeting	Item Number	Item Title	Resolution	Complete (Y/N)	Comments
28.03.23	10.1.2	Mid-Year Budget Review 2022/23	SUBSTANTIVE MOTION Moved Cr Barrett Seconded Mayor Young THAT Council: 1. RECEIVES the Budget Review for the Financial Year 2022/23; 2. ADOPTS the amendments contained within the attached Budget Review document; 3. RETAINS the materiality levels of \$25,000 for the monthly reporting of significant variances of income and expenditure in the Statement of Financial Activity; 4. TRANSFERS an amount of 80% (Estimate \$473,814) to the Foreshore Redevelopment Reserve and 20% (Estimate \$118,453) to the IT Reserve. 5. NOTES the predicted closing surplus of \$0 to be carried forward to 2023/24		Item 4 to be completed in June, all other items complete.
26.04.23	10.1.2	Adoption of the 2021/22 Annual Report	That Council, by Absolute Majority: 1. RECEIVES the Audit Committee meeting minutes of 12 April 2023 and ADOPTS the following recommendations contained within: a. NOTES the Auditor's Report from the Office of the Auditor General (attached) and that no action is required by the Town's Audit Committee relevant to its responsibilities under the Local Government (Audit) Regulations 1996; b. ACCEPTS the Town of Cottesloe's the Annual Financial Statement for 2021/22; c. SETS the date of the Electors' Annual General Meeting for 6pm Wednesday 17 May 2023 in the War Memorial Hall, and that the purpose of the meeting be - "to discuss the contents of the 2021/22 Annual Report (incorporating the 2021/22 Annual Financial Statements and Auditor's Report) and any other general business"; and d. NOTES that local public notice will be commenced on Thursday 27 April, to ensure the minimum 14 days notice of the Electors' Annual General Meeting is provided. e. The Administration will provide a report to the June Audit Committee on the Auditor's findings regarding purchase orders as identified in the Audit Report and management's response. f. Administration draft a letter to the Auditors requesting an explanation into the delays with the preparation of the 2021/22 Audit Report, together with what actions can be implemented to improve the audit process for 2022/23 and beyond. 2. ADOPTS the Town of Cottesloe's Annual Report for the 2021/22 year incorporating the Annual Financial Statements AND Audit Report.	Y	