



Ordinary Council Meeting

Minutes

26 April 2023

BELMONT
CITY OF OPPORTUNITY



CITY OF BELMONT

Ordinary Council Meeting

Minutes

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Minutes of the Ordinary Council Meeting held in the Council Chamber of the City of Belmont Civic Centre, 215 Wright Street, Cloverdale on Wednesday 26 April 2023 commencing at 7.02pm.

Minutes

Present

Cr P Marks, Mayor (Presiding Member)	East Ward
Cr R Rossi, JP (Deputy Mayor)	West Ward
Cr B Ryan	East Ward
Cr N Carter	South Ward
Cr J Davis	South Ward
Cr S Wolff	South Ward
Cr D Sessions	West Ward

In attendance

Mr J Christie	Chief Executive Officer
Mr S Downing	Director Corporate and Governance
Mr K Davidson	Acting Director Development and Communities
Mr J Bidwell	Acting Director Infrastructure Services
Ms A Bird	Manager Governance, Strategy and Risk
Ms M Lymon	Governance and Compliance Adviser
Ms L Chaplyn	Coordinator Media and Communications
Mr A Bott (dep. 8.13pm)	Coordinator Planning
Ms M Phillips	Governance Officer

Members of the gallery

There were 11 members of the public in the gallery and no press representatives.

I Official Opening

7.02pm The Presiding Member welcomed all those in attendance and declared the meeting open.

The Presiding Member read aloud the Acknowledgement of Country.

Acknowledgement of Country

Before I begin, I would like to acknowledge the Whadjuk Noongar people as the Traditional Owners of this land and pay my respects to Elders past, present and emerging.

I further acknowledge their cultural heritage, beliefs, connection and relationship with this land which continues today.

The Presiding Member invited Cr Davis to read aloud the Affirmation of Civic Duty and Responsibility on behalf of Councillors and Officers. Cr Davis read aloud the affirmation.

Affirmation of Civic Duty and Responsibility

I make this affirmation in good faith and declare that I will duly, faithfully, honestly, and with integrity fulfil the duties of my office for all the people in the City of Belmont according to the best of my judgement and ability.

I will observe the City's Code of Conduct and Standing Orders to ensure efficient, effective and orderly decision making within this forum.

2 Apologies and leave of absence

Cr M Bass (apology)	East Ward
Cr G Sekulla (leave of absence)	West Ward
Ms M Reid (apology)	Director Infrastructure Services
Ms J Gillan (apology)	Director Development and Communities

3 Declarations of interest that might cause a conflict

3.1 Financial Interests

Nil.

3.2 Disclosure of interest that may affect impartiality

Name	Item No and Title	Nature of Interest (and extent, where appropriate)
Cr D Sessions	12.1 - Development Application for 12 Multiple Dwellings (Double-Storey) - Lot 7 (298) and 9 (300) Acton Avenue, Kewdale	The landowner's son is on a football team that I manage.

4 Announcements by the Presiding Member (without discussion) and declarations by Members

4.1 Announcements

Nil.

4.2 Disclaimer

7.04pm The Presiding Member drew the public gallery's attention to the Disclaimer.

The Presiding Member advised the following:

'I wish to draw attention to the Disclaimer Notice contained within the Agenda document and advise members of the public that any decisions made at the meeting tonight can be revoked, pursuant to the Local Government Act 1995.

Therefore members of the public should not rely on any decisions until formal notification in writing by Council has been received.'

4.3 Declarations by Members who have not given due consideration to all matters contained in the business papers presently before the meeting

Nil.

5 Public question time

5.1 Responses to questions taken on notice

5.1.1 Ms L Hollands on behalf of Belmont Resident and Ratepayer Action Group (BRRAG)

The following questions were taken on notice at the 28 March 2023 Ordinary Council Meeting. Ms Hollands was provided with a response on 12 April 2023. The response from the City is recorded accordingly:

1. At the December 2022 and February 2023 Council Meetings there was a Code of Conduct Matter, how much did each report cost the ratepayer and as the minutes allude to, the independent report had substantiated the complaints, why are we paying for an external report if Council does not agree with them, is this something the Minister expects?

Response

The cost of the independent investigator reports were \$3,411.82 (December 2022) and \$2,800.00 (February 2022).

The Complaints Officer determines when it is appropriate to use an independent investigator per Council Policy Complaint Investigation – Behaviour Complaints adopted by Council at the Ordinary Council Meeting held on 28 February 2023. The use of an independent investigator is not mandated by legislation. However, it is common practice for many reasons including bias and unequal relationships (e.g. CEO appointed by Council).

Council's role is then to assess the report presented by the independent investigator and determine if the complaint has been substantiated and if so, an appropriate response, if any is called for. It is entirely correct, that Council can find the complaint unsubstantiated after reading the independent investigator's report.

2. Has the Chief Executive Officer advised the Council what the difference between a breach of the Code of Conduct and a breach of the rules of conduct which goes to the Standards Panel. Could the Chief Executive Officer clarify the difference in the Complaints Policy for the purpose of residents and Council?

Response

All Councillors have been provided training and information on the Code of Conduct and breaches referred to the Standards Panel. This includes the mandatory training for Councillors provided by WALGA and Information Forum briefings.

Information on making complaints about Council Members can be found on the City of Belmont website as well as the Department of Local Government website.

If unsure, members of the public can contact the Complaints Officer at the City of Belmont or the Department of Local Government who can advise as necessary.

4. In regard to parking on Epsom Avenue, what date did the City actually make a work order so that this job can move forward?

Response

A purchase order was issued to the contractor on 1st March 2023.

5.1.2 Ms L Hollands, Redcliffe

The following questions were taken on notice at the 28 March 2023 Ordinary Council Meeting. Mr Hollands was provided with a response on 12 April 2023. The response from the City is recorded accordingly:

2. In regard to the Oasis, why are we contracting it out to private businesses with a clause that says the City has to pay for the gym equipment when it is usually the business owners' responsibility, how much in the past year has this cost the City for equipment and maintenance?

Response

BlueFit manage and operate the Centre on behalf of Council (rather than Council operating the facility) through a management agreement. The management agreement requires obligations by both parties, including the City's obligation to maintain and replace gym equipment.

The cost for gym equipment in the 2022-2023 FY is as follows:

- \$75,771.57 - Annual lease of cardio equipment
- \$76,635 - Replacement of strength equipment (generally replaced every 8-10 years).

3. What is the capacity at the Seniors Hub and how many car bays are allocated for them?

Response

The maximum capacity for the Seniors areas in the Belmont Hub is 253. The actual usage figures are not known.

There are 12 shared parking bays for Belmont Seniors and Councillors along with 2 ACROD bays at the rear of the Civic Building and adjacent to the Hub.

In addition, there is provision of 2 parking bays for Seniors in the Hub basement.

5.1.3 Mr M Cardozo, Redcliffe

The following questions were taken on notice at the 28 March 2023 Ordinary Council Meeting. Mr Cardozo was provided with a response on 12 April 2023. The response from the City is recorded accordingly:

1. When assessing the merits of installing traffic calming devices on Moreing Street, what parameters were satisfied in order to implement the raised plateaus?

Response

Several factors were considered including community feedback, volume and speed data, along with crash statistics. In particular, an issue was raised around driver behaviour at the intersection of Moreing Street and Victoria Street.

2. Can the City publish the crash data comparison between Moreing Street and Lyaal Street over the five year period ending 31 December 2021?

Response

Please refer to attachment 5.1.3.1.

3. Following the Tonkin Highway/Great Eastern Highway Midland bound intersection opening, due in 2023 and likely representing the last of any potential traffic diversions, why is the City recommending the need to wait until at least 2025 before reviewing traffic calming and reduction measure on Stanton Road?

Response

The Tonkin Gap Alliance project is currently forecasted for completion in late 2023, early 2024 at which time there is expected to be a traffic redistribution from local streets to the sign posted route on Great Eastern Highway and Tonkin Highway for accessing the Airport precinct. Beyond this time, the justification and feasibility of significant upgrade works can be considered. In the interim, traffic calming measures will be considered along Stanton Road and Second Street.

4. Mindful that the recently installed speed cushions have proven ineffective, what immediate measure other than monitoring, can the City enact for an immediate change on the ground to reduce vehicle speed on Stanton Road particularly around Redcliffe and St Maria Goretti Primary School?

Response

As per recommendation 1 of the March OCM Report, the City will report back in May 2023 on low cost traffic calming options for both Stanton Road and Second Street that may qualify for funding under the Blackspot Program criteria.

In addition to physical changes to the road infrastructure, other advocacy measures such as mobilisation of the City's speed trailer and encouragement for WA Police to undertake patrols and compliance actives can be considered. However, it should also be noted that our most recent survey data from mid December 2022 does not indicate there is a speed issue on Stanton Road.

Summary Crash History



Report Criteria

Road	SLK	CWY
1130041 - Moreing St	0.33 to 1.07	All
1130042 - Lyall St	0.00 to 0.69	All

Parameter	Value	Description
From Date	01/01/2017	
To Date	31/12/2021	
Crash Type	All	
Severity	All	
Summarise By Intx	No	

Attachment 5.1.3.1 Summary Crash History Moreing Street and Lyall Street

Summary Crash History

Selection Criteria	Value
Road	MOREING ST (1130041)
Date	01/01/2017 to 31/12/2021
Road SLK	0.33 to 1.07

Severity	Count	Percentage	MR Type	Count	Percentage
Fatal	0	0.0%	Involving Overtaking	1	10.0%
Hospital	0	0.0%	Involving Parking	0	0.0%
Medical	1	10.0%	Involving Animal	0	0.0%
PDO Major	8	80.0%	Involving Pedestrian	0	0.0%
PDO Minor	1	10.0%	Entering / Leaving Driveway	0	0.0%
Other / Unknown	0	0.0%	Other / Unknown	9	90.0%
Total:	10	100.0%	Total:	10	100.0%

Light Conditions	Count	Percentage	Object Hit	Count	Percentage
Daylight	8	80.0%	SEC Pole		
Dawn Or Dusk	1	10.0%	Traffic Light Post		
Dark - Street Lights On	1	10.0%	Traffic Sign		
Dark - Street Lights Off	0	0.0%	Commercial Sign Post		
Dark - Street Lights Not Provided	0	0.0%	Tree		
Other / Unknown	0	0.0%	Other		
Total:	10	100.0%	Total:		

Road Grade	Count	Percentage	Road Alignment	Count	Percentage
Level	8	80.0%	Curve	0	0.0%
Crest Of Hill	0	0.0%	Straight	10	100.0%
Slope	1	10.0%	Other / Unknown	0	0.0%
Other / Unknown	1	10.0%			
Total:	10	100.0%	Total:	10	100.0%

Speed a Factor	Count	Percentage	Road Condition	Count	Percentage
Yes	0	0.0%	Wet	2	20.0%
No	0	0.0%	Dry	8	80.0%
Other / Unknown	10	100.0%	Other / Unknown	0	0.0%
Total:	10	100.0%	Total:	10	100.0%

MR Nature	Count	Percentage
Rear End	1	10.0%
Head On	0	0.0%
Sideswipe Opposite Dirn	0	0.0%
Sideswipe Same Dirn	1	10.0%
Right Angle	8	80.0%
Right Turn Thru	0	0.0%
Hit Pedestrian	0	0.0%
Hit Animal	0	0.0%
Hit Object	0	0.0%
Non Collision	0	0.0%
Other / Unknown	0	0.0%
Total:	10	100.0%

Attachment 5.1.3.1 Summary Crash History Moreing Street and Lyall Street

Summary Crash History

Selection Criteria	Value
Road	LYALL ST (1130042)
Date	01/01/2017 to 31/12/2021
Road SLK	0.00 to 0.69

Severity	Count	Percentage	MR Type	Count	Percentage
Fatal	0	0.0%	Involving Overtaking	2	16.7%
Hospital	0	0.0%	Involving Parking	2	16.7%
Medical	1	8.3%	Involving Animal	0	0.0%
PDO Major	7	58.3%	Involving Pedestrian	0	0.0%
PDO Minor	4	33.3%	Entering / Leaving Driveway	0	0.0%
Other / Unknown	0	0.0%	Other / Unknown	8	66.7%
Total:	12	100.0%	Total:	12	100.0%

Light Conditions	Count	Percentage	Object Hit	Count	Percentage
Daylight	8	66.7%	SEC Pole	0	0.0%
Dawn Or Dusk	1	8.3%	Traffic Light Post	0	0.0%
Dark - Street Lights On	2	16.7%	Traffic Sign	0	0.0%
Dark - Street Lights Off	0	0.0%	Commercial Sign Post	0	0.0%
Dark - Street Lights Not Provided	1	8.3%	Tree	0	0.0%
Other / Unknown	0	0.0%	Other	1	100.0%
Total:	12	100.0%	Total:	1	100.0%

Road Grade	Count	Percentage	Road Alignment	Count	Percentage
Level	7	58.3%	Curve	1	8.3%
Crest Of Hill	0	0.0%	Straight	10	83.3%
Slope	2	16.7%	Other / Unknown	1	8.3%
Other / Unknown	3	25.0%	Total:	12	100.0%
Total:	12	100.0%			

Speed a Factor	Count	Percentage	Road Condition	Count	Percentage
Yes	0	0.0%	Wet	0	0.0%
No	0	0.0%	Dry	9	75.0%
Other / Unknown	12	100.0%	Other / Unknown	3	25.0%
Total:	12	100.0%	Total:	12	100.0%

MR Nature	Count	Percentage
Rear End	2	16.7%
Head On	1	8.3%
Sideswipe Opposite Dirn	0	0.0%
Sideswipe Same Dirn	2	16.7%
Right Angle	6	50.0%
Right Turn Thru	0	0.0%
Hit Pedestrian	0	0.0%
Hit Animal	0	0.0%
Hit Object	1	8.3%
Non Collision	0	0.0%
Other / Unknown	0	0.0%
Total:	12	100.0%

5.1.4 Mr L Rosolin, Belmont

The following question was taken on notice at the 28 March 2023 Ordinary Council Meeting. Mr Rosolin was provided with a response on 12 April 2023. The response from the City is recorded accordingly:

1. There is a footpath on the corner of Hardey Road and Alexander Road that is on a dangerous angle, when does the City intend to fix this footpath?

Response

The footpath on the corner of Hardey Rd and Alexander Rd (outside 218 Hardey Rd) is on an angle to provide a ramp of an appropriate grade for disability and inclusion access. Given the restrictions between the brick wall and the edge of the road there is no room to accommodate both a ramp and a plateau.

5.1.5 Ms L Taylor, Kewdale

The following question was taken on notice at the 28 March 2023 Ordinary Council Meeting. Ms Taylor was provided with a response on 12 April 2023. The response from the City is recorded accordingly:

1. Can the City please give retrospective approval for the wall unit to stay in the Seniors Hub foyer?

Response

Currently the installation of the wall unit does not comply with Workplace Health and Safety regulations. The unit should be secured into position, however, in order to do this, it would need to be fixed to the wall, which would damage the laser cut wall cladding that forms part of the design aesthetic of the building.

The wall unit has no practical purpose and has been installed for means of decoration only, the unit now obscures the architectural designed finish to the walls and does not provide consistency of effect in the entrance to the building.

The unit has been placed in what is regarded as a shared space, of which is used by all tenants not just the Seniors Centre. The City has no objection to the wall unit being moved to one of the tenant exclusive areas of the facility but it is not able to remain in situ in a shared space.

5.1.6 Mr R Francis, Belmont

The following question was taken on notice at the 28 March 2023 Ordinary Council Meeting. Mr Francis was provided with a response on 12 April 2023. The response from the City is recorded accordingly:

2. What is the selection process that was undertaken for the last Pioneers Luncheon in which a number of the long-standing members were not invited?

Response

Any City of Belmont resident who has lived in the area for 50 or more years can apply to become a Pioneer.

The application forms are available on the City website – www.belmont.wa.gov.au/pioneers and also in hard copy at the City of Belmont front counter or posted on request.

The Mayor reviews each application and approves as appropriate. If approved, the resident is sent a letter and a certificate advising their application to become a Pioneer has been approved and their details have been added to the Pioneer Register. This letter also advises that they will be invited to Pioneer events held by the City and do not need to reapply each year.

Each year, invitations are sent to Pioneers to attend the luncheon. Some Pioneers are invited via email and some via mail.

On review of our records:

- **a Pioneer with the name of Robert Francis was included in a database provided to the company sending the mailed version of the invitations;**
- **a proof copy of all the invitations was provided back to the City for checking which includes one for a Robert Francis and the name of his guest;**
- **a staff member recalls cross-checking the names on the invitations against the database provided to the mailing house; and**
- **confirmation was provided to the mailing house in early September 2022 to send the invitations out.**

The City was alerted before the event that some Pioneers who had their applications approved within the last 12 months had been missed off the database provided to the mailing house. City officers rechecked the list and called the missing pioneers prior to the event to apologise and invitations were sent by email to those contacted. An improvement is being made to the Pioneers Register to ensure this error does not occur again.

5.1.7 Ms E Zurzolo, Cloverdale

The following question was taken on notice at the 28 March 2023 Ordinary Council Meeting. Ms Zurzolo was provided with a response on 12 April 2023. The response from the City is recorded accordingly:

1. I received a parking fine for overstaying in a two-hour car parking bay, even though I had the ACROD permit displayed. The Seniors club wrote to the City regarding my ticket but we have not received a response?

Response

A letter of appeal dated 16 February 2023 was submitted by the Secretary of the Belmont Senior Citizens Club Inc (BSCCI).

A letter of response dated 3 March 2023 was sent to the Secretary of the BSCCI explaining the reasoning behind the issuing of the infringement and why it would not be withdrawn.

The author of the third-party appeal (Secretary of the BSCCI) was responded to, however as you did not make an appeal, were not the author of the letter of appeal or named in the letter, a response was not issued to you.

5.1.8 Ms E Ransome, Belmont

The following questions were taken on notice at the 28 March 2023 Ordinary Council Meeting. Ms E Ransome was provided with a response on 12 April 2023. The response from the City is recorded accordingly:

1. In regard to item 12.1, what guarantees will Council provide that the three remaining mature trees will not be removed?

Response

While the City encourages retention and protection of significant trees, these trees are on private property and under the control of the landowner. Council cannot guarantee retention.

2. Will Council lose the ability to protect the trees once the land is rezoned urban and is sold to a developer?

Response

Council does not currently have control as the trees are located within the Metropolitan Region Scheme reserve and on private property. This does not change if the land is rezoned and sold as it remains private property.

3. How will ratepayers be informed regarding future developments in this area?

Response

The City will advertise development proposals where required under the *Planning and Development (Local Planning Schemes) Regulations 2015*. If no advertising is required there may be no consultation.

5.2 Questions from members of the public

7.06pm The Presiding Member drew the public gallery's attention to the rules of Public Question Time as written in the Public Question Time Form.

In accordance with rule (I), the Mayor advised that he had registered seven members of the public who had given prior notice to ask questions.

The Presiding Member invited members of the public who had yet to register their interest to ask a question to do so. Three further registrations were forthcoming.

5.2.1 Mr M Cardoza, Redcliffe

1. In 2018, City provided data confirmed the traffic count was comparable between Moreing Street and Lyall Street at circa 1200 vehicles each. Post the installation of traffic calming devices, the December 2022 traffic count figures are Moreing Street 338 vehicles and Lyall Street 2418 vehicles. It is my contention that the reduced Moreing Street traffic count is a true representation of local resident traffic numbers and in turn is the best available and most common-sense representation of Lyall Street local traffic numbers. Is this data deemed sufficient to meet the burden of evidence that non-resident and Commercial, taxi or ride share traffic on Lyall Street now exceeds 2,000 vehicles per day or at least 80% of total traffic? If not, how does the City propose to assess this statistic?

Response

The Chief Executive Officer stated that to clarify the figures quoted, the 2018 traffic counts between Victoria Street and Smiths Avenue were 943 for Moreing Street and 1,219 for Lyall Street, therefore were not comparable at that time.

The December 2022 traffic counts for Moreing Street were 473, as reported in the Stanton Road 28 February 2023 OCM Report. The December 2022 traffic counts for Lyall Street were 2,473, as reported in the Stanton Road 28 February 2023 OCM Report. As noted in Lyall Street petition Ordinary Council Meeting Report, traffic volumes on Moreing Street have decreased, while there has been an increase on Lyall Street over that time.

The City traffic counters do not distinguish between local resident and non-resident travel purposes so the City are unable to determine a percentage of non-residential and commercial versus residential traffic.

All the City can assume from the statistics is that traffic has decreased on Moreing Street and increased on Lyall Street over this time period. Lyall Street and Moreing Street are roads available for public use without restriction, designated as Access Roads under the Main Roads hierarchy, and both have traffic volumes under the maximum desirable capacity of 3,000 vehicles per day.

2. In the lead up to the decision to install traffic calming devices on Moreing Street, how many formal petitions requesting installation of traffic calming devices were forwarded to the Chief Executive Officer for consideration by the Council? What were the concise statement of the requests, how many similar petitions have been lodged by residents of Lyall Street to date?

Response

The Chief Executive Officer stated that the City did not receive any petitions prior to the traffic calming works constructed on Moreing Street. Only one petition has been received for Lyall Street which resulted in a Council Report, on the 22 February 2022.

It is acknowledged that some petitions were received back in 2008 for Lyall Street, however these were not formally considered by Council, with opposing views for closure of Lyall St.

5.2.2 Mr M Stavreski, Perth

1. Would the Council consider amending condition 2 and 3 to increase the height of the existing colourbond fence from 1800mm to 2400mm for car bays one to six, instead of incorporating a masonry wall, and also adding some wording requiring the installation of wheel stops as per AS 2890, 1:2004 to prevent vehicles from accidentally hitting or going through the fence?

Response

The Chief Executive Officer stated that Council will consider this item tonight.

The Coordinator Planning stated that it is noted that Conditions 2 and 3 require the construction of a 2m high masonry wall along the south-western boundary. This is intended to reduce the potential noise impact of the car parking spaces. It is considered that a masonry wall is preferable for noise mitigation opposed to a colourbond fence.

Given the residential setting of the development, care should also be taken in requiring fencing that significantly exceeds the standard 1.8m height of residential fences.

It would be open for Council to consider a condition in respect to wheel stops. Officers would not object to such a condition. The applicant's suggestion to increase the height of colourbond fencing does not demonstrate it will reduce the potential noise impact. Therefore, it is recommended that Council maintains the recommended wording of Conditions 2 and 3.

2. To address any potential odour concerns from neighbouring properties, would Council consider including a condition in the approval that a roof can be added to the bin store?

Response

The Coordinator Planning stated that it is considered that the incorporation of a roof would result in poor ventilation. This is inconsistent with WALGA's Multiple Dwelling Waste Management Plan Guidelines.

The applicant also noted that the incorporation of a roof will result in the increased height of bin store from 2.2m to 2.7m, this further increases the potential built form impacts on the neighbouring property. Overall, the applicant's suggestion does not address the concerns raised in relation to the bin store and would potentially result in further amenity impacts.

5.2.3 Ms L Hollands on behalf of Belmont Resident and Ratepayer Action Group (BRRAG)

1. At the last Council meeting, I asked what the capacity was of the Seniors Centre and how many car bays are allocated. The response I received on the 12 April and found on page 10 on tonight's agenda was that the maximum capacity is 253 and there are 12 shared parking bays for Belmont seniors and Councillors along with two ACROD bays at the rear of the civic building and adjacent to the Hub. In addition, there is a provision of two parking bays for seniors for the Hub in the basement. On page 244 of tonight's agenda it states in the Annual Electors' Meeting report, in reference to senior parking bays, the seniors currently have 10 car bays allocated at the rear of the civic centre building adjacent to Belmont Hub along with two ACROD bays. There are two different answers in the same agenda, which one is correct and how many square metres is the Senior Citizen Centre?

Response

The Chief Executive Officer stated that the question would be taken on notice.

2. Can the Chief Executive Officer clarify the difference between a complaint which is a breach of the Code of Conduct and a breach of the Rules of Conduct?

Response

The Chief Executive Officer stated that the question would be taken on notice.

3. If a Councillor was potentially in breach of a Rule of Conduct because of the behaviour alleged was at the time they were a Councillor, such as at a function - where would the CEO be sending this complaint, would it be to the Standards Panel or would Council deal with it?

Response

The Chief Executive Officer stated that if he received a complaint of that nature it would be forwarded to the City's Complaints Officer to make a determination.

4. Who would they refer if at the time it is very clear that they were a Councillor?

Response

The Chief Executive Officer stated that would be determined through the investigation and once the investigation concluded the appropriate body would be informed.

5. At the last Council meeting, I asked about the work order for Epsom Avenue, why did it take from the October Council Meeting 2022 to 1 March 2023 before the City proceeded with the work order and what is the process involved in sending these work orders to contractors when Council has made a decision?

Response

The Acting Director Infrastructure Services stated that following the passing of the resolution at Council on 25 October 2022, City officers investigated the contract for the parking sensors and following the investigation of that contract it was identified that the extension of those sensors was not able to be issued to Epsom Avenue under the existing contract conditions.

The negotiation with the contractor then took a number of months, which resulted in the delay to Christmas. Following the Christmas shutdown period and a number of requests for updates from City officers to the contractor, the City received a response that there were resourcing issues with the contractor limiting their ability to finalise the contract extension. Following that update, the City revised the contract to allow the extension of the sensors to Epsom Avenue and since then the City has issued the purchase order to allow for the installation.

6. What do you mean by the extension of the sensors?

Response

The Acting Director Infrastructure Services stated that the existing contract for the parking sensors only accounted for the existing sensors around the Faulkner Civic Precinct and did not allow for extension of the sensors outside of the existing contact arrangements, therefore additional sensors required a variation to the contract.

7. Wasn't a price of about \$10,000 included in the report, if you had that price included in the report that Council passed in October, was this figure incorrect?

Response

The Acting Director Infrastructure Services stated that the estimation of price is not indicative of contractor arrangements so while the City may be able to estimate a price it does not provide assurances that a contract stands for the purchase of those goods.

8. Are we on track to get that done quickly?

Response

The Acting Director Infrastructure Services stated that it is due to be completed by the end of this financial year.

9. Are the Stanton Road calming measures likely to be completed before the election and has there been steps taken to organise these temporary calming devices?

Response

The Chief Executive Officer stated that the question would be taken on notice.

5.2.4 Ms L Hollands, Redcliffe

1. According to the response I got regarding the 2,000 trees planted in parks and on verges, only 280 of those were planted on verges, what was the reason that so few were planted on verges?

Response

The Chief Executive Officer stated that the question would be taken on notice.

2. In more recent times, why are so many questions being taken on notice and also they take longer to get an answer to you than 18 months ago?

Response

The Chief Executive Officer stated that questions are taken on notice so that officers can provide an accurate response.

5.2.5 Mr L Bell, Kewdale

1. In regard to this proposal on Charlton Road, why is Council allowing these projects to be developed to such a high extent without offroad parking, why isn't protection being put in for the residents that are left living in the areas because we did not come here to live in multi-storey, high density. Is Council going to put in any yellow signage on the road?

Response

The Acting Director Development and Communities stated that this development is located on a cul-de-sac head and therefore parking would not be permitted. Yellow lines and signage could be installed if required.

The Mayor stated that this area is R20/40 which means it can be developed to that degree.

The Coordinator Planning stated that the R Codes Volume 2 does set out car parking requirements that the City assess the application against. When assessing this application, it was found to be compliant, the R Codes Volume 2 does not have any offsite parking requirements.

There are large areas of the City that have split density and this site has the R20/40 density. R40 is modest density that allows multiple dwellings, group dwellings and single houses. Applications need to demonstrate that they meet the criteria in the planning scheme to unlock this density. Officers are of the view that this application does this.

The Mayor stated that the State Government has set the law, there is not anything that the Council or City can do.

5.2.6 Ms D Ransome, Ascot

1. In the response given, the trees in the rezoning area of 185-196 Hay Road, Ascot are on private property and under control of the landowner. Is Parks and Recreation zoning private property?

Response

The Acting Director Infrastructure Services stated that this site is on private land and under the control of a private owner therefore the City does not have the ability to influence their decision over removing the trees.

Similarly, in the reverse in DA6 where there is Parks and Recreation Zoned land that is public, whether it is owned by the State, Federal or Local Government, the City has liability to ensure the City is maintaining vegetation that is accessible to the public.

2. If Parks and Recreation does come under private property, why in the DA9 structure plan did Council engage an arborist to come and look at the trees and to categorise them if it's private land?

Response

The Acting Director Infrastructure Services stated that Parks and Recreation is a land use zoning, it does not determine ownership of a property, similar to a Residential or Commercial Zoning does not determine ownership.

3. Why was an arborist's report included in the DA9 structure plan?

Response

The Acting Director Infrastructure Services stated that the question would be taken on notice.

5.2.7 Ms J Gee, Cloverdale

1. In the last few months, Cr Sekulla attended a meeting held by Cassie Rowe, where she invited the public. Cr Sekulla was announced as attending as a Councillor, at the end of the meeting he said he was there as a private citizen and not as a Councillor. Can he choose when he wants to be a Councillor and when he doesn't?

Response

The Chief Executive Officer stated that he responded to correspondence from Ms Hollands and the Belmont Resident and Ratepayer Action Group on this very item. In the response, the Chief Executive Officer made it quite clear that the leave of absence that Cr Sekulla has is for attending Ordinary Council Meetings only and he is still performing duties as a Councillor. Cr Sekulla has a leave of absence for a six-month period. At that event, Cr Sekulla was not performing duties as a Councillor. Cr Sekulla is still performing duties as an Elected Member, and the *Local Government Act 1995* makes it quite clear with regard to a leave of absence.

2. Can we have a list of Council duties Cr Sekulla is doing?

Response

The Mayor stated that there is no rule that Cr Sekulla has to tell Council what he is doing.

The Chief Executive Officer stated that Cr Sekulla's leave of absence is fully in accordance with the *Local Government Act 1995*. Cr Sekulla is still responding to emails and has been submitting service requests on behalf of residents.

3. When is his leave of absence up?

Response

The Chief Executive Officer stated that Cr Sekulla's leave of absence concludes at the end of May.

5.2.8 Mr R Padua, Redcliffe

1. The crash report provided by Main Roads to the City confirms Lyall Street had a higher crash statistic at 12 versus Moreing Street at 10 for the five-year period ending 31 December 2021. I am unable to locate Council Meeting information to confirm Council voted on the LATM devices installed on Moreing Street. Did the City receive black spot funding for the traffic calming devices on Moreing Street? If Council did not vote on this matter, what approval process was utilised to progress the installation?

Response

The Chief Executive Officer stated the project was approved for funding under the 2021-2022 Annual Budget Capital Works Program, it was not considered as an individual Council Report. It was directly funded by the City and did not receive Black Spot funding.

2. The significant redistribution of non-resident and/or Taxi/ride share vehicles from Moreing Street to Lyall Street particularly between 4am and 6am is causing an extraordinary loss of residential amenity. In lieu of any other measuring device to confirm the high speed evident, can we urgently request the City speed trailer back to Lyall Street in the same location, the verge of 54 Lyall Street? Is it possible to report the data back for the 23 May 2023 Council Meeting?

Response

The Chief Executive Officer stated that the City will schedule mobilisation of the speed radar trailer on Lyall Street in the coming weeks and the results will be reported back to Council when available.

5.2.9 Mr P Hitt, Belmont

1. Can the City's Health and Safety Officer cover private properties such as petrol stations?

Response

The Chief Executive Officer stated that no that would not be appropriate.

7.45pm As there were no further questions, the Presiding Member declared Public Question Time closed.

6 Confirmation of Minutes/receipt of Matrix

6.1 Ordinary Council Meeting held 28 March 2023

Officer Recommendation

Carter moved, Sessions seconded

That the Minutes of the Ordinary Council Meeting held on 28 March 2023, as printed and circulated to all Councillors, be confirmed as a true and accurate record.

Carried Unanimously 7 votes to 0

6.2 Matrix for the Agenda Briefing Forum held 18 April 2023

Officer Recommendation

Davis moved, Carter seconded

That the Matrix of the Agenda Briefing Forum held 18 April 2023, as printed and circulated to all Councillors, be received and noted.

Carried Unanimously 7 votes to 0

7 Questions by Members on which due notice has been given (without discussion)

Nil.

8 Questions by members without notice

8.1 Responses to questions taken on notice

8.1.1 Cr Carter

1. Would City officers consider roping off some carparking for the Seniors to be able to park more freely prior to the report coming to Council?

Response

This action is not considered appropriate at the current time. It should be noted that Seniors currently have provision of 12 parking bays at the rear of the Hub, along with two ACROD bays, and a further two bays in the Hub basement. In addition, there are three ACROD bays at the front of the Civic Building.

8.2 Questions by members without notice

Nil.

9 New business of an urgent nature approved by the person presiding or by decision

Nil.

10 Business adjourned from a previous meeting

Nil.

11 Reports of committees

Nil.

I 2 Reports of administration

Officer Recommendation

Sessions moved, Davis seconded

The Officer Recommendations for Items 12.2, 12.3, 12.5 and 12.6 be adopted en bloc by an Absolute Majority decision.

Carried by Absolute Majority 7 votes to 0

Cr Sessions disclosed at Item 3 of the Agenda “Disclosure of Interest” an Impartiality Interest in the following item in accordance with Regulation 22 of the *Local Government (Model Code of Conduct) Regulations 2021*.

12.1 Development Application for 12 Multiple Dwellings (Double-Storey) - Lot 7 (298) and 9 (300) Acton Avenue, Kewdale

Voting Requirement	:	Simple Majority
Subject Index	:	115/001 - Development/ Subdivision/ Strata - Applications and Application Correspondence
Location/Property Index	:	Lots 7 and 9 (298 and 300) Acton Avenue, Kewdale
Application Index	:	496/2022
Disclosure of any Interest	:	Nil
Previous Items	:	N/A
Applicant	:	Mark Anthony Design
Owner	:	Bunyamin Yavuz and Deniz Altinay Yavuz
Responsible Division	:	Development and Communities

Council role

Quasi-Judicial

When Council determines an application/matter that directly affect a person’s right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include local planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.

Purpose of report

For Council to consider an application for 12 Multiple Dwellings at Lots 7 (298) and 9 (300) Acton Avenue, Kewdale.

Summary and key issues

- The City has received an application for 12 multiple dwellings (two-storey) featuring 12 residents and 3 visitors car parking spaces.
- The subject site is zoned Residential R20/R40 under Local Planning Scheme No. 15 (LPS 15). Multiple Dwelling is classified as a ‘D’ use within the Residential zone. This means the use is permitted if it complies with relevant development standards and

requirements set out by the LPS 15 and the Residential Design Codes Volume 2 – Apartments (R-Codes).

- The application was advertised to the surrounding property owners and occupiers for comment. During the advertisement period, five submissions were received, all objecting to the application. The objections raised concerns on the potential amenity impacts (visual privacy, overshadowing, noise and odour), inconsistency with the character of the street and increased traffic in the area.
- The City’s Design Review Panel (DRP) was supportive of the proposal and identified landscape, amenity and safety aspects of the proposal requiring further resolution to enhance the design quality of the proposed development.
- The applicant submitted revised information and plans to address comments raised by the DRP and issues raised in the submissions. The updated information covers aspects including landscaping, traffic, privacy, and access.
- The proposed development aligns with the element objectives of the R-Codes, as well as the provisions of LPS 15. The recommended approval conditions effectively address the concerns raised about visual privacy and the DRP’s feedback on landscaping. It is recommended that the Council approves the application, subject to the specified conditions.

Officer Recommendation

That Council approve planning application 496/2022 as detailed in plans dated 13 February 2023 submitted by Mark Anthony Design on behalf of the owners Bunyamin Yavuz and Deniz Altinay Yavuz for 12 Multiple Dwellings (two-storey) at Lots 7 (298) and 9 (300) Acton Avenue, Kewdale subject to the following conditions:

1. Development shall be in accordance with the attached approved plan(s) dated 13 February 2023 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the City.
2. Prior to the lodgement of an application for a building permit, amended plans shall be submitted with the incorporation of a masonry wall along the south-western boundary as marked in ‘RED’ on the approved plans.
3. Prior to the occupation or use of the development, the masonry wall shall be constructed at a minimum height of two (2) metres, to the satisfaction of the City.
4. Prior to the commencement of any site works, all existing buildings and structures on the lots, including soakwells, leach drains, septic tanks, underground storage tanks, stormwater drainage systems and wastewater disposal systems, shall be removed and the land levelled to the satisfaction of the City.

5. Prior to lodging an application for a building permit, the Lots 7 and 9 shall be amalgamated and a new Certificate of Title obtained for the amalgamated lot.
6. Prior to lodgment of an application for a building permit, the applicant/owner shall submit a detailed schedule of external materials, finishes and colours to be used in the construction of the development to the satisfaction of the City.
7. Prior to lodgment of an application for a building permit, the applicant/owner shall submit plans, details and specification of the solar panels to the satisfaction of the City.
8. Prior to occupation or use of the development, major openings and unenclosed outdoor active habitable spaces, which have a floor level of more than 0.5m above natural ground level and overlook any part of any other residential property behind its street setback line shall be provided with permanent screening to restrict views within the cone of vision from those major opening and/or unenclosed active habitable spaces, in accordance with Element 3.5 of the Residential Design Codes Volume 2, to the satisfaction of the City.
9. Prior to occupation or use of the development, the external face of the wall built on the south-western boundary shall be finished in either:
 - (a) face brick;
 - (b) painted render; or
 - (c) painted brick work.to the satisfaction of the City.
10. Prior to lodging an application for a building permit, a detailed landscaping plan for the subject site and/or the road verge shall be submitted for approval and implemented to the satisfaction of the City. The plan must include the landscaping of:
 - (a) all areas of the property visible from the street;
 - (b) communal spaces (including the planter on the Level 01); and
 - (c) the street verge in compliance with the *Consolidated Local Law 2020*.The plan shall also include the planting of advanced tree species at 90 litres pot size and a minimum height of 2 metres.
11. Prior to occupation or use of the development, landscaping, plants, verge treatment and irrigation are to be installed and thereafter maintained in accordance with the approved landscaping and irrigation plan to the satisfaction of the City.
12. Existing turf, irrigation, verge treatment or street trees located within the verge are City of Belmont assets and as such must not be damaged, removed or interfered with during the course of the development.

13. Prior to the commencement of site works the applicant shall submit a Construction Management Plan to the City that outlines the following measures:
 - i. Public safety and amenity;
 - ii. Site plan and security;
 - iii. Contact details of essential site personnel, construction period and operating hours;
 - iv. Community information, consultation and complaints management procedures;
 - v. Noise, vibration, air and dust management;
 - vi. Dilapidation reports of nearby properties;
 - vii. Traffic, access and parking management that accords with the requirements of AS1742 Pt 3;
 - viii. Waste management and materials re-use;
 - ix. Earthworks, excavation, land retention/piling methods and associated matters;
 - x. Street tree management and protection; and/or
 - xi. Any other matter deemed relevant by the City.

The plan shall thereafter be implemented to the satisfaction of the City.
14. Prior to the occupation, a lighting plan shall be submitted for approval and implemented to the satisfaction of the City. The plan must show lighting for the external common property areas associating with the ground floor, first floor, landscaped areas, driveway and pedestrian access to the development.
15. Prior to occupation or use of the development, vehicle parking, manoeuvring and circulation areas shall be designed, constructed, sealed, drained, line marked and kerbed in accordance with:
 - (a) The approved plan; Schedule 7 of City of Belmont Local Planning Scheme No. 15; and
 - (b) Council's engineering requirements and design guidelines.
 - (c) The areas must be sealed in concrete or brick paving in accordance with the City of Belmont specifications, unless approved in writing by the City. All parking bays must be clearly line marked.
16. All access ways, parking areas and hard stand areas shall be constructed and maintained in accordance with the City's engineering requirements and design guidelines.
17. Prior to occupation or use of the development, the owner/applicant shall, after having obtained written approval from the City (Crossover Upgrade Application), construct a

vehicle crossover in accordance with the approved plans and the City's engineering specifications to the satisfaction of the City.

18. Prior to occupation or use of the development, the redundant crossovers shall be removed and the verge and kerb reinstated in accordance with the City's Technical Specifications, to the satisfaction of the City.
19. All stormwater from roofed and paved areas shall be collected and disposed of on-site in accordance with the City of Belmont's engineering requirements and design guidelines.
20. Fences in the front setback of the property shall comply with the visually permeable 'Acceptable Outcomes' requirements of Element 3.6 of the Residential Design Codes Volume 2:
 - (a) 2 metres above natural ground level within the primary street setback area.
21. The security gate shall be visually permeable in accordance with the definition of 'Visually Permeable' in the Residential Design Codes.
22. Buildings, structures (including fencing) and landscaping exceeding 0.75 metres in height above ground level are not permitted to be located within a 1.5m x 1.5m truncation at the junction of the access way and the Charlton Road reserve, as marked in 'RED' on the approved plans.
23. Prior to occupation of the development, a minimum of six (6) bicycle bays are to be installed and thereafter maintained for the course of the development to the specifications outlined within *Austroads Guide AP-R527-16-Bicycle Parking Facilities Guidelines for Design and Installation* and AS2890.3:2015 to the satisfaction of the City.
24. No services, such as air conditioners, fire boosters, meter service boards or water heaters shall be visible from the street, unless approved in writing by the City.
25. All clothes drying devices and clothes drying areas shall be located and positioned so as not to be visible from the street or a public place.
26. Bin storage areas shall be paved with an impervious material and shall drain to an approved disposal system to the satisfaction of the City. Bin storage areas must not drain to a stormwater drainage system or to the environment.

Note:

Cr Davis put forward the following Alternative Motion.

Alternative Councillor Motion

Davis moved, Carter seconded

That Council approve planning application 496/2022 as detailed in plans dated 13 February 2023 submitted by Mark Anthony Design on behalf of the owners Bunyamin Yavuz and Deniz Altinay Yavuz for 12 Multiple Dwellings (two-storey) at Lots 7 (298) and 9 (300) Acton Avenue, Kewdale subject to the following conditions:

1. Development shall be in accordance with the attached approved plan(s) dated 13 February 2023 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the City.
2. Prior to the lodgement of an application for a building permit, amended plans shall be submitted with the incorporation of a masonry wall along the south-western boundary as marked in 'RED' on the approved plans.
3. Prior to the lodgement of an application for a building permit, amended plans shall be submitted to reconfigure the bin store in its current location so that it achieves a minimum 2m setback from the lot boundary to the satisfaction of the City.
4. Prior to the occupation or use of the development, the masonry wall shall be constructed at a minimum height of two (2) metres, to the satisfaction of the City.
5. Prior to the commencement of any site works, all existing buildings and structures on the lots, including soakwells, leach drains, septic tanks, underground storage tanks, stormwater drainage systems and wastewater disposal systems, shall be removed and the land levelled to the satisfaction of the City.
6. Prior to lodging an application for a building permit, the Lots 7 and 9 shall be amalgamated and a new Certificate of Title obtained for the amalgamated lot.
7. Prior to lodgment of an application for a building permit, the applicant/owner shall submit a detailed schedule of external materials, finishes and colours to be used in the construction of the development to the satisfaction of the City.
8. Prior to lodgment of an application for a building permit, the applicant/owner shall submit plans, details and specification of the solar panels to the satisfaction of the City.
9. Prior to occupation or use of the development, major openings and unenclosed outdoor active habitable spaces, which have a floor level of more than 0.5m above natural ground level and overlook any part of any other residential property behind its street setback line shall be provided with permanent screening to restrict views within the cone of vision from those major opening and/or unenclosed active habitable spaces, in

accordance with Element 3.5 of the Residential Design Codes Volume 2, to the satisfaction of the City.

10. Prior to occupation or use of the development, the external face of the wall built on the south-western boundary shall be finished in either:

- (a) face brick;
- (b) painted render; or
- (c) painted brick work to the satisfaction of the City.

11. Prior to lodging an application for a building permit, a detailed landscaping plan for the subject site and/or the road verge shall be submitted for approval and implemented to the satisfaction of the City. The plan must include the landscaping of:

- (a) all areas of the property visible from the street;
- (b) communal spaces (including the planter on the Level 01); and
- (c) the street verge in compliance with the *Consolidated Local Law 2020*.

The plan shall also include the planting of advanced tree species at 90 litres pot size and a minimum height of 2 metres.

12. Prior to occupation or use of the development, landscaping, plants, verge treatment and irrigation are to be installed and thereafter maintained in accordance with the approved landscaping and irrigation plan to the satisfaction of the City.

13. Existing turf, irrigation, verge treatment or street trees located within the verge are City of Belmont assets and as such must not be damaged, removed or interfered with during the course of the development.

14. Prior to the commencement of site works the applicant shall submit a Construction Management Plan to the City that outlines the following measures:

- i. Public safety and amenity;
- ii. Site plan and security;
- iii. Contact details of essential site personnel, construction period and operating hours;
- iv. Community information, consultation and complaints management procedures;
- v. Noise, vibration, air and dust management;
- vi. Dilapidation reports of nearby properties;
- vii. Traffic, access and parking management that accords with the requirements of AS1742 Pt 3;
- viii. Waste management and materials re-use;
- ix. Earthworks, excavation, land retention/piling methods and associated matters;
- x. Street tree management and protection; and/or
- xi. Any other matter deemed relevant by the City.

The plan shall thereafter be implemented to the satisfaction of the City.

15. Prior to the occupation, a lighting plan shall be submitted for approval and implemented to the satisfaction of the City. The plan must show lighting for the external common

property areas associating with the ground floor, first floor, landscaped areas, driveway and pedestrian access to the development.

16. Prior to occupation or use of the development, vehicle parking, manoeuvring and circulation areas shall be designed, constructed, sealed, drained, line marked and kerbed in accordance with:
 - (a) The approved plan; Schedule 7 of City of Belmont Local Planning Scheme No. 15; and
 - (b) Council's engineering requirements and design guidelines.
 - (c) The areas must be sealed in concrete or brick paving in accordance with the City of Belmont specifications, unless approved in writing by the City. All parking bays must be clearly line marked.
17. All access ways, parking areas and hard stand areas shall be constructed and maintained in accordance with the City's engineering requirements and design guidelines.
18. Prior to occupation or use of the development, the owner/applicant shall, after having obtained written approval from the City (Crossover Upgrade Application), construct a vehicle crossover in accordance with the approved plans and the City's engineering specifications to the satisfaction of the City.
19. Prior to occupation or use of the development, the redundant crossovers shall be removed and the verge and kerb reinstated in accordance with the City's Technical Specifications, to the satisfaction of the City.
20. All stormwater from roofed and paved areas shall be collected and disposed of on-site in accordance with the City of Belmont's engineering requirements and design guidelines.
21. Fences in the front setback of the property shall comply with the visually permeable 'Acceptable Outcomes' requirements of Element 3.6 of the Residential Design Codes Volume 2:
 - (a) 2 metres above natural ground level within the primary street setback area.
22. The security gate shall be visually permeable in accordance with the definition of 'Visually Permeable' in the Residential Design Codes.
23. Buildings, structures (including fencing) and landscaping exceeding 0.75 metres in height above ground level are not permitted to be located within a 1.5m x 1.5m truncation at the junction of the access way and the Charlton Road reserve, as marked in 'RED' on the approved plans.
24. Prior to occupation of the development, a minimum of six (6) bicycle bays are to be installed and thereafter maintained for the course of the development to the specifications outlined within *Austroads Guide AP-R527-16-Bicycle Parking Facilities Guidelines for Design and Installation* and AS2890.3:2015 to the satisfaction of the City.

25. No services, such as air conditioners, fire boosters, meter service boards or water heaters shall be visible from the street, unless approved in writing by the City.
26. All clothes drying devices and clothes drying areas shall be located and positioned so as not to be visible from the street or a public place.
27. Bin storage areas shall be paved with an impervious material and shall drain to an approved disposal system to the satisfaction of the City. Bin storage areas must not drain to a stormwater drainage system or to the environment.

Reason

The resident living adjacent to the bin storage area has requested the possibility of a 2m set back.

The application proposes 17 waste bins. There are several reasons the neighbour does not want the waste bin area close to his fence without a set back:

- Waste can emit unpleasant odors, having them close to the residents fence can make the smell more noticeable and unpleasant.
- Waste can attract vermin, flies and insects.
- The bins can attract noise when moving and can be disruptive to neighbours.
- The presence of waste bins close to the fence may potentially decrease the value of nearby properties, as it can be seen as a negative attribute to the neighbourhood.

8.01pm Sessions moved, Rossi seconded that the meeting be adjourned to allow time for an alternative motion to be prepared.

Carried Unanimously 7 to 0

8.06pm The Presiding Member re-opened the meeting.

Note: Cr Davis requested that the Alternative Motion be withdrawn to allow a further Alternative Motion to be put forward.

8.06pm Rossi moved, Carter seconded that Cr Davis' motion be withdrawn.

Carried Unanimously 7 to 0

Note:

Cr Davis put forward the following Alternative Motion.

Alternative Councillor Motion

Davis moved, Carter seconded

That Council approve planning application 496/2022 as detailed in plans dated 13 February 2023 submitted by Mark Anthony Design on behalf of the owners Bunyamin Yavuz and Deniz Altinay Yavuz for 12 Multiple Dwellings (two-storey) at Lots 7 (298) and 9 (300) Acton Avenue, Kewdale subject to the following conditions:

1. Development shall be in accordance with the attached approved plan(s) dated 13 February 2023 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the City.
2. Prior to the lodgement of an application for a building permit, amended plans shall be submitted with the incorporation of a masonry wall along the south-western boundary as marked in 'RED' on the approved plans and extending to the south-east corner of the bins store, to the satisfaction of the City.
3. Prior to the occupation or use of the development, the masonry wall shall be constructed at a minimum height of two (2) metres, to the satisfaction of the City.
4. Prior to the commencement of any site works, all existing buildings and structures on the lots, including soakwells, leach drains, septic tanks, underground storage tanks, stormwater drainage systems and wastewater disposal systems, shall be removed and the land levelled to the satisfaction of the City.
5. Prior to lodging an application for a building permit, the Lots 7 and 9 shall be amalgamated and a new Certificate of Title obtained for the amalgamated lot.
6. Prior to lodgment of an application for a building permit, the applicant/owner shall submit a detailed schedule of external materials, finishes and colours to be used in the construction of the development to the satisfaction of the City.
7. Prior to lodgment of an application for a building permit, the applicant/owner shall submit plans, details and specification of the solar panels to the satisfaction of the City.
8. Prior to occupation or use of the development, major openings and unenclosed outdoor active habitable spaces, which have a floor level of more than 0.5m above natural ground level and overlook any part of any other residential property behind its street setback line shall be provided with permanent screening to restrict views within the cone of vision from those major opening and/or unenclosed active habitable spaces, in accordance with Element 3.5 of the Residential Design Codes Volume 2, to the satisfaction of the City.

9. Prior to occupation or use of the development, the external face of the wall built on the south-western boundary shall be finished in either:
 - (a) face brick;
 - (b) painted render; or
 - (c) painted brick work.to the satisfaction of the City.
10. Prior to lodging an application for a building permit, a detailed landscaping plan for the subject site and/or the road verge shall be submitted for approval and implemented to the satisfaction of the City. The plan must include the landscaping of:
 - (a) all areas of the property visible from the street;
 - (b) communal spaces (including the planter on the Level 01); and
 - (c) the street verge in compliance with the *Consolidated Local Law 2020*.The plan shall also include the planting of advanced tree species at 90 litres pot size and a minimum height of 2 metres.
11. Prior to occupation or use of the development, landscaping, plants, verge treatment and irrigation are to be installed and thereafter maintained in accordance with the approved landscaping and irrigation plan to the satisfaction of the City.
12. Existing turf, irrigation, verge treatment or street trees located within the verge are City of Belmont assets and as such must not be damaged, removed or interfered with during the course of the development.
13. Prior to the commencement of site works the applicant shall submit a Construction Management Plan to the City that outlines the following measures:
 - i. Public safety and amenity;
 - ii. Site plan and security;
 - iii. Contact details of essential site personnel, construction period and operating hours;
 - iv. Community information, consultation and complaints management procedures;
 - v. Noise, vibration, air and dust management;
 - vi. Dilapidation reports of nearby properties;
 - vii. Traffic, access and parking management that accords with the requirements of AS1742 Pt 3;
 - viii. Waste management and materials re-use;
 - ix. Earthworks, excavation, land retention/piling methods and associated matters;

- x. Street tree management and protection; and/or
- xi. Any other matter deemed relevant by the City.

The plan shall thereafter be implemented to the satisfaction of the City.

14. Prior to the occupation, a lighting plan shall be submitted for approval and implemented to the satisfaction of the City. The plan must show lighting for the external common property areas associating with the ground floor, first floor, landscaped areas, driveway and pedestrian access to the development.
15. Prior to occupation or use of the development, vehicle parking, manoeuvring and circulation areas shall be designed, constructed, sealed, drained, line marked and kerbed in accordance with:
 - (a) The approved plan; Schedule 7 of City of Belmont Local Planning Scheme No. 15; and
 - (b) Council's engineering requirements and design guidelines.
 - (c) The areas must be sealed in concrete or brick paving in accordance with the City of Belmont specifications, unless approved in writing by the City. All parking bays must be clearly line marked.
16. All access ways, parking areas and hard stand areas shall be constructed and maintained in accordance with the City's engineering requirements and design guidelines.
17. Prior to occupation or use of the development, the owner/applicant shall, after having obtained written approval from the City (Crossover Upgrade Application), construct a vehicle crossover in accordance with the approved plans and the City's engineering specifications to the satisfaction of the City.
18. Prior to occupation or use of the development, the redundant crossovers shall be removed and the verge and kerb reinstated in accordance with the City's Technical Specifications, to the satisfaction of the City.
19. All stormwater from roofed and paved areas shall be collected and disposed of on-site in accordance with the City of Belmont's engineering requirements and design guidelines.
20. Fences in the front setback of the property shall comply with the visually permeable 'Acceptable Outcomes' requirements of Element 3.6 of the Residential Design Codes Volume 2:
 - (a) 2 metres above natural ground level within the primary street setback area.
21. The security gate shall be visually permeable in accordance with the definition of 'Visually Permeable' in the Residential Design Codes.
22. Buildings, structures (including fencing) and landscaping exceeding 0.75 metres in height above ground level are not permitted to be located within a 1.5m x 1.5m

truncation at the junction of the access way and the Charlton Road reserve, as marked in 'RED' on the approved plans.

23. Prior to occupation of the development, a minimum of six (6) bicycle bays are to be installed and thereafter maintained for the course of the development to the specifications outlined within *Austroads Guide AP-R527-16-Bicycle Parking Facilities Guidelines for Design and Installation* and AS2890.3:2015 to the satisfaction of the City.
24. No services, such as air conditioners, fire boosters, meter service boards or water heaters shall be visible from the street, unless approved in writing by the City.
25. All clothes drying devices and clothes drying areas shall be located and positioned so as not to be visible from the street or a public place.
26. Bin storage areas shall be paved with an impervious material and shall drain to an approved disposal system to the satisfaction of the City. Bin storage areas must not drain to a stormwater drainage system or to the environment.

Carried Unanimously 7 votes to 0

Reason

This is the best option without refusal of the application, a masonry wall will protect residents nearby from any odour or noise.

Location

The subject site is located on the southwestern side of Acton Avenue with a secondary frontage to Charlton Road (refer to Figure 1).



Figure 1: Aerial of Subject Site

Consultation

The application was first advertised for a period of 14 days commencing 13 January 2023 and concluding 27 January 2023. A total of five written submissions were received during the initial advertising period. It is noted that one of the submissions was signed by the owners of six separate properties.

As the proponent made modifications to the development plan to address DRP comments, the application was re-advertised to landowners and occupiers surrounding the subject site, from 21 February 2023, concluding 7 March 2023. Five written submissions were received during the second advertising period, which were made by neighbouring property owners who also made submissions during the initial advertising period.

Submissions received during public consultation are to be given due regard when determining whether to grant development approval. However, only matters related to the planning framework can be considered. Matters not related, such as the potential for the development to be used for commercial purposes, cannot be considered as the proposal is for a residential development only.

The relevant issues raised in submissions include the following:

- Concerns that the proposed development will overlook major openings and outdoor living areas of adjoining residential properties.
- Concerns with the building bulk of the proposed development and that it is not fitting with the character of the street.

- The development will overshadow adjoining properties and restrict direct sunlight and airflow.
- Concerns with the increased traffic in the area as a result of the development.
- The proposed 12 units will result in large number of bins that could generate odours that affect adjoining properties.
- Concerns with the noise and dust caused by the vehicles during the construction stage.

The concerns raised in the submissions are addressed in the Officer Comment section.

A copy of the submissions table is available in Attachment 12.1.1.

Strategic Community Plan implications

In accordance with the 2020 – 2040 Strategic Community Plan:

Goal 5: Responsible Belmont

Strategy: 5.1 Support collaboration and partnerships to deliver key outcomes for our City

Strategy: 5.4 Advocate and provide for affordable and diverse housing choices

Strategy: 5.5 Engage and consult the community in decision-making

Strategy: 5.6 Deliver effective, fair and transparent leadership and decision-making, reflective of community needs and aspirations

Policy implications

State Planning Policy 7.0 – Design of the Built Environment

State Planning Policy 7.0 – Design of the Built Environment (SPP 7) seeks to address design quality and built form outcomes in Western Australia. In doing so, it provides a broad framework for design assessment to all levels of the planning framework. In accordance with the recommendations of SPP 7, the City of Belmont DRP has reviewed and provided comment on the subject proposal.

State Planning Policy 7.3 – Residential Design Codes Volume 2 – Apartments

The R-Codes provide a comprehensive basis for the control of residential development throughout Western Australia. Volume 2 of the R-Codes specifically relates to multiple dwellings in areas coded R40 and above, within mixed use development and activity centres. The R-Codes include Acceptable Outcomes criteria and Element Objectives. Applications for development approval need to demonstrate that the design achieves the Element Objectives within each design element.

Local Planning Policy No. 13 – Vehicle Access for Residential Development

Local Planning Policy No. 13 (LPP 13) stipulates that where a development comprises 'Multiple Dwellings' on a lot, a maximum of one crossover shall be permitted to provide access to all dwellings. The application proposes a consolidated crossover along Charlton Road and therefore complies with this requirement of LPP 13.

Statutory environment

Local Planning Scheme No. 15

Local Planning Scheme No. 15 states that the objective of the 'Residential' Zone is:

“The purpose and intent of the Residential Zone is to increase the population base of the City of Belmont by permitting a mix of single housing and other housing types to reflect household composition and thereby increase the resident population.”

Multiple Dwelling is a 'D' use in the Residential zone, in accordance with Table 1 of LPS 15.

Under Clause 3.3.2 of LPS 15, 'D' use means that it is not permitted unless the City has exercised discretion by granting development approval.

Clause 4.7.3 of LPS 15 sets out development standards, which are to be applied when contemplating the development of land within any of the flexible coded areas above the base coding of R20. These provisions relate to design and built form requirements, such as dwelling orientation, incorporation of solar design principles and vehicle access.

Planning and Development (Local Planning Schemes) Regulations 2015

Schedule 2 Part 9 Clause 67(2) of the Planning Regulations states the matters to be considered by local government in determining a development application. In summary, the following matters are of particular relevance to this application:

- “(a) The aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;
- (b) The requirements of orderly and proper planning;
- (c) Any approved State planning policy;
- (g) Any local planning policy for the Scheme area;
- (m) The compatibility of the development with its setting including –
 - i. the compatibility of the development with the desired future character of its setting; and
 - ii. the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;
- (n) The amenity of the locality including the following –
 - i. environmental impacts;

- ii. the character of the locality;
 - iii. any social impacts of the development.
- (s) The adequacy of –
- i. The proposed means of access to and egress from the site; and
 - ii. Arrangements for the loading, unloading, manoeuvring and parking of vehicles.
- (t) The amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;
- (x) The impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;
- (y) Any submissions received on the application.”

Local Housing Strategy

The City of Belmont Local Housing Strategy sets out the following general objectives, which are relevant to the proposal:

- ‘To promote the long term sustainability of the City, by encouraging an increase in the City’s population through the provision of residential land and housing.
- To encourage a range of housing types, which will attract and meet the needs of a diverse range of age groups.
- To identify and encourage the location of appropriate densities and housing types (for families, singles, aged and couples), which support community and education facilities, commercial centres and transport routes within the City.
- To identify and encourage the development of sites which are suitable for new housing development, redevelopment and infill.
- To achieve the highest standard of residential development and subdivision outcomes for the City based on sound planning principles and design criteria’.

Background

Lodgment Date:	19 December 2022	Use Class:	‘D’ Land Use – Multiple Dwelling
Lot Area:	1,608m ² (combined total)	TPS Zoning:	Residential R20/R40
Estimated Cost of Development:	\$1.8 million	MRS:	Urban

Site Description

The subject property is made up of two lots and has a combined area of 1,608 square metres. Each lot currently features a single house and ancillary structures. Access to Lot 7 is provided via a single crossover from Acton Avenue, whereas Lot 9 features crossovers from Acton Avenue and Charlton Road. The properties immediately to the southwest consist of a single house; there are grouped dwellings to the northwest.



Figure 2: Aerial Photo of Subject Site

Development Proposal

The key aspects of the proposed Multiple Dwellings are as follows:

- The demolition of existing dwellings and ancillary structures on both lots.
- The construction of 12 multiple dwelling units in a two-storey building at the R40 density.
- A total of 15 car parking bays, consisting of 12 bays for residents and 3 bays for visitors.
- Access to the site and car parking areas is to be provided via a 6-metre wide driveway from Charlton Road.
- A dedicated pedestrian entry adjacent to the driveway.
- Landscaping around the building with 12 trees within the courtyards of the ground floor units and a central communal open space for the planting of five small/medium sized trees.

A copy of the development plans is attached (12.1.2).

Design Review Panel

The proposal was referred to the City of Belmont’s DRP to review and provide comment in accordance with the 10 principles of design as set out by SPP 7.

As reflected in the Table 1 below, the DRP adopts a red, orange, and green ‘traffic light’ system to indicate which elements of the design are acceptable (green), requires attention (orange), or requires rework (red):

Design Quality Evaluation Principle:	Design Panel Meeting	Review Score –
Principle 1 – Context & character		Green
Principle 2 – Landscape quality		Orange
Principle 3 – Built form & scale		Green
Principle 4 – Functionality and build quality		Green
Principle 5 – Sustainability		Green
Principle 6 – Amenity		Orange
Principle 7 – Legibility		Green
Principle 8 – Safety		Orange
Principle 9 – Community		Green
Principle 10 – Aesthetics		Green

Table 1: Design Review Panel Scoring for Subject Application

A copy of the DRP comments are available in Attachment 12.1.3.

It is noted that the applicant did not score ‘red’ on any of the principles. In response to the DRP comments, the applicant has provided the following responses to the aspects that require attention.

Landscape

The DRP noted that some of the proposed plant species at maturity could create obstructions to the parking area, landscaping can be used to mitigate privacy issues around the communal space and create a feature at the end of the driveway.

The applicant has provided a revised landscape concept plan with the following changes:

- Amendment to proposed planting adjacent to the car parking spaces to groundcover, to minimize obstructions.
- Amending planting on the northern side of the driveway to hedges with a mature height of at least 1.8 metres as screening from the driveway to the bedroom windows.
- The addition of a 1.8 metre high fence to accommodate creeper plants at the end of driveway as feature planting.

Further to the above, a condition is recommended to require the provision of landscaping plan to indicate planting details within the verge, areas visible from the street and common property areas. The recommended condition will also require planting of mature trees to ensure the depicted landscaping outcome is achieved. A separate condition is also recommended to require the installation of the plants and irrigation prior to occupation of the development.

Amenity

The DRP noted that amenity to the bedrooms interfacing with the communal area and walkway could be improved, and that the impact of the bin store should be considered.

The applicant has provided the following additional information:

- The window to Bedroom 2 of Apartment 10 has been amended to a hi-light window to provide privacy to the bedroom. Windows to the bedrooms of Apartments 2, 3, 8 and 10 will be treated with internal blinds for privacy.

In addition, the landscaping species list will be revised to ensure the selected plants are capable of screening the windows. This corresponds to the condition of approval for the landscape plan to be revised.

- The bin enclosure incorporates a hose tap, which enables the enclosure to be washed and reduce odour build ups. The proposed enclosure is located adjacent to the adjoining carport as opposed to a habitable room or outdoor living area.

Safety

In respect to the DRP comments on climbing risks associated with the balustrade, it is noted that balcony balustrades and screening are required to meet the requirements of the National Construction Code as part of the application for building permit.

The DRP also considered there may be a potential safety issue associated with vehicle access to Car Parking Bay Number 1. In response, the applicant has provided an updated site plan to demonstrate vehicles entering the parking space will not conflict with infrastructure (refer to Figure 3 below). It is also noted that the car parking space and driveway dimensions accord with the minimum dimensions set out in Schedule No. 7 of LPS 15. Given this, a condition is recommended to require the vehicle parking, maneuvering and circulation spaces to be constructed as per the specified dimensions.

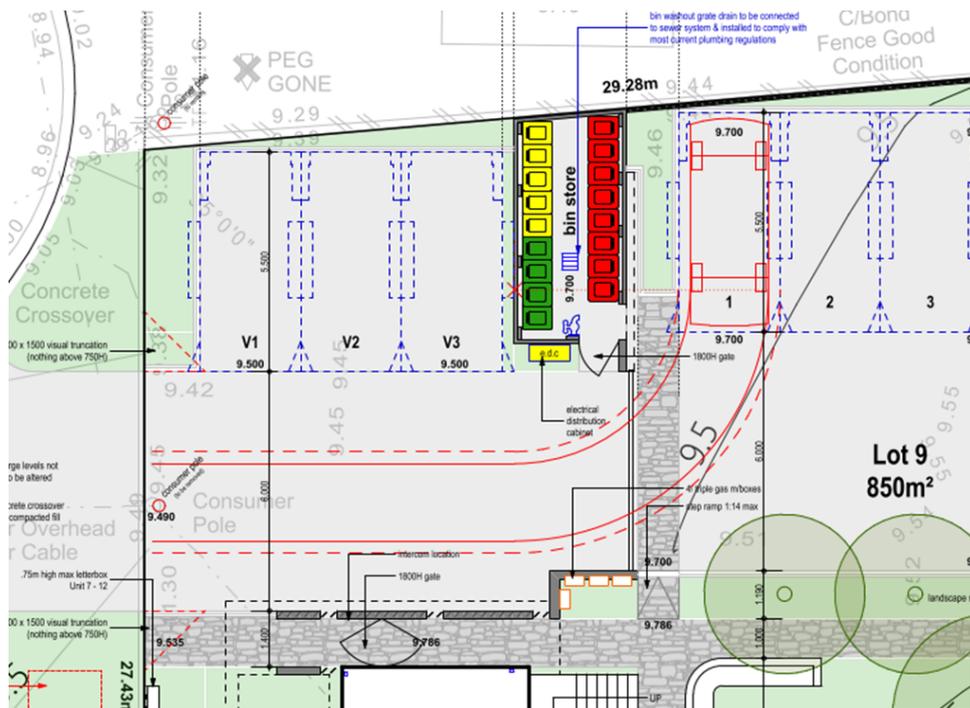


Figure 3: Vehicle Swept Path for Car Parking Number 1

Officer Comment

The key planning considerations relating to the application are discussed below.

R-Codes Volume 2

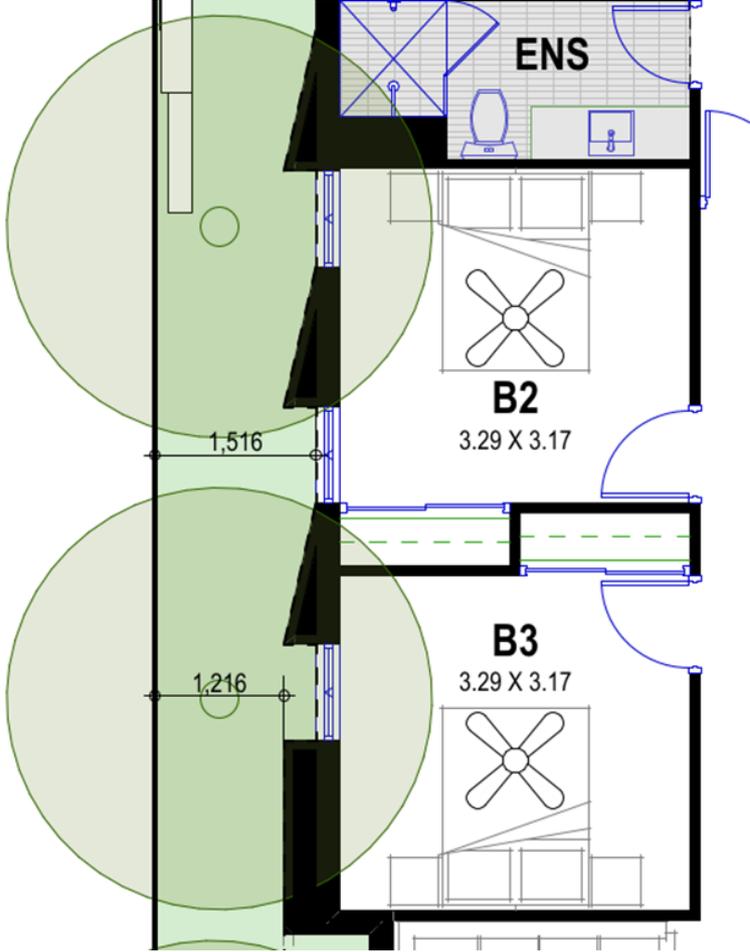
It is necessary consider that the R-Codes is a performance-based document that provides multiple pathways to meet its 'Element Objectives'.

In most instances, the default way of meeting the Element Objectives is achieved by meeting the Acceptable Outcomes. Alternatively, the R-Codes acknowledges that there are circumstances where the site conditions, streetscape and design approach mean that the Acceptable Outcome is not an appropriate measure, and alternative design solutions can be applied to meet the Element Objectives.

Street Setback

The Acceptable Outcomes specify a minimum primary street setback of 4 metres and secondary street setback of 2 metres. The vehicle and pedestrian entry to the site is via Charlton Road. For this reason, Charlton Road is regarded as the primary street as defined by the R-Codes. However, it should be noted that the multiple dwellings incorporate pedestrian gates to access the ground floor units from Acton Avenue, which is one of the key features of a primary street frontage.

It can be accepted that Charlton Road is the secondary street and should have a 2 metre setback. The application proposes a minimum street setback of 1.2 metres across the ground and upper floors. Therefore, it must be assessed against the Element Objectives (as listed in Table 2 below):

Element Objective	Assessment
<p>O 2.3.1 The setback of the development from the street reinforces and/or complements the existing or proposed landscape character of the street.</p>	<p>The minimum street setback proposed is 1.2 metres to the feature wall on the ground and first floor, as illustrated in the figure below.</p>  <p style="text-align: center;"><i>Figure 4: Ground Floor Plan</i></p> <p>It is considered that the features present a positive streetscape outcome. The principal building façade is setback 1.5 metres from the street boundary and introduces visual interests to the façade that reduce the overall building bulk on the streetscape, as illustrated in the Figure below.</p>

Element Objective	Assessment
	 <p data-bbox="675 938 1211 965"><i>Figure 5: 3D Render of the Charlton Road Façade</i></p> <p data-bbox="461 992 1410 1144">As Charlton Road is a short cul-de-sac street that is fronted by five properties with various frontage widths, there is no distinct characteristic that defines the streetscape, and a variation to the street setback may be acceptable.</p> <p data-bbox="461 1171 1382 1440">The Charlton Road reserve is 20 metres wide, the roadway is approximately 7 metres wide with a 6.25 metre wide grass verge on either side. There is a landscaping area of 13m² in the street setback area of the proposed development in addition to the 6 metre wide road verge. This area accommodates landscaping for the planting of shrubs that complement the proposed street trees to enhance the landscape character of the street.</p> <p data-bbox="461 1467 1402 1543">Given the above, the reduced set back is considered to satisfy the element objectives of the R-Codes.</p> <p data-bbox="461 1570 1382 1722">It is noted that the proposal is the first of its type within the street and that the City's DRP considered the proposal will set an appropriate example for the future context of the area, subject to the materials and colour palette selection being suitable.</p>
O 2.3.2 The street setback provides a clear transition between the public and private realm.	The 1.2 metre secondary street setback provides for deep soil areas for trees and landscaping that creates a clear transition between the street verge and proposed building.

Element Objective	Assessment
O 2.3.3 The street setback assists in achieving visual privacy to apartments from the street.	As indicated in the Landscape Concept Plan (Attachment 12.1.4), the proposed street setback area at the ground floor level accommodates small trees, shrubs and screen planting to provide visual privacy to Apartments 1 and 7.
O 2.3.4 The setback of the development enables passive surveillance and outlook to the street.	As the façade features windows to the bedrooms and living rooms, it allows for passive surveillance and outlook to the street.

Table 2: Street Setback – Assessment against Element Objectives

The DRP supports the proposal in terms of context and character, subject to detailed design response through materials and colour palette. It is considered that this can be addressed through the imposition of a condition requiring the submission of detailed material and colour schedules prior to the submission of application for building permit.

For the reasons mentioned above, the proposed street setback is considered to meet the Element Objectives and is supported.

Side Setback

The Acceptable Outcomes specifies a minimum side setback of 2 metres. The application proposes a side setback of 1.2 metres to the northwestern boundary. This departure from the Acceptable Outcomes was advertised to the north-western adjoining property (1/296 Acton Avenue). A submission expressing concerns over loss of privacy and access to sunlight and ventilation was received. Notwithstanding, it must be assessed against the Element Objectives (as listed in Table 3 below):

Element Objective	Assessment
O 2.4.1 Building boundary setbacks provide for adequate separation between neighbouring properties.	<p>There is a varied setback of 1.2 metres to 1.7 metres along the northwestern façade.</p> <p>The front portion of the proposal is setback 1.7 metres from the boundary, which is adjacent to the existing carport of Unit 1 of 296 Acton Avenue. Given the carport is a non-habitable space and the major openings of the proposed development are adequately treated, there are no overlooking concerns, and the proposed separation is appropriate.</p> <p>The rear portion of the proposal is setback 1.2 metres from the boundary, which abuts the outdoor living areas of Units 1</p>

Element Objective	Assessment
	<p>and 2 of 296 Acton Avenue. The privacy of these outdoor living areas is maintained as the windows along this portion of the proposed building feature obscured glazing.</p> <p>Given the lot orientation, the proposed development will overshadow the adjoining outdoor living areas between 9.00am and 11.00am even if the setback meets the 2 metre acceptable outcome setback standard. It is noted that the outdoor living areas have solar access between 11.00am to 3.00pm.</p> <p>For the reasons set out above, the proposed setbacks provide for adequate separation from the adjoining properties.</p>
<p>O 2.4.2 Building boundary setbacks are consistent with the existing streetscape pattern or the desired streetscape character.</p>	<p>It is noted that the portion of the development fronting Acton Avenue is setback 1.7 metres from the boundary. For comparison, a two-storey single house/grouped dwelling with identical elevation and scale would be subject to a minimum setback of 1.5 metres. Given this, the proposed setback would be consistent if the streetscape is characterized by single house or grouped dwelling developments.</p> <p>Furthermore, it is relevant to consider the streetscape consists of properties that are capable of development at R40 density along the southern side of Acton Avenue. Therefore, the proposed setback is consistent with the future development typology that is expected to continue to occur in the area.</p>
<p>O 2.4.3 The setback of development from side and rear boundaries enables retention of existing trees and provision of deep soil areas that reinforce the landscape character of the area, support tree canopy and assist with stormwater management.</p>	<p>The proposal seeks to allocate the side setback area for landscaping with deep soil area. The landscape concept plan indicates the retention of an existing tree and proposed planting of five small trees with 3 metres canopy in this area. In order to ensure adequate landscaping is provided in this area, a condition is recommended to require the provision of landscaping plan for approval prior to lodgment of the application for building permit. This will ensure the plans are reviewed in detail to ensure the provision of landscaping that reinforces and enhances the landscape character of the area.</p> <p>A separate condition is also recommended to require the installation of plants and irrigations as per the approved plan. The Landscape Concept Plan has indicated that the setback area is dedicated for planting areas without paving. This will reduce stormwater runoff, which is essential to effective stormwater management.</p>

Element Objective	Assessment
O 2.4.4 The setback of the development from side and rear boundaries provides a transition between sites with different land uses or intensity of development.	<p>Whilst the adjoining property was developed at R30 density, it is noted that the property is also zoned R20/40. It is considered that the proposed setback is consistent with the split density development mix that will continue to occur in the area.</p> <p>It is also noted that the proposed setback is consistent with other two-storey developments in the vicinity, particularly 8 Charlton Road and 304 Acton Avenue.</p>

Table 3: Side Setback – Assessment against Element Objectives

As outlined above, the proposed side setback is supported.

Rear Setback

The Acceptable Outcomes specifies a minimum rear setback of 3 metres. The application proposes a rear setback of that ranges from nil to 1.4 metres to the proposed carport. This departure from the Acceptable Outcomes was advertised to the rear adjoining property (5 Charlton Road), with submissions received expressing concerns that the car parking space associated with the carport could result in vehicles driving through the dividing fence. Notwithstanding, it must be assessed against the Element Objectives (as listed in Table 4 below):

Element Objective	Assessment
O 2.4.1 Building boundary setbacks provide for adequate separation between neighbouring properties.	<p>The carport covering Car Parking Bay Number 1 is located up to the southwestern boundary. However, the setback of other carports from the southwestern boundary increases to 1.4 metres.</p> <p>The existing dwelling at 5 Charlton Road is set back approximately 2.5 metres from the southwestern boundary of the development site. Given the location of the carports relative to the boundary, a minimum separation distance of 3 metres between the carports and the adjoining dwelling is provided.</p> <p>As the height of carport is 2.7 metres, the carport is not a bulky structure. Given the above and the separation distance, it is considered that the adjoining habitable room windows will have access to natural light and ventilation.</p> <p>With regards to privacy, it is considered that a standard dividing fence height of 1.8 metres will maintain visual privacy for the habitable rooms.</p>
O 2.4.2 Building boundary setbacks are consistent with the	As Charlton Road is a short cul-de-sac street serving five properties, there is no definitive streetscape pattern.

Element Objective	Assessment
existing streetscape pattern or the desire streetscape character.	<p>Given this, it is relevant to consider the interface with the adjacent carport at 5 Charlton Road.</p> <p>The proposed carport measures 5.7 metres wide and 2.7 metres high, which is consistent with the scale of the proposed carport. It is also noted that the proposed carport features a metal roof, consistent with the metal roof of the existing dwelling at 5 Charlton Road.</p> <p>Therefore, the proposed carport is consistent with the streetscape character of Charlton Road.</p>
O 2.4.3 The setback of development from side and rear boundaries enables retention of existing trees and provision of deep soil areas that reinforce the landscape character of the area, support tree canopy and assist with stormwater management.	<p>In terms of landscape character perspective, the existing tree along the rear boundary is screened by the proposed bin store.</p> <p>Notwithstanding, the proposal seeks to implement deep soil areas with dimension of 1.4 metres to accommodate tree retention and planting of shrubs. A condition is recommended to require the provision of detailed landscaping plan for approval to ensure adequate landscaping is provided within the development. This will provide opportunity for detailed assessment of the tree retention and if retention is not possible, then the applicant will need to provide an alternative landscaping solution.</p> <p>The Landscape Concept Plan has indicated that the setback area is dedicated for planting areas without paving. This will reduce stormwater runoff, which is essential to effective stormwater management.</p>
O 2.4.4 The setback of the development from side and rear boundaries provides a transition between sites with different land uses or intensity of development.	<p>Whilst the adjoining property was developed at R20 density, it is noted that the property is also zoned R20/40, which has the potential to be developed at R40 density. Given this, development at R40 will likely result in higher intensity of built form and scale. As such, the proposed setback is consistent with the split density development mix that will continue to occur in the area.</p> <p>It is also noted that the proposed rear setback is consistent with the existing developments at 8 Charlton Road and 304 Acton Avenue.</p>

Table 4: Side Setback – Assessment against Element Objectives

For the reasons mentioned above, the proposed rear setback is supported.

Plot Ratio Area

The Acceptable Outcomes provides for a maximum plot ratio of 0.6, which is equivalent to 965m². The application proposes a plot ratio area of 0.64 (1,038m²). This departure from the Acceptable Outcomes was also advertised to the adjoining properties.

The submission received considers that the proposed bulk and scale of development is inconsistent with the character of the area. On this basis, the following points are relevant:

Element Objective	Assessment
O 2.5.1 The overall bulk and scale of development is appropriate for the existing or planned character of the area.	<p>While the plot ratio area intends to moderate building bulk and scale through limiting allowable volume of development, it should not be relied upon entirely for the purpose of determining building massing. Instead, development should be assessed based on the design and elements of the development that address overall bulk and scale.</p> <p>The proposed development is consistent with the siting and scale of five grouped dwellings. Furthermore, the proposed building has a maximum height of 6.7 metres, which is consistent with a two-storey grouped dwelling that would otherwise have a height limit of 8 metres (as per R-Codes Volume 1).</p> <p>The incorporation of landscaping and tree planting assist complements the building interface. Furthermore, the predominant use of brick at ground floor level and metal on the upper floor façade enhances articulations to further reduce the visual bulk.</p> <p>As such, the proposal is considered appropriate for the planned character of the area, which is predominantly R20/40 lots that are capable of development in a similar manner.</p> <p>In addition, the DRP considers the proposed built form and scale to be acceptable.</p>

Table 5: Plot Ratio Area – Assessment against Element Objectives

The additional 73m² of plot ratio area results from higher amenity internal areas that exceed the minimum specifications under Element 4.3 of the R-Codes. This is demonstrated in the Table below.

Dwelling Type	Required Minimum Internal Floor Area	Proposed Internal Floor Area
1 bed	Apartments 5 and 11: 52m ²	68m ² (16m ² of additional area)

Dwelling Type	Required Minimum Internal Floor Area	Proposed Internal Floor Area
2 bed x 1 bath	Apartments 2, 3, 4, 6, 8, 9, 10 and 12: 72m ²	85m ² - 90m ² (13m² - 18m² of additional area)
3 bed x 1 bath	Apartments 1 and 7: 95m ²	103m ² (8m² of additional area)

Table 6: Minimum Floor Area (Extract of Table 4.3a from R-Codes Volume 2)

The above table shows that each unit exceeds the minimum internal floor areas by 8m² - 18m². This results in a combined additional internal area of 162m², which demonstrates that the proposal creates more spacious higher amenity units rather than using additional plot ratio area to fit additional units to the development.

Visual Privacy

A submission received from the adjoining property (1/296 Acton Avenue) considers the windows along the northwestern elevation would result in a loss of privacy. The elevation drawings indicate that the subject elevation to Apartment 12 features highlight windows or obscured glazing, except for Bedroom 2 which features a major opening.

The Acceptable Outcomes specify a minimum setback of 4.5 metres from the Bedroom 2 to the northwestern boundary. The proposed major opening to Bedroom 2 is set back 4.5 metres as depicted in the Figure below.

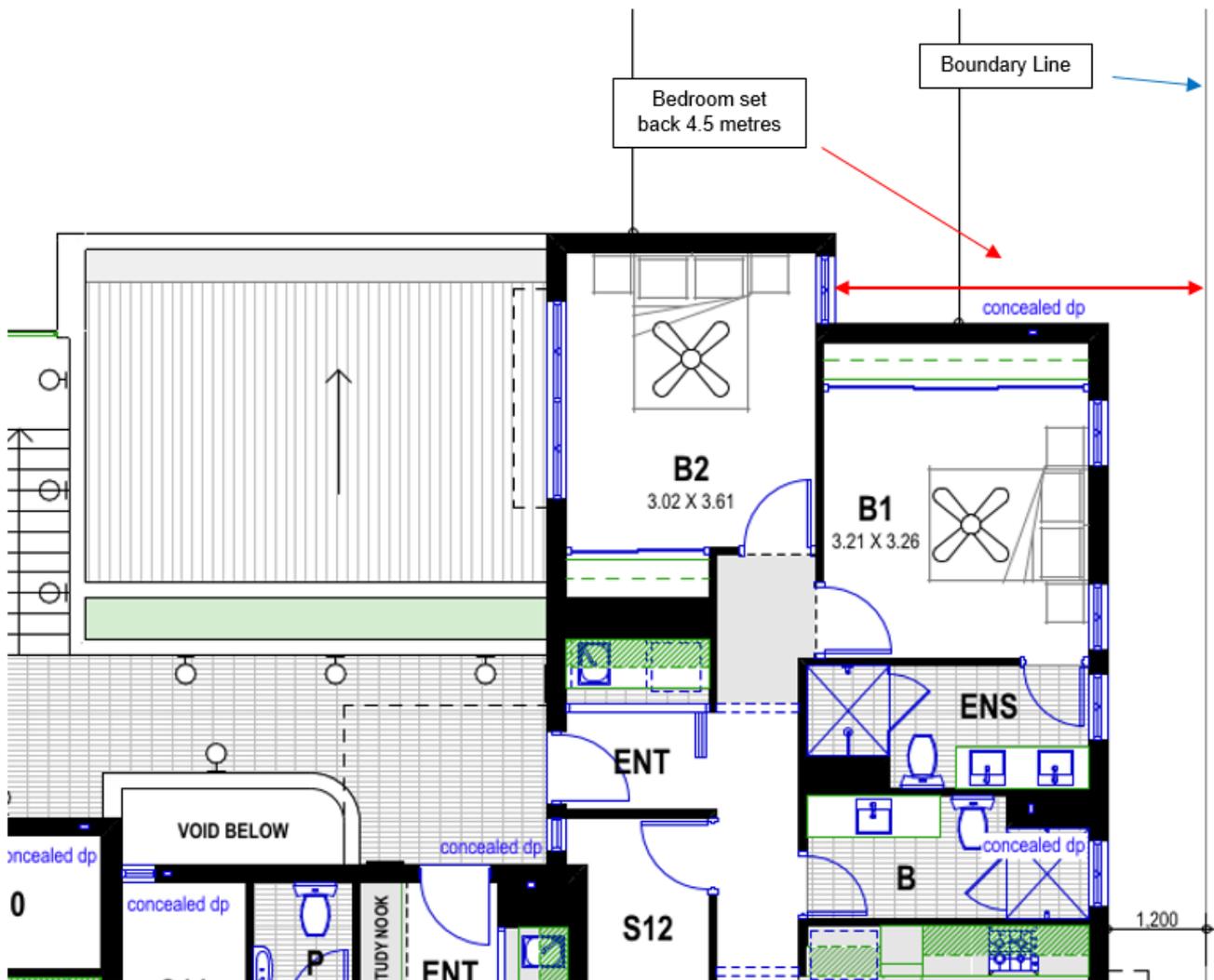


Figure 6: Visual Privacy Setback for Apartment 12 Bedroom

Given the above, the proposed window to Bedroom 2 is acceptable. It is recommended that a condition be included to require the remainder of the windows along the northwestern façade to be treated to restrict overlooking onto the adjoining property.

Other Matters

There are several other matters that are not subject to the R-Codes but are relevant planning considerations. These are detailed below.

Odour

One submission raised concerns that the proposed bin store servicing 12 units would generate significant odour that would impact on the adjoining property.

With regards to odour, the concern relates to the bins that are proposed to be stored in the open bin storage area on the southwestern boundary. In the absence of specific guidelines within the R-Codes, it is relevant to reference the Design Considerations within the Western Australian Local Government Association Multiple Dwelling Waste Management Plan Guidelines. This guideline considers that odour impacts can be minimized by having

well-ventilated storage area whereby air flow exit points are located away from windows of dwellings.

The proposed bin enclosure adheres to the guideline as it is designed as an open area, providing ample ventilation. In addition, the enclosure features a hose tap to facilitate cleaning to minimise potential odour build-up. It is noted that the bin enclosure is adjacent to a neighbour's carport, which is a non-habitable space. Notwithstanding this, under Section 12.7 of the City's *Consolidated Local Law 2020*, it is the duty of owners/occupiers to take reasonable steps to prevent emission of offensive odours from the bins. In the event that the owners/occupiers cause offensive odours and ignore the City's directions, it will be regarded as a prescribed offence(s) and dealt with accordingly.

Noise

The submission raised concerns that the car parking space of the development would generate excessive noise.

It is necessary to consider that the proposal is for a multiple dwelling which is a land use that is consistent with the residential nature of surrounding properties. It is considered that the number of vehicles being used at the property is consistent with that allowed for within the planning framework and that the noise generated from the proposal will not exceed that expected in a residential area.

Notwithstanding, it is noted that the noise associated with the car parking spaces could potentially impact on the existing bedroom windows of 5 Charlton Road. Given this, it is recommended that conditions be imposed to require the incorporation of a masonry wall between the car parking spaces and the adjoining dwelling to reduce the potential noise impact.

Traffic

The submissions raised concerns that the street is a quiet residential street and will be detrimentally impacted by the development.

The applicant has prepared a Transport Impact technical note (the technical note) for the proposed development (refer Attachment 12.1.5), in accordance with the Western Australian Planning Commission (WAPC) Transport Impact Assessment Guidelines. The technical note indicates the proposed development is estimated to generate a total of 60 vehicle trips per day with six vehicle per hour (vph) during the peak periods.

The trip generation figures for the land use have been estimated based on the NSW RTA Guide to Traffic Generating Developments 2002. This manual is recognised as the source of land use traffic generation database in the WAPC Transport Impact Assessment Guidelines. In assessing the traffic during the peak periods of surrounding road network, these are based on the recorded peak traffic on weekday morning (7.00am – 9.00am) and evening (4.00pm – 6.00pm). It is necessary to consider the impact that these additional trips will have on the existing road network. While traffic counts are not available for Acton Avenue and Charlton Road, the Main Roads traffic counts on Fulham Street and Gabriel Street are relevant for consideration as these are the connecting road network to Acton Avenue.

Based on the Main Roads traffic counts for Fulham Street (between St Kilda Road and Armadale Road) is 238 vph during the AM peak hour and 345 vph during the PM peak hour of 2020/2021. According to WAPC Transport Impact Assessment Guidelines, developments that generate between less than 10 trips during the peak hour, fall under the 'low impact' category and is not considered to have a significant impact on the surrounding road network. The proposed development is estimated to generate six trips per peak hour which equates to 1 to 2% of the vehicle count for this section of Fulham Street. Therefore, the proposal falls under the 'low impact' category.

As vehicle access to this part of Acton Avenue can also be achieved via Gabriel Street, it is important to consider the impact of development on Gabriel Street. Traffic counts for Gabriel Street (between Knutsford Avenue and Armadale Road) is 188 vehicles during the AM peak hour and 198 vehicles during the PM peak hour of February 2021. The anticipated generation of six vehicles per hour during the peak period accounts for approximately 3% of the vehicle count for this section of Gabriel Street. As outlined within the WAPC Transport Impact Assessment Guidelines, an increase in traffic that equates to less than 10% and cannot reasonably be considered to have an undesirable impact on a given section of road.

Based on the above, it is considered that the traffic impacts on the road network from the proposed development is acceptable.

Financial implications

There are no financial implications evident at this time.

Environmental implications

There are no environmental implications associated with this report.

Social implications

Strategy: 5.4 Advocate and provide for affordable and diverse housing choices.

Conclusion

The proposed 12 Multiple Dwellings development is consistent with the objectives of the local and state planning framework and meets the relevant planning requirements. It is considered the proposal is of an acceptable design and landscaping quality, as intended for medium density development within the locality.

Concerns relating to amenity impacts of the development are addressed through the imposition of conditions to the approval. It is also noted that the DRP supports the proposal and considers it to be a fitting example for the future context.

Having regard to the design of the development, the zoning of the area under LPS 15 as well as achieving the R-Codes element objectives, it is considered appropriate to approve the development subject to conditions.

Attachment details

Attachment No and title	
1.	Submission Table [12.1.1 - 4 pages]
2.	Development Plans [12.1.2 - 12 pages]
3.	Design Review Panel Comments [12.1.3 - 4 pages]
4.	Landscape Concept Plans [12.1.4 - 2 pages]
5.	Traffic Impact Technical Note [12.1.5 - 15 pages]

Attachment 12.1.1 Submission Table

CITY OF BELMONT
SCHEDULE OF SUBMISSIONS – 12 Multiple Dwellings at Lots 7 (298) and 9 (300) Acton Avenue, Kewdale (Council Ref 496/2022)

No	Name & Address	Summary of Submission	Officer Comment
1.	J H L Ng 1/ 296 Acton Avenue, Kewdale 6105	<p>Objection</p> <ol style="list-style-type: none"> 1. The proposed apartment has too many large windows and balcony directly looking into the bedroom, bathroom and front windows, back and front patio living areas and carport. 2. The proposed screening on the balcony of Unit 12 is inadequate and will impact privacy of the property. 3. The apartment will overshadow onto the property and restrict direct sunlight and airflow. 4. The setback is too close to the common boundary. 5. Proposed landscaping and trees are not adequate to provide privacy screening and leaves will blow onto property. 6. Unclear if new dividing fence will be built against the existing fence. 7. This portion of Acton Avenue is a quiet street with little traffic and not a major connecting roadway. The proposed development will significantly increase the traffic in the area. 	<ol style="list-style-type: none"> 1. The upper-floor windows indicated on the north-western elevation have clear glazing at a height of 1.6 metres above the finished floor level, in accordance with Element 3.5 of R-Codes Volume 2. The only major opening is to the Bedroom 2 window, which is set back 4.5 metres from the north-western boundary and meets the acceptable outcomes under Table 3.5 of R-Codes Volume 2. 2. A condition is included to require the proposed screening to be installed in accordance with the definition of 'Screening' specified in R-Codes Volume 2. 3. The proposed development is located to the south of 1/ 296 Acton Avenue and therefore, the adjoining property will not be overshadowed by the development. With regards to sunlight, access to eastern and western sun is obstructed by existing buildings on 296 Acton Avenue as opposed to the proposed development. Given the proposed development is setback 1.2m from the common boundary, airflow can still be facilitated within the development. 4. The proposed setback of 1.2 metres meets the Element Objectives of Element 2.4 within the R-Codes, as detailed in the Council Report. 5. With regards to screening material for visual privacy, landscaping is not considered to be a permanent screening measure. In this instance, the proposed development has incorporated high sill windows or obscured glazing on the first-floor level to ensure there are no overlooking onto the adjoining property. 6. It is the responsibility of the property owner to liaise with the affected neighbours regarding changes to the existing dividing fences, as per the Dividing Fences Act 1961. 7. The Transport Impact Technical Note indicates that the number

Attachment 12.1.1 Submission Table

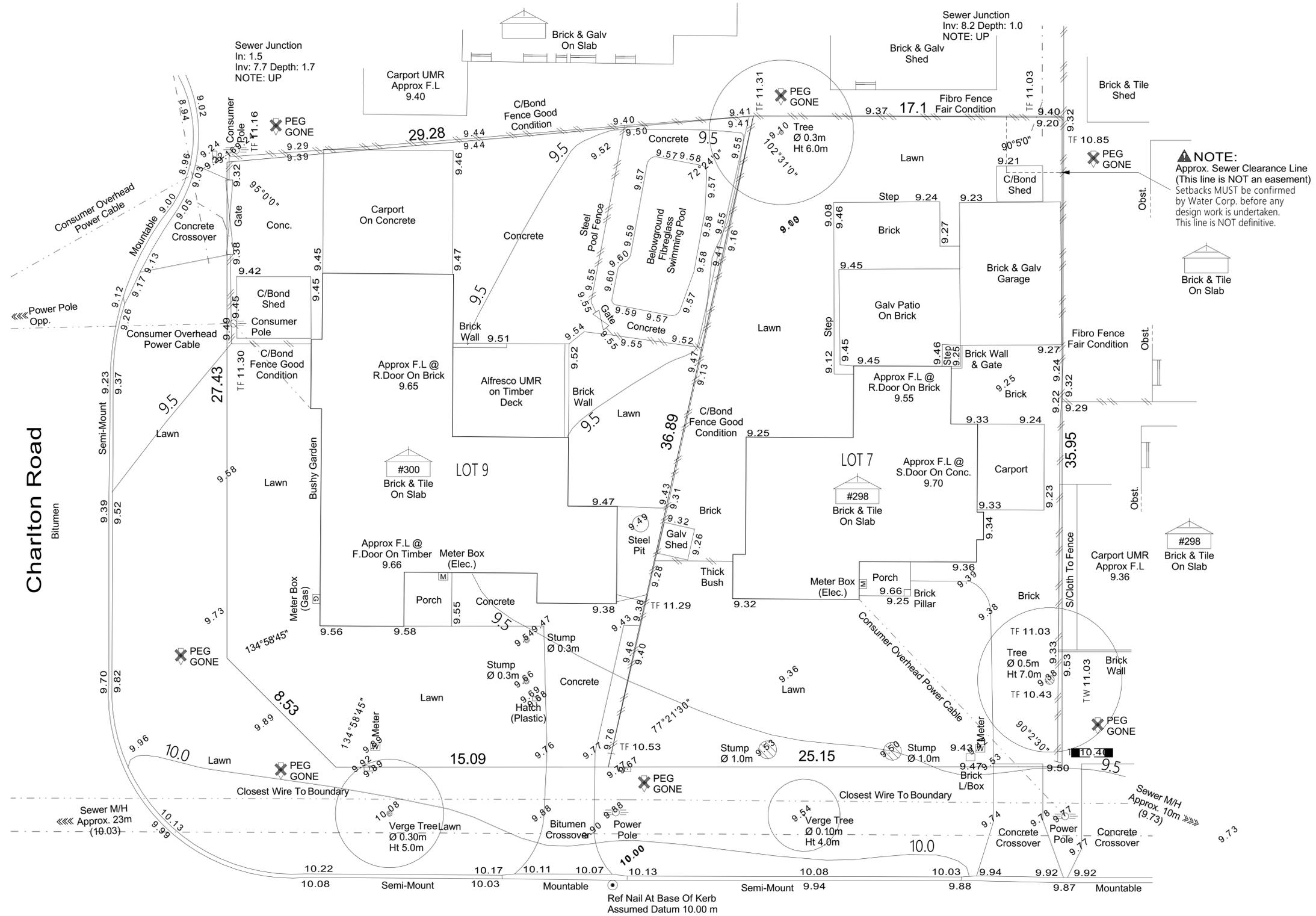
			of vehicle trips generated by the proposed development can be accommodated within the broader road network of the surrounding locality and is acceptable. This is further discussed in the Council Report.
2.	<p>M L Lo 8 Charlton Road, Kewdale 6105</p> <p>M Slawek 305 Acton Avenue, Kewdale 6105</p> <p>S Grogan 299a Acton Avenue, Kewdale 6105</p> <p>J and K Testar 299 Acton Avenue, Kewdale 6105</p> <p>J C Millen</p>	<p>Objection</p> <ol style="list-style-type: none"> 1. Concerned with the noise generated by the development. 2. Clothesline on the balcony is unsightly. 3. Concerned with cars parking on the street as each unit has 1 car bay. 4. Parking bays and open space are insufficient for loading truck circulation. 5. Insufficient visitors car bay which will likely result in cars parking on the street. 6. Location of proposed driveway is inappropriate. 7. Wrong location for a commercial B&B business 	<ol style="list-style-type: none"> 1. The proposal is for a multiple dwelling which is a land use that is consistent with the residential nature of surrounding properties. It is not reasonable to consider that multiple dwellings will generate more noise. 2. A condition is recommended to require clothes drying devices to be screened from street view. 3. Based on the proposed number and types of units, Element 3.9 of the R-Codes require a total of 12 residents and 3 visitor car bays are required. The proposal seeks to provide the required minimum number of bays and therefore, it is deemed to be acceptable for the development. 4. The proposal is for a medium density residential development and therefore, there is no specific requirement for the provision of a loading bay. Furthermore, the proposal is for a residential development whereby there will only be loading trucks associated with furniture deliveries and the like. This is ordinarily expected for any development. 5. As per point 3 above, the proposed 3 visitor bays accord with Element 3.9 of the R-Codes. 6. Given Charlton Road is the street with lesser traffic, the proposed crossover along this street accords with Clause 4.7.3 (k) of LPS 15. 7. The proposed land use is 'Multiple Dwelling'. Should the owner desire to convert one of the units to a bed and breakfast, then it will be subject of a future development application.
3.	<p>L and J Ball 6 Charlton Road, Kewdale 6105</p>	<p>Objection</p> <ol style="list-style-type: none"> 1. Insufficient on-site car parking to cater for residents and visitors. 2. Increased traffic will hinder the ability to get in and out of the street. 	<ol style="list-style-type: none"> 1. Refer to Submission No. 2 Point 3 of this table. 2. The Traffic Impact Technical Note has indicated that the proposal will result in 6 vehicles per hour during the peak period. According to WAPC Transport Impact Assessment Guidelines,

Attachment 12.1.1 Submission Table

		<p>3. Concerned with the noise and dust caused by the construction vehicles.</p>	<p>developments that generate less than 10 trips during peak hour, fall under the 'low impact' category and is not considered to have a significant impact on the surrounding road network. This is further discussed in the Council Report.</p> <p>3. A condition is recommended to require the provision of construction management plan prior to commencement of works on site.</p>
4.	<p>K Humphry 297 Acton Avenue, Kewdale 6105</p>	<p>Objection</p> <p>1. The proposed development is not fitting to the character of the street.</p> <p>2. Concerned with increased traffic in the area.</p>	<p>1. As the properties within the area are zoned R20/40, it is expected to accommodate medium density residential development. In this case, the proposed built form is considered to be acceptable, particularly given the proposed materials, landscaping outcome and location of the building relative to the site. These are detailed in the Council Report.</p> <p>2. Refer to Submission No. 1 Point 7 of this table.</p>
5.	<p>D J Rawson and C M Pellow 5 Charlton Road, Kewdale 6105</p>	<p>Objection</p> <p>1. The 12 units will have their bins along the side fence which could result in bad odour wafting near his house.</p> <p>2. Concerned with parking along Charlton Road cul-de-sac.</p> <p>3. Requests the entry point of the 12 units be on Acton Avenue and not Charlton Road.</p> <p>4. Do the Design Review Panel have any influence with this development.</p> <p>5. Car parking space adjoining the fence line could result in vehicles going through the dividing fence.</p> <p>6. There is insufficient open space on the property for the children that will be residing on the property.</p> <p>7. Concerned with the 15 car parking spaces as its insufficient to cater for the number of residents.</p>	<p>1. Given the proposed bin enclosure is open, it is a well-ventilated area in accordance with the WALGA Multiple Dwelling Waste Management Plan Guidelines. It is noted that the bin enclosure includes a hose tap for cleaning of the enclosure to manage reduce odour build ups. Under Section 12.7 of the City's <i>Consolidated Local Law 2020</i>, it is the duty of owners/occupiers to take reasonable steps to prevent emission of offensive odours from the bins. In the event that the owners/occupiers cause offensive odours and ignore the City's directions, it will be regarded as a prescribed offence(s) and dealt with accordingly</p> <p>2. Refer to Submission No. 2 Point 3 of this table.</p> <p>3. Given Charlton Road is the street with lesser traffic, the proposed crossover along this street accords with Clause 4.7.3 (k) of LPS 15.</p> <p>4. The proposed development was reviewed by the Design Review Panel, who was supportive of the proposal and identified landscape, amenity and safety aspects of the proposal requiring further resolution to enhance the design quality of the proposed development.</p> <p>5. Given the car parking space is used by the residents, it is</p>

Attachment 12.1.1 Submission Table

			<p>expected to be a low speed environment. Potential accidents caused by motorist behaviour is not part of the matters to be considered when assessing development application. Notwithstanding, a condition is recommended to require the applicant to provide a solid wall along the south-western boundary to address this concern.</p> <p>6. The proposed communal open space and private open space accord with the minimum area specified in Elements 3.4 and 4.4 of the R-Codes.</p> <p>7. Refer to Submission No. 2 Point 3 of this table.</p>
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Charlton Road

Acton Avenue



Yavuz Property Group

Proposed Apartments
298 & 300 Acton Avenue, Kewdale



P: 9228 7577 M: 9411 105 069 E: ma@markanthonydesign.com.au A: 9/18 Brisbane Street (off Bulwer) Perth WA 6000 www.markanthonydesign.com.au	Scale: 1:100 (A1) Date: 9/02/2023	Job No: 2560 SHEET No: 04 of 12	Rev No: A/08.02.2023
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Site Plan
scale 1:100

Client
Yavuz Property Group

Site Address
Proposed Apartments
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Sheet No: 05 of 12

CDV No: Rev: A/08.02.2023

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Plot Ratio	
Lot Area	1519m²
Residential Zoning	R40
Max. Plot Ratio	0.6
Max. Plot Ratio Area	960m²
Calculated Plot Ratio Area	1037.66m²
Calculated Plot Ratio	0.67



Unit Area Schedule

Unit	Type	Plot Ratio Area	Outdoor Living	Balcony	Store	Total
1	A	103.23m ²	46.03m ²		4.00m ²	153.26m ²
2	B	85.47m ²	37.76m ²		4.00m ²	127.23m ²
3	B	85.37m ²	36.40m ²		4.00m ²	125.77m ²
4	B	85.78m ²	36.90m ²		4.00m ²	126.68m ²
5	C	88.68m ²	37.46m ²		4.00m ²	130.14m ²
6	D	90.32m ²	33.40m ²		4.00m ²	127.72m ²
7	A	103.23m ²	13.87m ²	4.00m ²		121.10m ²
8	B	85.47m ²	15.01m ²	4.00m ²		104.48m ²
9	B	85.37m ²	14.58m ²	4.00m ²		103.95m ²
10	B	85.78m ²	14.39m ²	4.00m ²		104.15m ²
11	C	88.68m ²	15.74m ²	4.00m ²		108.42m ²
12	D	90.32m ²	11.32m ²	4.00m ²		105.64m ²
Total		1037.66m²				1374.95m²

On-Site Parking

Location	Required	Provided
Vehicle Parking - Residential	14	14
Vehicle Parking - Visitors	3	3
Motorbike Parking	0	0
Total	17	17
Bicycle Parking - Residential	6	6
Bicycle Parking - Visitors	2	2
Total	8	8

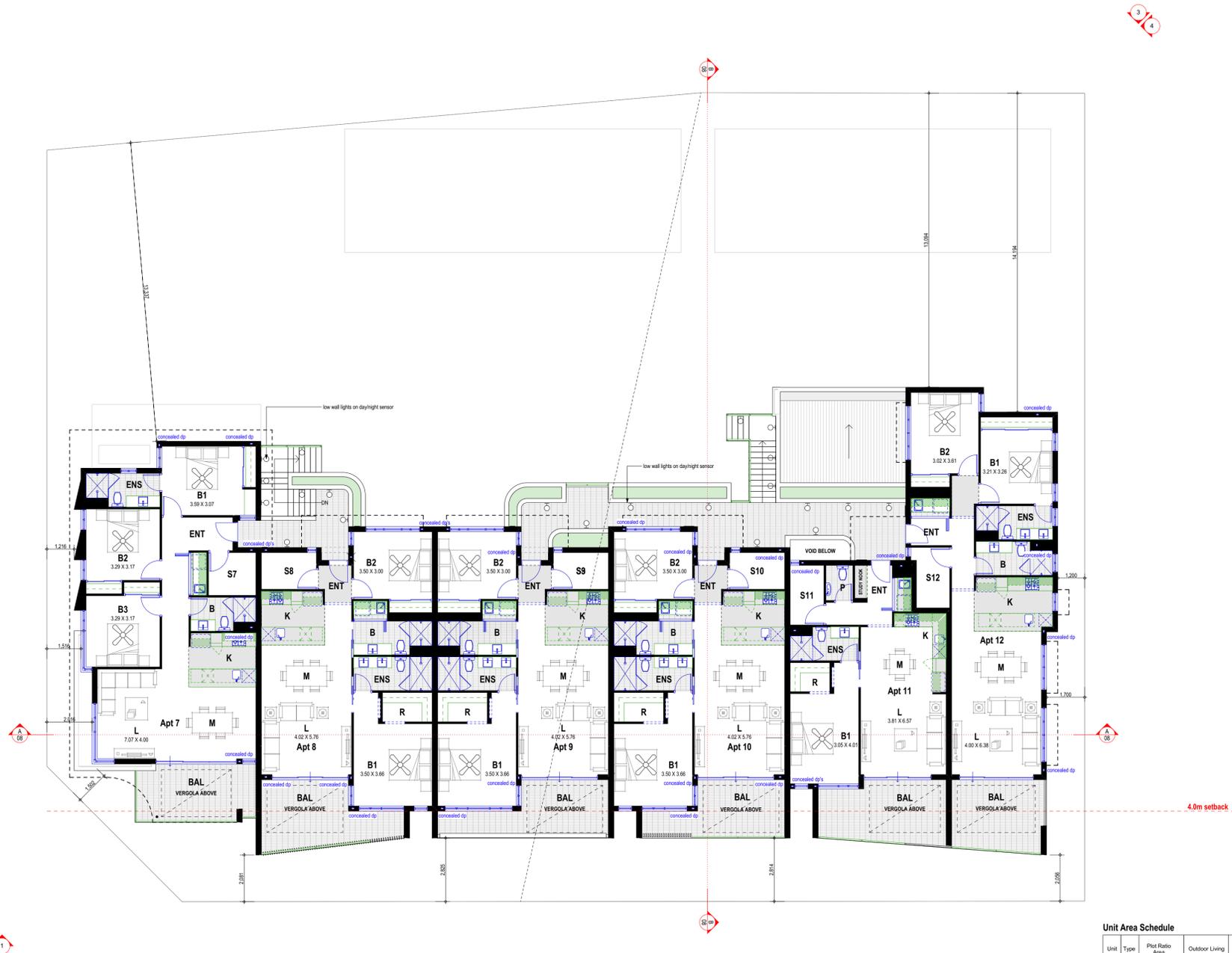
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Ground Floor Plan
scale 1:100

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Unit Area Schedule

Unit	Type	Plot Ratio Area	Outdoor Living	Balcony	Store	Total
1	A	103.23m ²	46.03m ²		4.00m ²	153.26m ²
2	B	85.47m ²	37.76m ²		4.00m ²	127.23m ²
3	B	85.37m ²	36.40m ²		4.00m ²	125.77m ²
4	B	85.78m ²	36.90m ²		4.00m ²	126.68m ²
5	C	88.68m ²	37.46m ²		4.00m ²	130.14m ²
6	D	90.32m ²	33.40m ²		4.00m ²	127.72m ²
7	A	103.23m ²	13.87m ²	4.00m ²		121.10m ²
8	B	85.47m ²	15.01m ²	4.00m ²		104.48m ²
9	B	85.37m ²	14.58m ²	4.00m ²		103.95m ²
10	B	85.78m ²	14.39m ²	4.00m ²		104.17m ²
11	C	88.68m ²	15.74m ²	4.00m ²		108.42m ²
12	D	90.32m ²	11.32m ²	4.00m ²		105.64m ²
Total		1037.66m²				1374.95m²

On-Site Parking

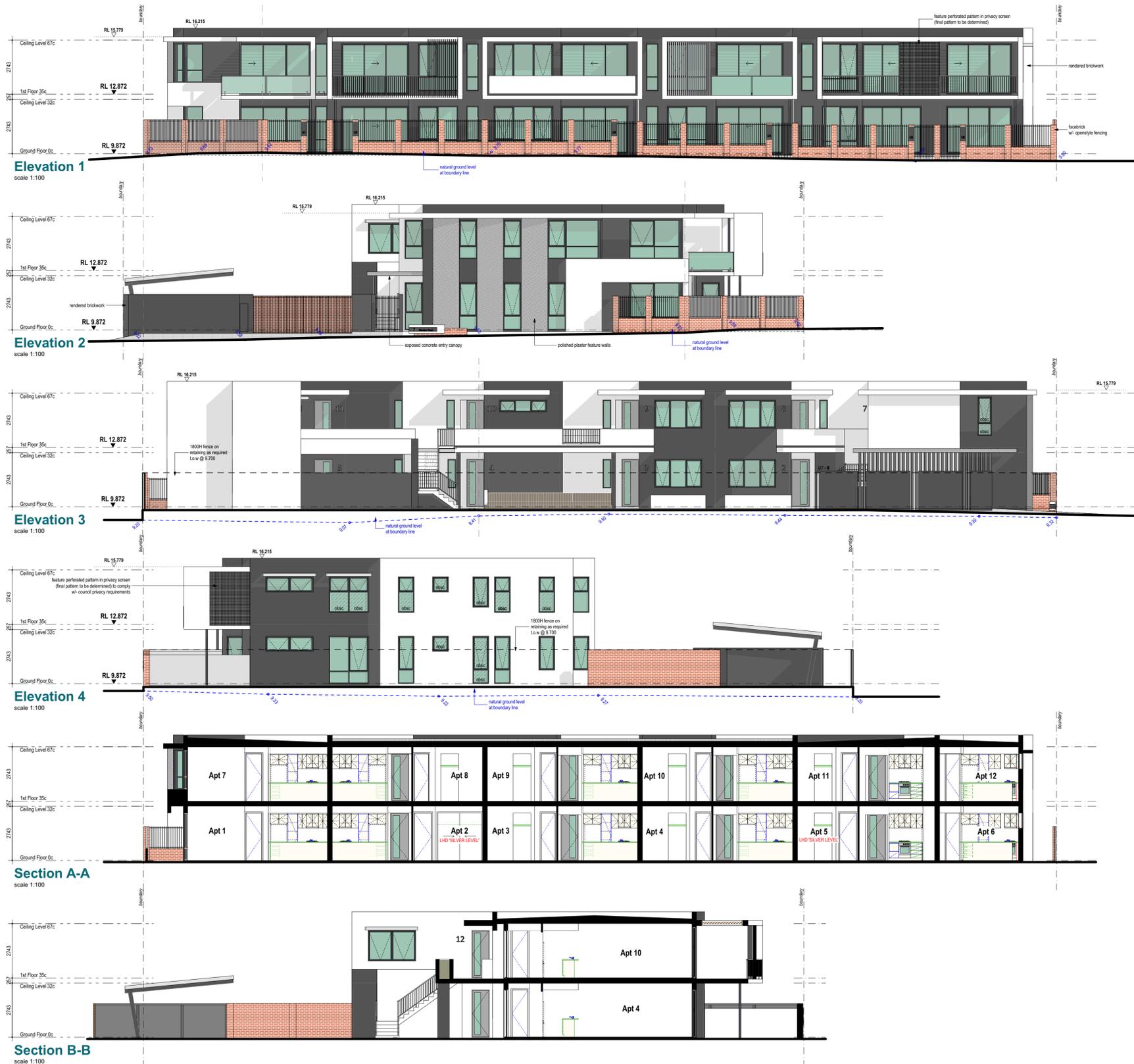
Location	Required	Provided
Vehicle Parking - Residential	14	14
Vehicle Parking - Visitors	3	3
Motorbike Parking	0	0
Total	17	17
Bicycle Parking - Residential	6	6
Bicycle Parking - Visitors	2	2
Total	8	8

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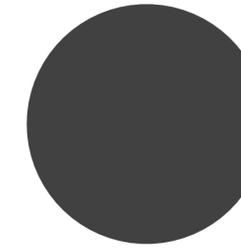


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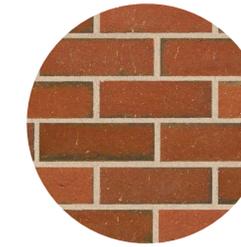
MAIN EXTERNAL WALL 'DULUX LEXICON @ HALF'



ACCENT EXTERNAL WALL 'COLORBOND @ MONUMENT @'



FEATURE TEXTURED WALL 'POLISHED PLASTER'



FRONT FENCE FACEBICK 'AUSTRAL BRICK BURWOOD BLUE'



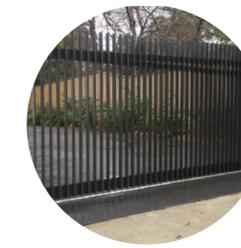
APARTMENT 12 INFILL PANEL INSPIRATION



PLANTERBOX LANDSCAPING INSPIRATION



WINDOW SHADING DEVICE INSPIRATION



VEHICLE SLIDING GATE AND FRONT FENCE INFILL PANEL INSPIRATION

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Roof Plan
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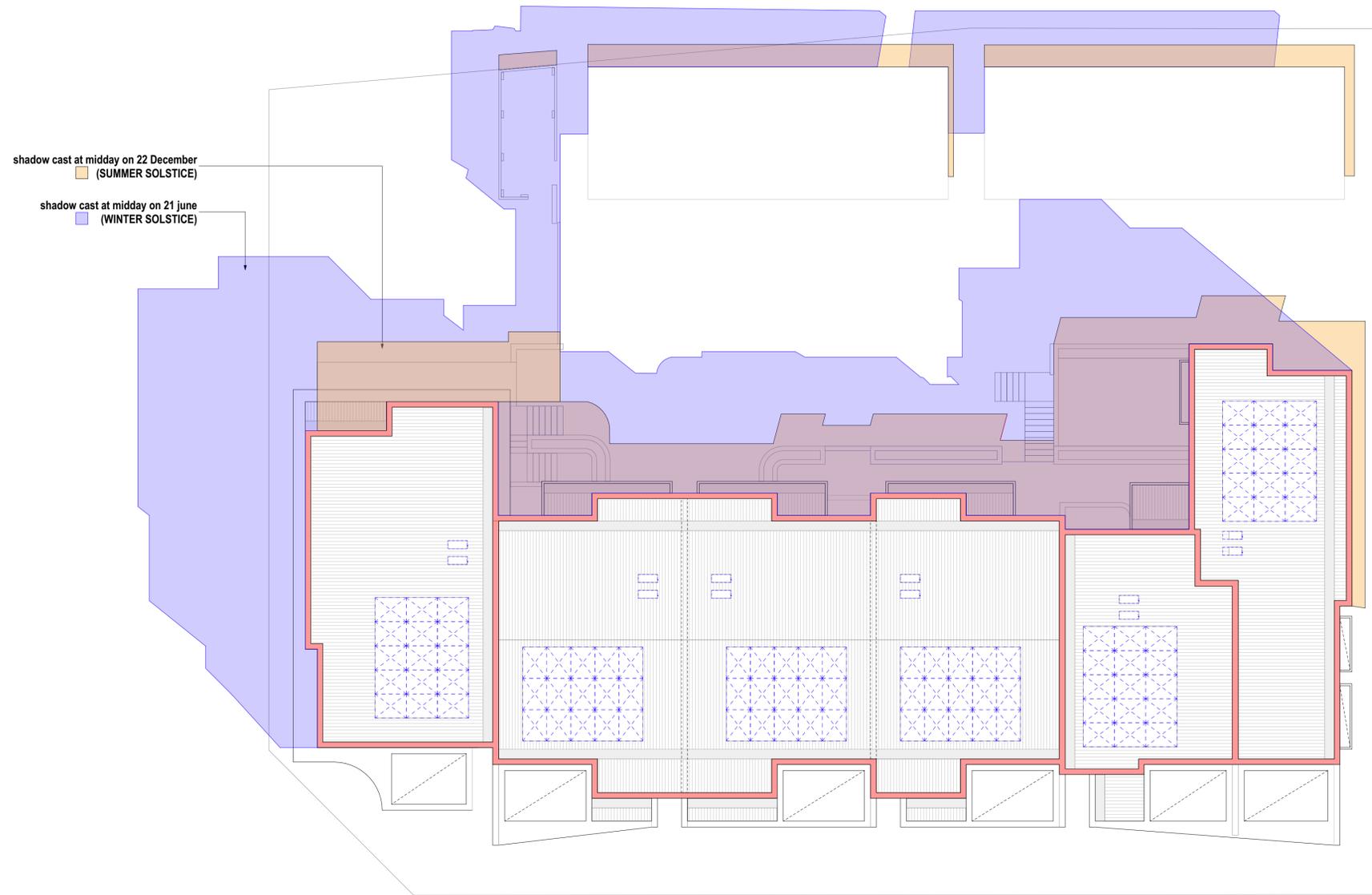


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Shadow Diagram (Winter & Summer Solstice)

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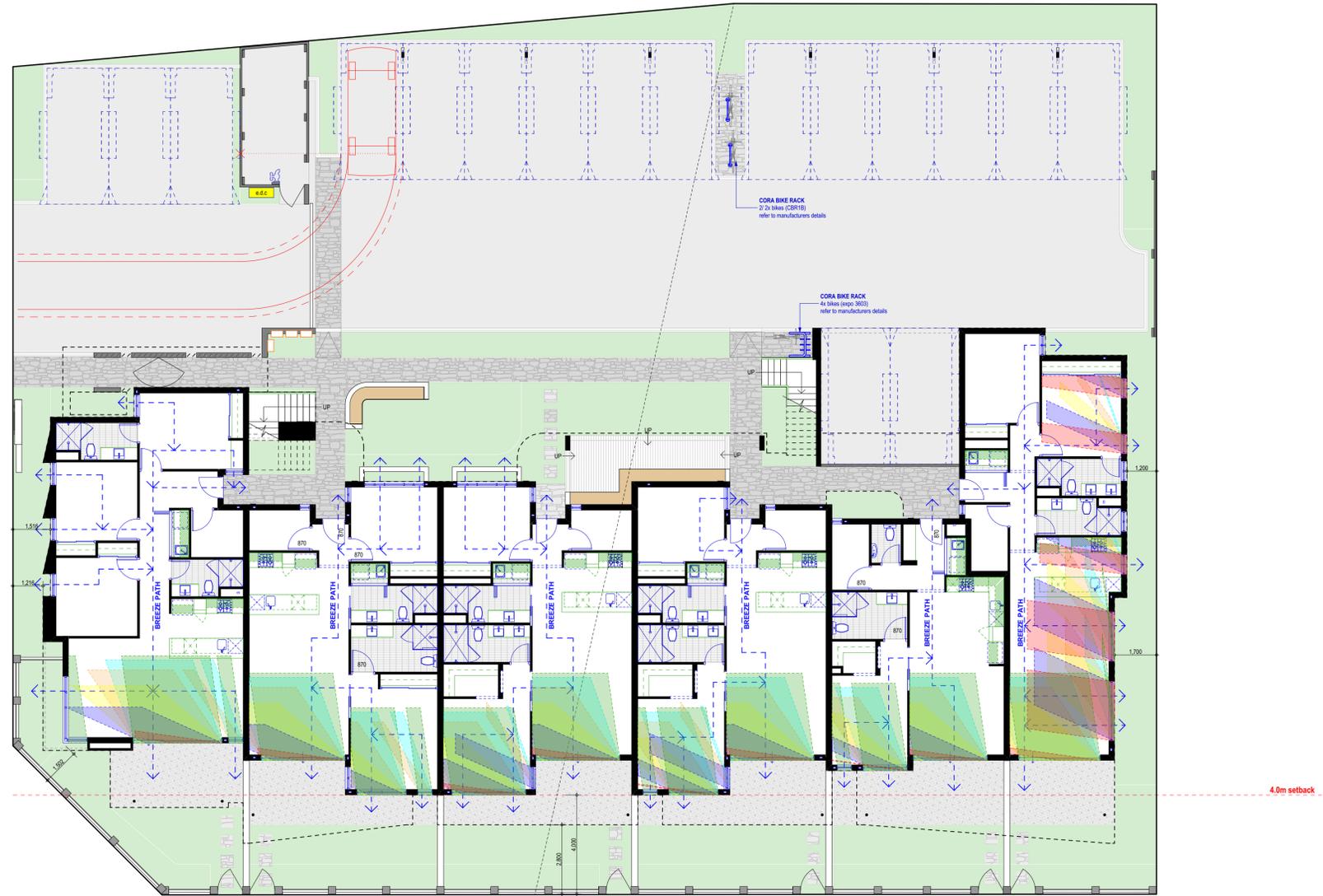
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Sunlight Access and Breeze Paths (Ground Floor Plan)

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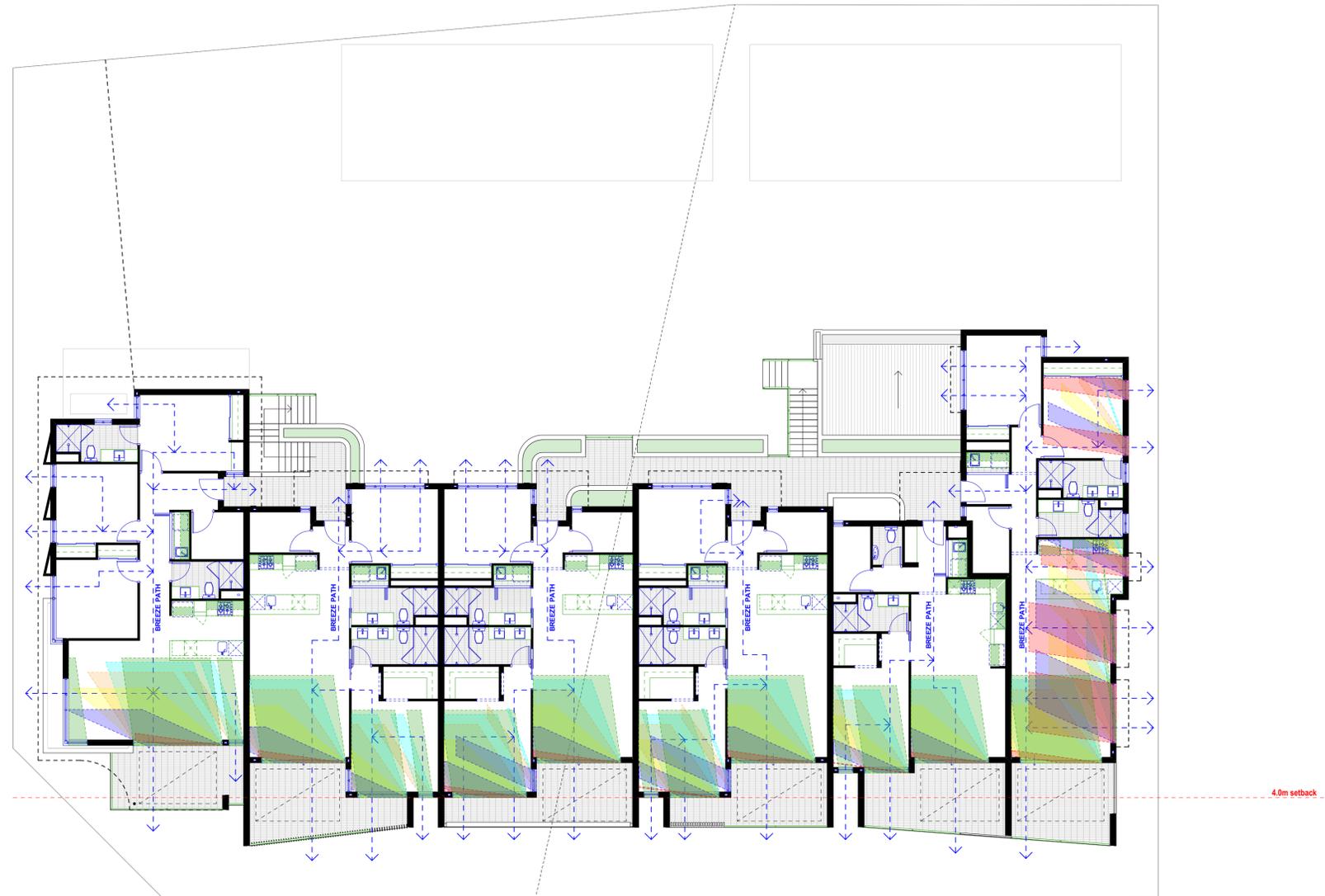
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Sunlight Access and Breeze Paths (Upepr Floor Plan)

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<p>Client Yavuz Property Group</p>	<p>Site Address Proposed Apartments 298 & 300 Acton Avenue, Kewdale</p>	 <p>P: 9328 7577 M: 9411 105 069 E: ma@markanthonydesign.com.au A: 9/18 Brisbane Street (off Bulwer) Perth WA 6000 www.markanthonydesign.com.au</p>	<table border="1"> <tr> <td>Project</td> <td>MS</td> <td>Scale</td> <td>1:100 (A1)</td> <td>Issue</td> <td>9/02/2023</td> <td>Job No.</td> <td>2560</td> <td>Rev. No.</td> <td>A/08.02.2023</td> </tr> <tr> <td>Issued for</td> <td>Planning Approval</td> <td>SHEET No.</td> <td>03</td> <td>of</td> <td>12</td> <td colspan="4"></td> </tr> </table>	Project	MS	Scale	1:100 (A1)	Issue	9/02/2023	Job No.	2560	Rev. No.	A/08.02.2023	Issued for	Planning Approval	SHEET No.	03	of	12					
Project	MS	Scale	1:100 (A1)	Issue	9/02/2023	Job No.	2560	Rev. No.	A/08.02.2023															
Issued for	Planning Approval	SHEET No.	03	of	12																			

Attachment 12.1.3 Design Review Panel Comments

	DR3 – Design review report and recommendations (Part 1)
Local government	City of Belmont
Item no.	298 Acton Avenue KEWDALE 6105 - Twelve Multiple Dwellings (Two Storey) - 496/2022/DRP
Date and Time	19 January 2023 at 9am
Location	Teams Meeting
Panel members	Emma Williamson Malcolm Mackay Peter Damen Tony Blackwell
Local government officers	Planning Officer, Nicholas Reddy
Proponent/s	Mite Stavreski – Mark Anthony Design Ben Yavuz - Owner
Observer/s	Caroline Wyder-Saunders – Clerical Assistant Planning Alex Bott – Coordinator Planning
Briefings	
Development assessment overview	Planning Officer, Nicholas Reddy
Design review	
Proposed development	Twelve Multiple Dwellings (Two Storey)
Property address	298 Acton Avenue KEWDALE 6105 (Lot 7 DIA 29336)
Proposal	12 Multiple Dwellings (Two Storey) 14 Residents Car Bays, 3 Visitor Car Bays and Communal Open Space
Applicant/representative address to the design review panel	Mite Stavreski – Mark Anthony Design
Key issues/recommendations	The Panel thank the applicant for their presentation and supports the direction the development is taking.
Chair signature	

DR3 – Design review report and recommendations (Part 2)	
Design quality evaluation	
	<i>Supported</i>
	<i>Pending further attention</i>
	<i>Not supported</i>
Principle 1 - Context and character	<i>Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.</i>
	<p>1a. Although the Panel support the proposal, the suggestion was made that an in-depth analysis and explanation of the existing context could assist in explaining how the design responds contextually in relation to the built-form, materials and colour palette and how this will fit into the future context. This is helpful in the assessment and decision-making process.</p> <p>1b. In the presentation of the elevation drawings, it's useful to be able to describe the project in context with its neighbours in the current and future form.</p>
Principle 2 - Landscape quality	<i>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.</i>
	<p>2a. The Panel commented on the plant species specified, noting that at maturity some of these may grow to create obstructions to parking and the like. Additionally, some of the species indicated may not be fit for purpose, eg for screening, or as groundcovers in areas likely to receive foot traffic.</p> <p>2b. The Panel requested more information on the existing trees on site and if it's possible to retain these within the design. Retaining worthwhile existing vegetation is always positive.</p> <p>2c. The Panel commented that landscaping can be used as a tool to mitigate the privacy issues relating to the communal open space. Landscape could also be employed as a more prominent feature at the end of the driveway.</p> <p>2d. The Panel commented there is an opportunity to enhance the interface of the building with the neighbourhood through the use of landscaping screening to car parking visitor bay 1.</p>
Principle 3 - Built form and scale	<i>Good design ensures that the massing and height of development is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.</i>
	3a. The Panel commented that it is happy with the project's built-form and scale.
Principle 4 - Functionality and build quality	<i>Good design meets the needs of users efficiently and effectively, balancing functional requirements to perform well and deliver optimum benefit over the full life-cycle.</i>
	<p>4a. The Panel requested that the Applicant provide clearer graphics and annotations on the site plan and ground floor plan to display two car parking bays at the rear of Unit 5.</p> <p>4b. The Panel commented that the apartment layouts work well, and the bins are practical for a range of waste.</p> <p>4c. The Panel commented on the location of the storerooms in Units 5 and 11 and whether they are accessible in practice.</p>
Principle 5 - Sustainability	<i>Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes.</i>
	<p>5a. The Panel noted the consideration of the PV cells on the roof but also suggested increasing them and noted the benefits of doing so.</p> <p>5b. The Panel noted the EV charger that has been included but there needs to be consideration of the functionality of its location between 2 bays and whether there will need to be increased provision for EV chargers in the future (refer NCC2022).</p> <p>5c. The Panel requires clarification on the location and space provided for bike parking.</p> <p>5d. The Panel suggested that the Applicant consider how green material can be incorporated into the project to further enhance sustainability.</p>

Attachment 12.1.3 Design Review Panel Comments

Principle 6 - Amenity	<i>Good design optimises internal and external amenity for occupants, visitors and neighbours, providing environments that are comfortable, productive and healthy.</i>
	6a. The Panel noted the key issue is privacy for the bedrooms in the units adjacent to the communal area and the upper-level walkway. This needs to be addressed to create the appropriate level of amenity. 6b. The Panel has questioned the location of the bin store with no setback to the neighbour and the potential amenity impact on the neighbour from odours.
Principle 7 - Legibility	<i>Good design results in buildings and places that are legible, with clear connections and easily identifiable elements to help people find their way around.</i>
	7a. The Panel commented on the positive site planning in relation to the direct access from the street to the ground floor apartments and the consequential engagement with the street.
Principle 8 - Safety	<i>Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.</i>
	8a. The Panel commented on the balcony balustrading and screens which needs to take into consideration the potential climbing risk. 8b. The Panel noted that access to car parking bay number 1 was tight.
Principle 9 - Community	<i>Good design responds to local community needs as well as the wider social context, providing environments that support a diverse range of people and facilitate social interaction.</i>
	9a. The Panel commented that the access from the street to the building is a good community gesture. 9b. The Panel requested clarification on the programming of the communal open space. As this space is developed to provide better amenity it may place additional stresses on the privacy of the adjacent apartments.
Principle 10 Aesthetics	<i>Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.</i>
	10a. The Panel support the overall direction of the aesthetics of this project. 10b. The Panel suggested that the Applicant should think about the style and engineering of the carport and how it might continue to evolve and have the same refined character as the building. 10c. The Panel drew attention to the likely impact on the aesthetics when services (ie down pipes) are being applied to the building. 10d. The Panel commented that the material palette is developing well, and the restraint in the expression of the design is very positive.

DR3 – Design review report and Recommendations (Part 3)			
Design review progress			
	Supported		
	Pending further action		
	Not Supported		
	<i>DR1 19 January 2023</i>	<i>DR2</i>	<i>DR3</i>
Principle 1 - Context and character			
Principle 2 - Landscape Quality			
Principle 3 - Built form and scale			
Principle 4 - Functionality and build quality			
Principle 5 - Sustainability			
Principle 6 - Amenity			
Principle 7 - Legibility			
Principle 8 - Safety			
Principle 9 - Community			
Principle 10- Aesthetics			

DR3 – Design review report and recommendations (Part 4)			
Recommendations summary			
DR1 Recommendations	DR 2 Response	DR2 Recommendations	DR3 Response
1.	[SUPPORTED / PENDING FURTHER ATTENTION / NOT SUPPORTED] [explanatory text]		[SUPPORTED / PENDING FURTHER ATTENTION / NOT SUPPORTED] [explanatory text]
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

REV	DATE	DWN	APP	DESCRIPTION
A	09.12.22	AC	KD	LANDSCAPE CONCEPT PLAN - GROUND FLOOR
B	09.12.22	KD	KD	UPDATED CALCULATIONS
C	10.02.23	AC	KD	UPDATED CONCEPT PLAN

LEGEND

TREES

- EXISTING TREES TO REMAIN
- VERGE TREES (PROPOSED)
- SELECTED TREES
EG. DWARF CITRUS
CANOPY: 3m
- SELECTED SMALL TREES
EG. PYRUS CAPITAL
CANOPY: 3m
- SELECTED SMALL TREES
EG. NATIVE FRANGIPANI
CANOPY: 4m
- SELECTED SMALL TREES
EG. FLOWERING ALMOND,
CREPE MYRTLE
CANOPY: 4m
- SELECTED MEDIUM TREES
EG. CHINESE TALLOW
CANOPY: 6m
- SELECTED MEDIUM TREES
EG. LUSCIOUS, TUCKEROO
CANOPY: 6-7m

FEATURE PLANTS

- SELECTED FEATURE PLANTING

PLANTING

- PLANTING TYPE 01
GROUNDCOVERS
- PLANTING TYPE 02
SHRUBS
- PLANTING TYPE 03
STRAPPY
- PLANTING TYPE 04
MIXED
- PLANTING TYPE 05
CASCADING/CLIMBING
- SELECTED LAWN SPECIES
EG. TIFF TUFF
- SELECTED EDGE RESTRAINT/STEEL EDGE
- DEEP SOIL AREA
(DSA) 16.1%

LANDSCAPE AREA CALCULATIONS

LANDSCAPE AREAS
Total Landscape Areas, Ground Floor + First Floor = 327.4m² (20.3% of site)

DEEP SOIL AREAS (DSA)
Total Deep Soil Areas = 259.4m² (16.1% of site)

CANOPY COVER
Proposed Small Trees (3m canopy) x 11 = 77m²
Proposed Small Trees (4m canopy) x 7 = 88.2m²
Proposed Medium Trees (6m canopy) x 7 = 169.8m²
Total Canopy Cover = 335m² (21% of site)

REFER TO PAGE 102 FOR NOTES, PLANTING PALETTE AND IMAGES

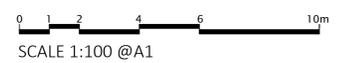


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JOB No. 0268 PAGE 101 REV C

ACTON AVENUE

DEVELOPMENT APPROVAL



City of Belmont
RECEIVED 13/02/2023
Application No: 496/2022

ACTON APARTMENTS
LANDSCAPE CONCEPT PLAN - GROUND FLOOR
MARK ANTHONY DESIGN
298 + 300 AVENUE, KEWDALE

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G:\Shared drives\KDLA Design\0268 Acton Apartments_Mark Anthony\01_CAD Design\0268-CHA-LR_B.dwg

GENERAL NOTES:
 1. THIS IS A CONCEPT PLAN ONLY.
 2. ALL STRUCTURES SUBJECT TO ENGINEERING AND COUNCIL APPROVAL.
 3. ALL MEASUREMENTS TO BE CHECKED PRIOR TO CONSTRUCTION.

MIXED PLANTING
 EG. MOTHER IN LAWS TONGUE,
 PHILLODENDRON, LIRIOPE

STRAPPY PLANTING
 EG. LIRIOPE, DIANELLA

CASCADING PLANTING
 EG. SILVER FALLS, COUSIN IT

STRAPPY PLANTING
 EG. LIRIOPE, DIANELLA

CASCADING PLANTING
 EG. SILVER FALLS, COUSIN IT

MIXED PLANTING
 EG. PHILLODENDRON, LIRIOPE

CASCADING PLANTING
 EG. SILVER FALLS, COUSIN IT

LANDSCAPE AREA CALCULATIONS
LANDSCAPE AREAS
 Total Landscape areas, Ground floor + First Floor
 = 327.4m² (20.3% of site)
DEEP SOIL AREAS (DSA)
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 Total Canopy Cover = 335m² (21% of site)

REFER TO PAGE 101 FOR LEGEND

CASCADING PLANTING
 EG. SILVER FALLS, COUSIN IT

STRAPPY PLANTING
 EG. LIRIOPE, DIANELLA

CASCADING PLANTING
 EG. SILVER FALLS, COUSIN IT

STRAPPY PLANTING
 EG. LIRIOPE, DIANELLA

REV	DATE	DNW	APP	DESCRIPTION
A	09.12.22	AC	KD	LANDSCAPE CONCEPT PLAN - FIRST FLOOR
B	09.12.22	KD	KD	UPDATED CALCULATIONS
C	10.02.23	KD	KD	UPDATED PLANTING SCHEDULE

NOTES

- GENERAL**
 - DRAINAGE FROM THE RAISED PLANTER AREAS AND POTS TO BE PROVIDED BY BUILDER
 - ALL SCALES ARE AS NOTED AND TO SUIT A1 PAPER SIZE
 - FOR ALL FINISHED LEVELS, PLANTER HEIGHTS, DRAINAGE DESIGN AND WATER CONNECTION POINTS REFER TO ASSOCIATED PROJECT DOCUMENTATION (BY OTHERS)
 - PLANTING SETOUT SHOULD BE CHECKED BY SUPERINTENDENT BEFORE INSTALLATION BEGINS.
- SOIL PREPARATION**
 - ALL AREAS ARE TO BE FINE GRADED EVENLY TO CONFORM TO KERB LEVELS AND SURROUNDING FINISHES.
 - SURFACES SHALL BE FREE FROM DEPRESSIONS, IRREGULARITIES AND NOTICEABLE CHANGES IN GRADE. GENERALLY, GRADES SHALL DEVIATE IN LEVEL NO GREATER THAN 20mm IN ONE LINEAR METRE.
 - PLANTED AREAS SHALL BE SPREAD WITH MIN. 50mm OF APPROVED STANDARD SOIL CONDITIONER THAT SHALL BE RIPPED INTO EXISTING SOIL TO A MIN. DEPTH OF 200mm.
 - RAISED PLANTER AREAS AND POTS SHALL BE INSTALLED WITH APPROPRIATE DRAINAGE CELL, AGGREGATE AND GEOTEXTILE MEMBRANE BELOW SOIL.
 - FILL SOIL TO RAISED PLANTER AREAS AND POTS TO BE APPROVED LIGHTWEIGHT LANDSCAPE MIX.
 - ALL SITE AND IMPORTED SOILS, POTTING MIX, SOIL CONDITIONERS AND MULCHES TO BE IN ACCORDANCE TO RELEVANT AUSTRALIAN STANDARDS.
- PLANTING**
 - PLANTED AREAS SHALL BE MULCHED WITH AN ORGANIC MULCH UNLESS OTHERWISE STATED TO A MINIMUM DEPTH OF 75mm.
 - ADVANCED TREES SHALL BE STAKED W/ 50x50mm DIA HARDWOOD POSTS. POSTS SHALL BE PAINTED BLACK AND INSTALLED TO A MIN DEPTH OF 500mm. TREES SHALL BE SECURED TO POLES W/ RUBBER TIES IN FIGURE 8.
 - TREES PLANTED WITH IN 1000mm OF BOUNDARY WALLS AND/OR PARKING AREAS SHALL BE INSTALLED WITHIN 600mm DEPTH W/ EXLEY ROOT BARRIER MEMBRANE. MEMBRANE SHALL BE INSTALLED AS PER MANUFACTURERS RECOMMENDATIONS.
 - REFER TO PLANTING SCHEDULE FOR SPECIES AND SIZES.
 - PLANTS TO BE SET OUT IN EVEN SPACING TO FILL THE DESIGNATED AREAS.
 - IN AREAS OF MIXED PLANTING, SPECIES TO BE SPREAD OUT AT RANDOM, IN GROUPINGS OF 2 OR 3.
- IRRIGATION**
 - PLANTING TO GROUND LEVEL TO BE IRRIGATED VIA A FULLY AUTOMATIC SYSTEM FROM MAINS.
 - WATER PRESSURE TO HAVE A MINIMUM FLOW RATE OF 30L/PM AT 300KPA FROM THE WATER CONNECTION POINT (OR AS STIPULATED).
 - PLANTING TO COURTYARDS TO BE IRRIGATED VIA DIGITAL TAP TIMER (INDIVIDUAL CONNECTION POINTS TO BE PROVIDED).
 - PLANTING ON ALL UPPER LEVELS TO BE IRRIGATED VIA BATTERY OPERATED VALVE (CONNECTION POINTS TO BE PROVIDED TO EACH LEVEL).
 - CONTROLLER TO BE LOCATED IN SERVICE ROOM (OR AS SHOWN ON IRRIGATION DETAILS).
 - SLEEVES BENEATH PAVED SURFACES AND TO RAISED PLANTING AREAS TO BE PROVIDED BY OTHERS.
 - IRRIGATION TO GARDEN BEDS TO BE NET/AM TECHNIQUE. SUB SURFACE IRRIGATION: INSTALLED TO MANUFACTURERS SPECIFICATION. IRRIGATION TO TURF TO BE POP UP SPRINKLERS, MP ROTATORS OR SIMILAR. IRRIGATION TO TREES TO BE BUBBLERS; TORO FLOOD BUBBLERS OR SIMILAR.
 - ASCON DRAWINGS, MANUALS AND 12 MONTH WARRANTY SHALL BE SUPPLIED BY THE IRRIGATION CONTRACTOR TO THE CLIENT UPON PRACTICAL COMPLETION.
 - PLEASE REFER TO IRRIGATION DRAWING SET FOR FINAL LAYOUT AND SCHEDULE.

PLANTING PALETTE

Symbol	Species	Common Name	Spacings	Size
Trees				
BAJub	Bauhinia biakaeana	Hong Kong Orchid Tree	As Shown	100L
OTat	Ornus latifolia	Dwarf Persian Lime	As Shown	100L
OTim	Ornus limon	Dwarf Eureka Lemon	As Shown	100L
CLPana	Cupanopsis anacardioides	Tuckeroo	As Shown	100L
HYMfla	Hymenosporum flavum	Native Frangipani	As Shown	100L
LACus	Lagerstroemia fuscicarpa	Pink Crepe Myrtle	As Shown	100L
PRALdi	Prunus dulcis	Flowering Almond	As Shown	100L
SRPsa	Sapum sebifera	Chinese Yellow	As Shown	100L
Shrubs and Groundcovers				
AJrep	Ajuga reptans	Bungle weed	3/m ²	140mm
CASou	Cuscuta glauca 'Cousin It'	Cousin It	3/m ²	140mm
DAeme	Dianella tasmanica 'Emerald Arch'	Emerald Arch	3/m ²	140mm
DIABla	Dianella tasmanica 'Blaze'	Blaze	3/m ²	140mm
DIChap	Dichondra repens	Kidney Weed	3/m ²	140mm
DIChs	Dichondra 'Silver Falls'	Silver Falls	3/m ²	140mm
EPHoli	Bremophila 'Blue Horizon'	Blue Horizon	3/m ²	140mm
GRGin	Grevillea 'Gin Gin Gem'	Gin Gin Gem	3/m ²	140mm
HARwh	Hardenbergia violacea 'White Out'	White Native Wisteria	3/m ²	140mm
HEHspu	Hemodra junipers	Spice Vine	3/m ²	140mm
LELib	Leucophyta brownii	Silver Cushion Bush	3/m ²	140mm
LJRis	Liriope 'Just Right'	Just Right	3/m ²	140mm
LOMlan	Lomandra 'Tanika'	Tanika	3/m ²	200mm
OLDax	Olearia axillaris	Coastal Daisy	3/m ²	200mm
PHIXan	Philodendron Xanadu	Philodendron	3/m ²	200mm
PIMis	Pittosporum tobira 'Miss Muffet'	Miss Muffet	3/m ²	140mm
MURive	Murraya Sweet Privacy	Sweet Privacy	2/m	200mm
MYCop	Myoporum parvifolium 'Yareena'	Yareena	3/m ²	140mm
NANBub	Nandina Bush	Bush	3/m ²	200mm
RHAct	Rhacopilas 'Oriental Pearl'	Dwarf Indian Hawthorn	3/m ²	200mm
SANTr	Sansevieria trifasciata laurentii	Mother-in-law's Tongue	3/m ²	200mm
SCAHum	Scaevola humilis 'Purple Fusion'	Fan Flower	3/m ²	140mm
SYZora	Syzgium 'Orange Twist'	Lily Lilly	2/m	200mm
WESTus	Westringia 'Aussie Box'	Compact Coastal Rosemary	3/m ²	200mm
WESTar	Westringia nanadina	Nanadina	2/m	200mm
Feature Plants				
ACArt	Agave attenuata	Foxtail	As Shown	12L
ALChp	Aloe hybrid	Topaz	As Shown	12L
ANFla	Amigozanthos flavidus	Kangaroo Paw	As Shown	12L
STReg	Strelitzia reginae	Bird of Paradise	As Shown	12L

PLANTING IMAGES



kelsie davies
 landscape architecture

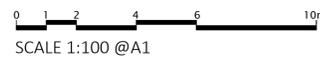
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JOB No. 0268

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REV C

DEVELOPMENT APPROVAL



City of Belmont
 RECEIVED 13/02/2023
 Application No: 496/2022

ACTON APARTMENTS

LANDSCAPE CONCEPT PLAN - FIRST FLOOR

MARK ANTHONY DESIGN

298 + 300 AVENUE, KEWDALE



298 & 300 Acton Avenue, Kewdale
Proposed Residential Development
TRAFFIC IMPACT TECHNICAL NOTE



Prepared for:
Yavuz Property Group

March 2023

298 & 300 Acton Avenue, Kewdale

Prepared for: Yavuz Property Group
Prepared by: Paul Ghantous
Date: 2 March 2023
Project number: U23.036

Version control

Version No.	Date	Prepared by	Revision description	Issued to
U23.036.r01	02/03/23	Paul Ghantous	FINAL	Yavuz Property Group



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1 Introduction

This Traffic Impact Technical Note has been prepared by Urbii on behalf of Yavuz Property Group with regards to the proposed residential development, located at 298 & 300 Acton Avenue, Kewdale.

The subject site is situated on the southern side of Acton Avenue, at the corner of a short culdesac (Charlton Road), as shown in Figure 1. The site comprises two residential lots, each presently accommodating a single dwelling.

It is proposed to develop the site into a multiple dwelling development, delivering 12 residential apartments.

Urbii has been engaged to calculate the traffic impact of the proposed development and to provide advice to the project team regarding the need for any additional reporting in accordance with WAPC Transport Impact Assessment Guidelines. The traffic analysis and advice are documented in this traffic impact technical note.

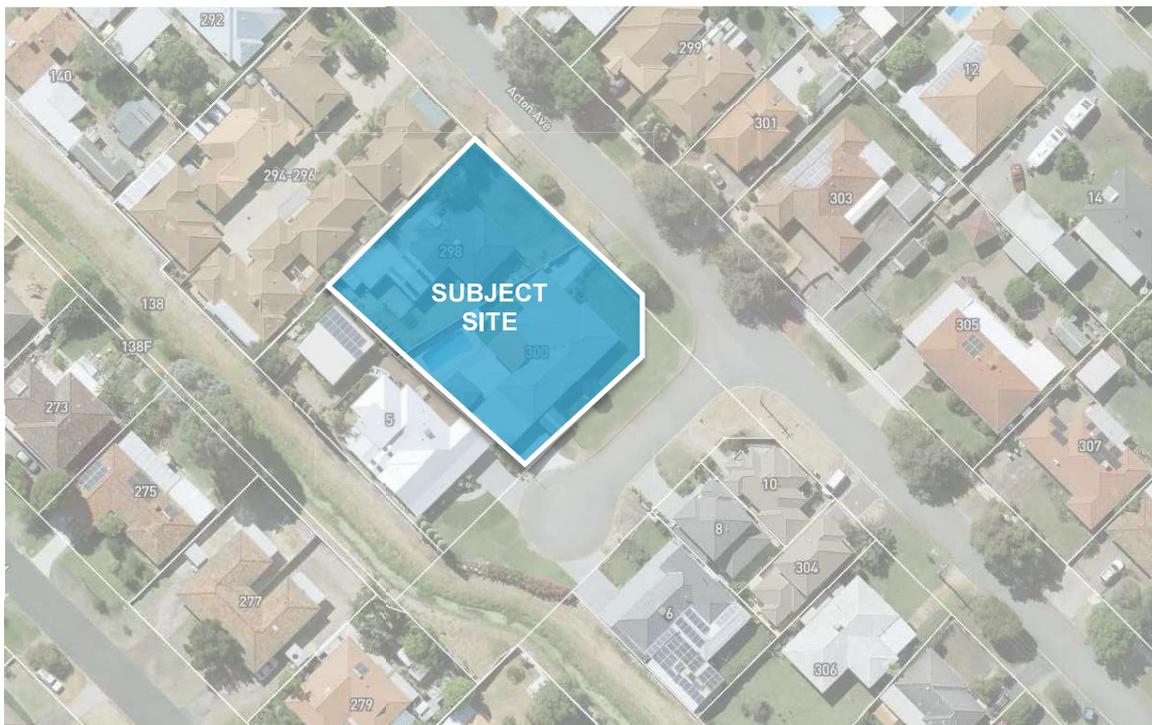


Figure 1: Subject site

2 Proposed development

The proposal for the subject site is for a multiple dwelling residential development, comprising:

- 12 apartment units;
- 14 car parking bays allocated to residents;
- 3 visitor car parking bays;
- Parking for 8 bicycles; and,
- Bin store enclosure.

Vehicle access to the site is proposed via one crossover on Charlton Road. The proposed development plans are included for reference in Appendix A.

3 Hours of operation

For most residential developments, the peak traffic hours typically coincide with the weekday AM and PM peak hours on the surrounding road network.

As detailed in Figure 2, the weekday AM peak hour for the local road network occurs between 8am to 9am and the weekday PM peak hour occurs between 5pm to 6pm. The peak hours for the proposed development are anticipated to coincide at around these times.

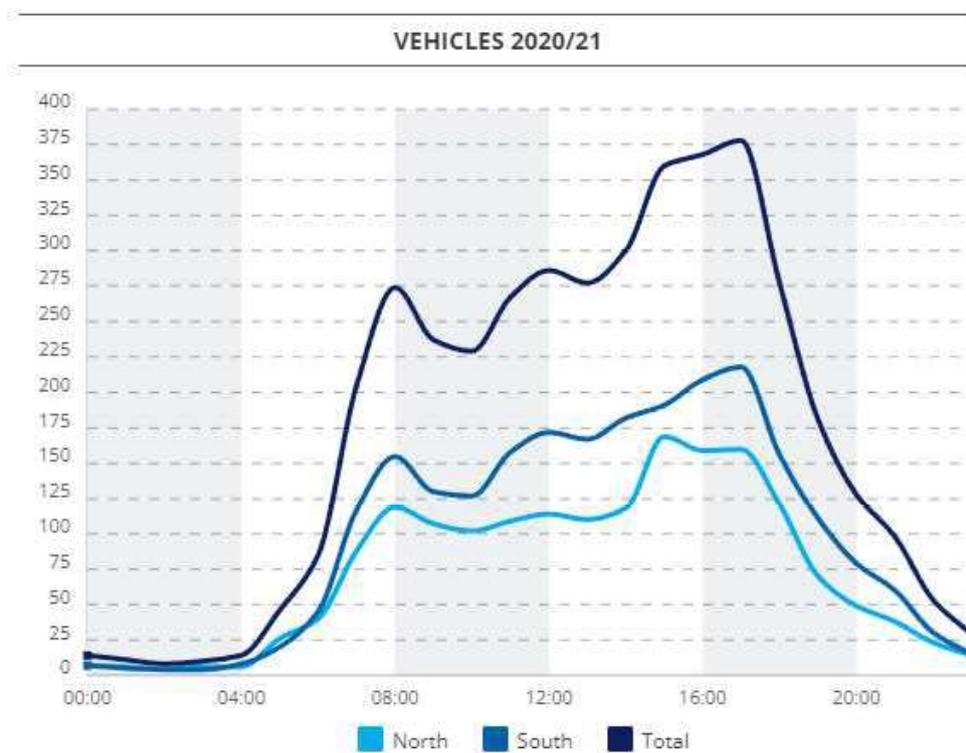


Figure 2: Hourly traffic flow profile on typical weekdays near the subject site¹

¹ Source: Main Roads WA traffic counts for Fulham Street (North of Armadale Road)

4 Daily traffic volumes and vehicle types

4.1 Traffic generation

The traffic volume that will be generated by the proposed development has been estimated using trip generation rates derived with reference to the following sources:

- Roads and Traffic Authority of New South Wales *Guide to Traffic Generating Developments (2002)*; and
- RTA TDT 2013/ 04a.

The trip generation rates adopted are detailed in Table 1.

Table 1: Adopted trip rates for traffic generation

Land use	Trip rate source	Daily rate	AM rate	PM rate	AM-in	AM-out	PM-in	PM-out
Residential	RTA NSW - Medium density residential building	5	0.5	0.5	25%	75%	65%	35%

The estimated traffic generation of the proposed development is detailed in Table 2. The proposed development is estimated to generate a total of 60 vehicles per day (vpd), with 6 vehicles per hour (vph) generated during the AM and PM peak hours, respectively.

These trips include both inbound and outbound vehicle movements. It is anticipated that most of the vehicle types would be passenger cars and SUVs.

Table 2: Traffic generation – Weekday AM and PM peak hours

Land use	Quantity	Daily Trips	AM Trips	PM Trips	AM Peak Trips		PM Peak Trips	
					IN	OUT	IN	OUT
Residential	12	60	6	6	2	4	4	2

4.2 Impact on surrounding roads

The WAPC Transport Impact Assessment Guidelines for Developments (2016) provides the following guidance on the assessment of traffic impacts:

“As a general guide, an increase in traffic of less than 10 percent of capacity would not normally be likely to have a material impact on any particular section of road but increases over 10 percent may. All sections of road with an increase greater than 10 percent of capacity should therefore be included in the analysis. For ease of assessment, an increase of 100 vehicles per hour for any lane can be considered as equating to around 10 percent of capacity. Therefore, any section of road where development traffic would increase flows by more than 100 vehicles per hour for any lane should be included in the analysis.”

The proposed development will not increase traffic flows on any roads adjacent to the site by the quoted WAPC threshold of +100vph to warrant further analysis. Therefore, the impact on the surrounding road network is acceptable.



5 Scope of work

The WAPC *Transport Assessment Guidelines 2016* identifies the proposed development as being “Low Impact”, as it generates less than 10 vehicle trips in the development’s peak hour (Figure 3).

Normally, no transport information is required. However, this traffic impact technical note has been prepared to support a robust Development Application and to assist the City with demonstration of low traffic impact.

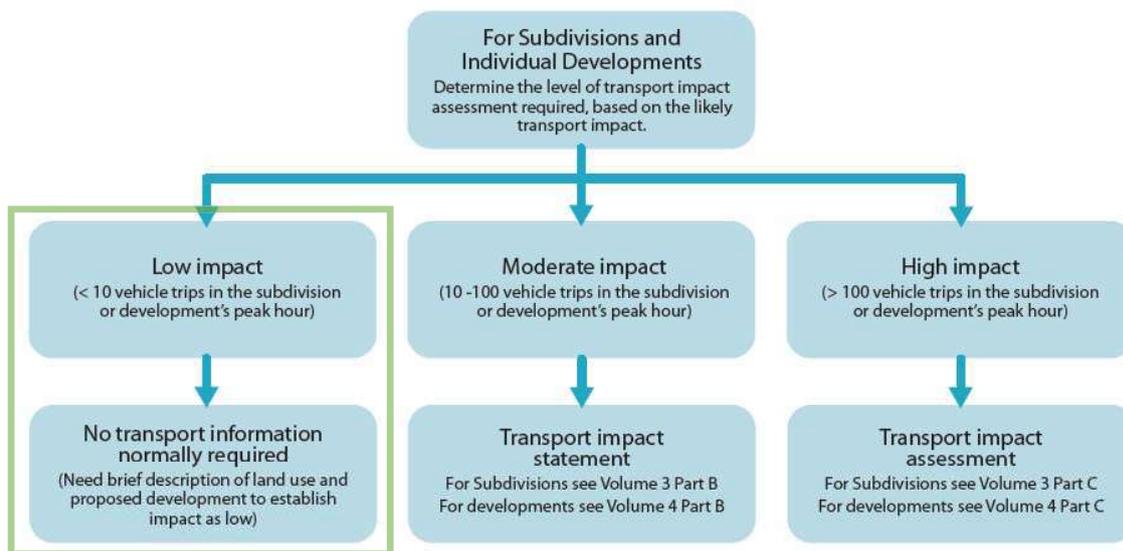


Figure 3: WAPC Transport Assessment Guidelines – reporting requirements

6 Conclusion

This Traffic Impact Technical Note has been prepared by Urbii on behalf of Yavuz Property Group with regards to the proposed residential development, located at 298 & 300 Acton Avenue, Kewdale.

The subject site is situated on the southern side of Acton Avenue, at the corner of Charlton Road. The site comprises two residential lots, each presently accommodating a single dwelling.

It is proposed to develop the site into a multiple dwelling development, delivering 12 residential apartments.

Urbii has been engaged to calculate the traffic impact of the proposed development and to provide advice to the project team regarding the need for any additional reporting in accordance with WAPC Transport Impact Assessment Guidelines.

The traffic analysis undertaken in this report shows that the traffic generation of the proposed development is low (less than 10vph on any lane) and as such would have negligible impact on the surrounding road network.

Normally, no transport information is required. However, this traffic impact technical note has been prepared to support a robust Development Application and to assist the City with demonstration of low traffic impact.

It is concluded that the findings of this Traffic Impact Technical Note are supportive of the proposed development.



7 Appendices

Appendix A: Proposed development plans





Unit Area Schedule

Unit Type	Number	Area (sqm)	Volume (m³)	Rate	Value
1	A	100.00	100.00	100.00	100.00
2	B	100.00	100.00	100.00	100.00
3	C	100.00	100.00	100.00	100.00
4	D	100.00	100.00	100.00	100.00
5	E	100.00	100.00	100.00	100.00
6	F	100.00	100.00	100.00	100.00
7	G	100.00	100.00	100.00	100.00
8	H	100.00	100.00	100.00	100.00
9	I	100.00	100.00	100.00	100.00
10	J	100.00	100.00	100.00	100.00
11	K	100.00	100.00	100.00	100.00
12	L	100.00	100.00	100.00	100.00
13	M	100.00	100.00	100.00	100.00
14	N	100.00	100.00	100.00	100.00
15	O	100.00	100.00	100.00	100.00
16	P	100.00	100.00	100.00	100.00
17	Q	100.00	100.00	100.00	100.00
18	R	100.00	100.00	100.00	100.00
19	S	100.00	100.00	100.00	100.00
20	T	100.00	100.00	100.00	100.00
21	U	100.00	100.00	100.00	100.00
22	V	100.00	100.00	100.00	100.00
23	W	100.00	100.00	100.00	100.00
24	X	100.00	100.00	100.00	100.00
25	Y	100.00	100.00	100.00	100.00
26	Z	100.00	100.00	100.00	100.00



Yavuz Property Group
 Proposed Apartments
 298 & 302 Acorn Avenue, Kewdale



2560
 07_12

mark anthony design



12.2 Statutory Review Delegation Register

Voting Requirement	:	Absolute Majority
Subject Index	:	11/005
Location/Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	OCM 28 June 2022 Item 12.5
Applicant	:	N/A
Owner	:	N/A
Responsible Division	:	Corporate and Governance

Council role

Executive The substantial direction setting and oversight role of the Council eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

Purpose of report

To seek Council endorsement of the Delegation Register 2023-2024 as detailed in Attachment 12.2.1.

Summary and key issues

In accordance with section 5.46 of the *Local Government Act 1995* (the Act), delegations are to be reviewed at least once in every financial year. The Delegated Authority Register is structured to provide for a best practice approach to the City's operations and efficiency in the delivery of strategic outcomes.

Officer Recommendation

That Council endorse:

1. The Delegation Register 2023-2024 as detailed in Attachment 12.2.1 and
2. Any further minor administrative amendments/layout changes as required prior to publication of the Delegation Register 2023-2024.

Officer Recommendation adopted en bloc by Absolute Majority - Refer to Resolution appearing at Item 12.

Location

Not applicable.

Consultation

The Executive Leadership Team and all designated employees have been consulted regarding the proposed amendments to the Delegation Register. The proposed Delegation Register was distributed to Councillors for consideration and input.

Strategic Community Plan implications

In accordance with the 2020 – 2040 Strategic Community Plan:

Goal 5: Responsible Belmont

Strategy: 5.6 Deliver effective, fair and transparent leadership and decision-making, reflective of community needs and aspirations

Policy implications

There are no policy implications associated with this report.

Statutory environment

The following sections of the *Local Government Act 1995* are applicable when considering delegations:

- s5.16 Delegation of some powers and duties to certain committees
- s5.17 Limits on delegation of powers and duties to certain committees

- s5.18 Register of delegations to committees
 - s5.42 Delegation of some powers and duties to CEO
 - s5.43 Limits on delegations to CEO
 - s5.44 CEO may delegate powers and duties to other employees
 - s5.45 Other matters relevant to delegations under this division
 - s5.46 Register of, and records relevant to, delegations to CEO and employees.
- Several other pieces of legislation allow for delegation in Western Australia. Those relevant to the City's Delegation Register in addition to the *Local Government Act 1995* are listed below:

Building Act 2011

Bush Fires Act 1954

Cat Act 2011

Dog Act 1976

Food Act 2008

Health Act 1911

Public Health Act 2016

Main Roads Act 1930

Planning and Development Act 2005

Strata Titles Act 1985

Local Government (Administration) Regulations 1996

Local Government (Financial Management) Regulations 1996

Local Government (Functions and General) Regulations 1996

Local Government Act (Uniform Local Provisions) Regulations 1996.

Background

The Delegated Authority Register was last reviewed by Council at the Ordinary Council Meeting on 28 June 2022 Item 12.5.

The delegations have been reviewed to ensure that they support the City's processes and are clearly defined and specific to support a greater level of control and clearly identify decisions that occur under delegated authority.

Safeguards are contained within the delegations through the conditions and limitations of when the delegation can be exercised as well as granting appeal rights to the Council when an impacted individual is aggrieved with an Officer's decision.

It is important to note that Officers are not obliged to use, or exercise, a delegation; where a matter is determined to be of a contentious nature, the matter may be referred to Council.

Report

The Delegation Register was extensively updated in 2021-2022 with minor amendments in 2022-2023. Again, this year, following the review by officers there are minor amendments only. Administrative changes such as approval dates and version control shall be carried out following Council's endorsement.

The proposed changes are outlined below:

Delegation	Change	Reason
Introduction: Il Matters which cannot be delegated	'appointing an auditor'	Under the <i>Local Government Act 1995</i> the City is required to have the Auditor General as the City's auditor.
Delegation 3.1 Bush Fire Act 1954	Addition of Bush Fire Control Officers.	For an officer to be able to issue an infringement under s59A Alternative Procedure – infringement notices the officer must be delegated by the local government under s59 Prosecutions of the Act. The Act prohibits sub-delegation. The proposed change is as a result of the recent review of Ranger services.
Delegation 9.2.2 Preliminary and Final Built Strata Approval	Delete reference to form number (form 26)	Generic form reference to allow for changes in form numbers
	Delete wording 'as notified to the WAPC'	To align with the wording used by WAPC.

A copy of the Delegation Register 2023-2024 with the changes marked is attached as Attachment 12.2.1.

Financial implications

There are no financial implications evident at this time.

Environmental implications

There are no environmental implications associated with this report.

Social implications

There are no social implications associated with this report.

Attachment details

Attachment No and title
1. Delegation Register 2023 tracked changes [12.2.1 - 124 pages]



CITY OF BELMONT
Delegation
Register 2022-
2023 Delegation
Date of Publication ~~28/6/2022~~XXXXXX
Register 2023-
2024



City of Belmont
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Introduction

Council is responsible for the overall government of the City's functions. The CEO is responsible for the day-to-day management of the administration of the City's functions amongst other functions such as advising Council.

Legislation applicable to local government may reserve specific powers and duties to the Council, the CEO or a defined authorised person or class of persons. Where legislation refers to a power or duty of the "local government" this is generally interpreted to mean the Council unless otherwise specified even if the power or duty is operational in nature.

Delegation of authority, where allowed, allows for efficient and timely decision making by local governments. Conditions or limitations may be incorporated into delegations such as limiting the circumstances in which a delegation can be exercised or imposing financial or other limits to the delegated power.

The delegation of a power or duty does not preclude a delegator from exercising or performing that power or duty itself or by acting through any employee authorised, by job description or otherwise, to carry out a function as the agent of, and on behalf of, the local government in accordance with approved policies.

A person granted a delegation is not obliged to exercise the delegated power and may, if circumstances indicate, refer the decision back to the delegator. Legislation varies in how delegation of authority is provided for, including limitations, conditions and reporting or review requirements. Reviews of delegations, where required by law, are the responsibility of the delegator.

In some instances, it is most appropriate for a function to be exercised by the Council only and as such no delegation is made e.g. consideration of ward reviews and submissions.

Under the *Local Government Act 1995* (the Act) and some other legislation, persons affected by specified decisions made under delegated authority have a right under Part 9 Division 1 of the Act to lodge an objection to the decision, which must be considered by Council, and/or to seek a review of the decision by the State Administrative Tribunal.

I Delegations by Local Government

The Act allows for the local government (Council) to delegate to the Chief Executive Officer (CEO) the exercise of any of its power or the discharge of any of its duties under the Act in order to effectively manage the day-to-day operations of the City.

The main consideration for a local government when deciding if it should delegate a power or duty is whether the delegation will improve the efficiency of the local government's operations whilst ensuring that its policies are consistently implemented.

Some legislation may restrict the local government to delegating a power or function only to the local government CEO, although some acts provide for the local

government to delegate to persons other than the CEO, such as other local government employees or committees. The CEO may further delegate those powers to other officers only if sub-delegation is permitted by the legislation.

Delegations are required to be made in writing, and for Council delegations, this normally takes the form of a resolution that is recorded in the Council Minutes.

Under the Act, *Cat Act 2011*, *Dog Act 1976*, *Graffiti Vandalism Act 2016* and *Planning and Development (Local Planning Schemes) Regulations 2015*, delegations by Council must be made by absolute majority resolution. Other legislation does not require an absolute majority to grant, amend or revoke a delegation by Council.

The decision to revoke a delegation from the CEO must also be absolute majority.

The Act also allows for the CEO to delegate any powers or discharge of any of the CEO's duties to another employee other than the power of delegation (s 5.44(4)). There is no power other than for the CEO to delegate a power.

All delegations must be in writing and the CEO is able to make the delegation or sub delegation subject to conditions or limitations. When an employee is acting in a position, they are deemed to be able to carry out the functions delegated to that position.

Delegations and authorisations from the Council directly to officers, other than the CEO, will be avoided unless legislation specifically provides that this is the only manner in which the power can be provided.

The ability to delegate a statutory function, power or duty must be described in a piece of legislation and is known as the power of delegation. It may be stated as a duty, function or power depending on the legislation. Delegations or authorisations may occur under legislation other than the Act, its regulations and the local government's local laws including but not limited to:

- *Planning and Development Act 2005* including regulations
- *Dog Act 1976* and regulations
- *Cat Act 2011* and regulations
- *Bush Fires Act 1954*, regulations and any local law created under that Act
- *Litter Act 1979* and regulations
- *Strata Titles Act 1985*
- *Local Government (Miscellaneous Provisions) Act 1960* as amended
- *Caravan Parks and Camping Grounds Act 1995*
- *Control of Vehicles (Off-Road Areas) Act 1978* and regulations
- *Building Act 2011* and regulations
- *Food Act 2008* and regulations

A Council delegation is not required where the legislation confers a specified function or power directly on the CEO or another defined class of authorised persons.

There also needs to be a specific function or duty that must be carried out under the legislation. The power must be able to be exercised by the person or body wanting to

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delegate that power and it must be contained in legislation that has an associated power of delegation.

A range of different powers can be delegated. An important aspect of any delegation of power is certainty as to the power being delegated. The person or body delegating authority should clearly specify in the instrument of delegation the statutory power or duty being delegated. This will ensure that the person exercising delegated authority can be certain of the extent of authority conferred by the delegation. The statutory reference to the power being delegated should be included in the instrument of delegation.

Reviewing the above list, it is clear that there is a limited range of legislation under which powers can be delegated. There is no express provision for a local government to delegate its functions under any other legislation. However, this does not prohibit the local government from "acting through" its officers for the purpose of legislation and the manner in which this can be achieved is detailed below.

The *Interpretation Act 1984* provides a standard basis on how terms across all Western Australian legislation can be interpreted such as computation of time. It also provides further information on how delegations work and provides a basis for allowing conditions or limitations to be made on the delegation; revocation of the delegation; the continuance of the delegation if a person is acting in the position to which the power is delegated.

II Matters which cannot be delegated

The following cannot be delegated by Council to the CEO under the Act (s 5.43)

- any power or duty that requires a decision of an absolute majority of the council
- accepting a tender which exceeds an amount determined by the local government
- ~~appointing an auditor~~
- acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government
- any of the local government's powers under
 - s 5.98 – Fees etc for council members
 - s 5.98A – Allowance for deputy mayor or deputy president
 - s 5.99 Annual fee for council members in lieu of fees for attending meetings
 - s 5.99A Allowances for council members in lieu of reimbursement of expenses
 - s 5.100 Payment for certain committee members
- borrowing money on behalf of the local government
- hearing or determining an objection of a kind referred to in s 9.5
- the power under s 9.49A(4) to authorise a person to sign documents on behalf of the local government
- any power or duty that requires the approval of the Minister or the Governor
- such other powers or duties as may be prescribed.

III Acting Through

Section 5.45 of the Act introduces the concept of “acting through.” In relation to delegations, s 5.45 of the Act states that nothing prevents a “local government from performing any of its functions by acting through a person other than the CEO” or “a CEO from performing any of his or her functions by acting through another person.”

While the Act does not specifically define the meaning of the term “acting through, it cites a key difference between a delegation and “acting through” in that a delegate exercises the delegated decision-making function in his or her own right. The principal issue is that where a person has no discretion in carrying out a function, then that function may be undertaken through the “acting through” concept. Alternatively, where the decision allows for discretion on the part of the decision maker, then that function needs to be delegated for another person to have that authority.

For administrative purposes, a person may sign a letter in his or her own name on behalf of the CEO while, with delegated powers, the person would sign a letter in his or her own name, in accordance with the delegated authority.

An appropriate method for a council of a local government to make a decision which will be implemented by its officers is for it to make a policy about particular functions that it performs. In that case there is no need for a delegation as it will be the role of the organisation to implement those policy decisions.

IV Register of Delegation

Section 5.46 of the Act requires the CEO to maintain a register of delegations made to the CEO and to employees. These registers must be reviewed at least once every financial year and the requirement for records to be kept on the exercise of the delegation is also included.

A register of delegations made by the local government to a committee is also required to be kept and reviewed at least once every financial year under s 5.18 of the Act.

V Standard Conditions of Delegation

Individuals are responsible for ensuring that legislated requirements relating to the exercise of delegated power(s) are complied with.

Any person proposing to exercise a power under delegated authority shall comply with the following standard conditions of delegation:

1. Actual decisions relating to the matter delegated shall be made by the person nominated in the delegation. However, it is understood that other staff may carry out administrative and technical work relating to those decisions.
2. Compliance with all relevant legislative requirements, Local Laws, Council Policies, resolutions of Council and the Business Management System Procedures.

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3. Delegated authority cannot be exercised where a Financial Interest or an Interest Affecting Impartiality is evident.
4. It is a statutory requirement to maintain a record of each decision made under delegated authority. Documents relating to delegated authority decisions shall, as a minimum, record:
 - a. Date the decision was exercised;
 - b. Name of the Officer/Committee exercising the decision;
 - c. Description of how the person exercised the power or discharged the duty, including where appropriate, any directions to staff to carry out work associated with the decision unless those directions are included in Policies, Management Procedures or the Delegation Register;
 - d. Notation of the people or class of people directly affected by the decision (other than Council or Committee members or employees of the City).

Any exercising of a power and discharging of a duty must be recorded on the Record of Exercise of Power – Delegation of Authority Form and registered in ECM Folder 11/005 at the time of exercising the delegation.

5. Instruction is provided for each delegation on record keeping requirements. All records relating to an exercise of delegation must be recorded in the main official record keeping system of the City, ECM.

VI Delegations from other Agencies and Instruments of Delegation or other Acts

Where legislation provides for the direct delegation to a person or a class of persons by other agencies or decision makers, no delegation is required from the local government. The authorisation is dealt with in the relevant legislation. Where required, the Instrument of Delegation or Notice of the Appointment is advertised in the Government Gazette. The Agencies are listed below and updated from time to time.

Department/Legislation
Department of Environment <i>Environmental Protection Act 1986 Environmental Protection (Noise) Regulations 1997</i> Pursuant to section 20 <i>Environmental Protection Act 1986</i> to the holder of the offices listed.
Department of Environment <i>Environmental Protection Act 1986 Environmental Protection (Noise) Regulations 1997</i> Pursuant to section 20 <i>Environmental Protection Act 1986</i> to the holder of the offices listed.

Attachment 12.2.1 Delegation Register 2023 tracked changes



Western Australian Planning Commission <i>Planning and Development Act 2005</i> Pursuant to section 16 of the Act (delegation) WAPC resolved on 26 May 2009
Western Australian Planning Commission <i>Planning and Development Act 2005</i> Pursuant to section 16 of the Act (delegation) WAPC Resolved on 15 December 2015
<i>Litter Act 1979</i> Pursuant to section 26 – Authorised officers, appointment and jurisdiction of etc.
<i>Main Roads Act 1930</i>

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LOCAL GOVERNMENT ACT 1995 DELEGATIONS

I.1 Council to CEO

I.1.1 Compensation – Damage Incurred when Performing Executive Functions

Delegator: Power / Duty assigned in legislation to:	Council
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s 5.42 Delegation of some powers or duties to the CEO s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s 3.22(1) Compensation s 3.23 Arbitration
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	<ol style="list-style-type: none"> 1. In accordance with s 3.22 procedures, assess and determine the extent of damage to private property arising directly from performance of the City's functions and make payment of compensation [s 3.22(1)] if requested. 2. Where compensation is unable to be determined and agreed between parties, give effect to arbitration in accordance with s 3.23.
Council Conditions on this Delegation:	<p>Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation.</p> <p>Additional Condition</p> <p>Financial Limits to Delegation is limited to settlements which do not exceed a material value of \$5000 per claim.</p>
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s 5.44 CEO may delegate some powers and duties to other employees

Compliance Links:	Local Government Act 1995 s 3.22(5) compensation is not payable for damage sustained as a result of certain functions s 3.23 Arbitration Schedule 3.1 Powers under notices to owners or occupiers of land Schedule 3.2 Particular things local governments can do on land even though it is not local government property
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	Operational Policy: BEXB32 Decision Making Policy – Decision Level 3
Record Keeping:	Records of exercise of delegated authority and associated contracts to be retained in ECM index: 11/005.

Version Control:

1	New: Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
	Reviewed ELT 18/5/2022 OCM 28/6/2022

I.1.2 Powers of Entry

Delegator: Power / Duty assigned in legislation to:	Council
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s 5.42 Delegation of some powers or duties to the CEO s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995,</i> s 3.28 When the subdivision applies s 3.32 Notice of entry s 3.34 Entry in an Emergency s 3.36 Opening Fences
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	<ol style="list-style-type: none"> 1. Give a notice of entry. 2. Determine that an emergency exists for the purposes of performing local government functions. 3. Execute an entry in an emergency. 4. Give notice and execute the opening of a fence. 5. The power of entry conferred, 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. <p><i>Local Government Act 1995 Part 3 Division 3 Subdivision 3 - Powers of entry</i></p>
Council Conditions on this Delegation:	<p>Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation.</p> <p>Additional Conditions:</p> <p>This delegation is not to be exercised unless evidence that the following sections of the Act have been complied with:</p> <p>3.31(1)(a) consent obtained from the owner or occupier; 3.31(1)(b) notice has been given under 3.32 3.34(2) Entry in emergency 3.36 (3) Opening fences</p>
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s 5.44 CEO may delegate some powers and duties to other employees

Compliance Links:	Local Government Act 1995 Part 3 Division 3 Subdivision 3 - Powers of entry
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	Operational Policy: BEXB32 Decision Making Policy – Decision Level 2
Record Keeping:	Record decisions to enter property. Records of exercise of delegated authority to be retained in ECM index:11/005. Associated Documentation pertaining to the notice and entry to be retained in relevant ECM index. Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> reg 19

Version Control:

1	Incorporates DA02 Powers of Entry in Emergency in 2020-2021 Delegation Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
	Reviewed ELT 18/5/2022 OCM 28/6/2022

I.1.3 Declare Vehicle is Abandoned Vehicle Wreck

Delegator: Power / Duty assigned in legislation to:	Council
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s 5.42 Delegation of some powers or duties to the CEO s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995,</i> s 3.40A(4) Abandoned vehicle wreck may be taken
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	The Authority to declare that a vehicle is an abandoned vehicle wreck.
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions: Nil
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s 5.44 CEO may delegate some powers and duties to other employees

Compliance Links:	Local Government Act 1995 s3.40A Local Government (Functions and General) Regulations 1996 Reg 29A Operational Policy: BEXB32 Decision Making Policy – Decision Level 3
Record Keeping:	Records of exercise of delegated authority to be retained in ECM index:11/005. Associated Documentation pertaining to the notice and entry to be retained in relevant ECM index. Abandonments (10/002 & 10/004)

Version Control:

1	New. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
	Reviewed ELT 18/5/2022 OCM 28/6/2022

I.1.4 Confiscated or Uncollected Goods

Delegator: Power / Duty assigned in legislation to:	Council
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s 5.42 Delegation of some powers or duties to the CEO s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s 3.46 Goods May be withheld until costs paid s 3.47 Confiscated or uncollected goods, disposal of s 3.48 Impounding expenses, recovery of
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	<ol style="list-style-type: none"> 1. Authority to refuse to allow goods impounded under s 3.39 or 3.40A to be collected until the costs of removing, impounding and keeping them have been paid to the local government. [s 3.46] 2. Authority to sell or otherwise dispose of confiscated or uncollected goods or vehicles that have been ordered to be confiscated under s 3.43 [s 3.47]. 3. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s 3.48].
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions: Nil
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s 5.44 CEO may delegate some powers and duties to other employees

Compliance Links:	Local Government Act 1995 s3.40A Local Government (Functions and General) Regulations 1996 Regulation 30 Operational Policy: BEXB32 Decision Making Policy – Decision Level 3
Record Keeping:	Records of exercise of delegated authority to be retained in ECM index: 11/005. Associated Documentation pertaining to the notice and entry to be retained in relevant ECM index. Abandonments (10/002 & 10/004)

Version Control:

1	New Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
2	Modified 22/23 review additional CEO Conditions on sub-delegation Approved ELT 18/5/22 OCM 28/6/2022



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| [Delegation Register 2022-2023](#)[Delegation Register 2023-2024](#)

I.1.5 Disposal of Sick or Injured Animals

Delegator: Power / Duty assigned in legislation to:	Council
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s 5.42 Delegation of some powers or duties to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s 3.47A Dispose of sick or injured animals
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	To authorise the humane disposal of an impounded animal where it is determined to be too ill or injured to be treated.
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions: Nil.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s 5.44 CEO may delegate some powers and duties to other employees

Compliance Links:	Local Government Act 1995 Operational Policy: BEXB32 Decision Making Policy – Decision Level 3
Record Keeping:	Records of exercise of delegated authority to be retained in ECM index:11/005. Associated Documentation pertaining to the notice and entry to be retained in relevant ECM index. Abandonments (10/002 & 10/004)

Version Control:

1	New Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
	Reviewed ELT 18/5/2022 OCM 28/6/2022

I.1.6 Close Thoroughfares to Vehicles

Delegator: Power / Duty assigned in legislation to:	Council
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s 5.42 Delegation of some powers or duties to the CEO s 5.43 Limitations on delegations to CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995</i> Certain provisions about thoroughfares s 3.50 Closing certain thoroughfares to vehicles s 3.50A Partial closure of thoroughfares for repairs or maintenance s 3.51 Affected owners to be notified of certain proposals s 3.52 Public access to be maintained and plans kept
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	<ol style="list-style-type: none"> 1. Authorised to close, revoke or vary the closure, of a thoroughfare to vehicles, wholly or partially, to vehicles for a period not exceeding 4 weeks; 2. For periods exceeding 4 weeks, after considering any submissions that are received, having given local public notice of the proposed closure of the thoroughfare; and 3. Authorised to give notice of the fixing, altering, alignment or draining of a public thoroughfare or other public place.
Council Conditions on this Delegation:	<p>Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation.</p> <p>Additional Conditions:</p> <p>This delegation is not to be exercised unless the following are evidenced as being complied with:</p> <ul style="list-style-type: none"> • 3.50A exception to local public notice. • 3.50(4) before it makes an order, wholly or partially closing a thoroughfare, exceeding 4 weeks give local public notice: including location, where, when and why and inviting submissions; and give written notice to each person who is prescribed for the purposes or owns land that is prescribed for the purposes of this section; and allow a reasonable time for submissions to be made; and consider any submissions made. • 3.51(3) affected owners to be notified of certain proposals.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s 5.44 CEO may delegate some powers and duties to other employees.
Compliance Links:	Local Government Act 1995



	Operational Policy: BEXB32 Decision Making Policy – Decision Level 2
Record Keeping:	Records of exercise of delegated authority to be retained in ECM index: 11/005. Associated Documentation pertaining to the notice and entry to be retained in relevant ECM index.

Version Control:

1	Formerly DA03 Road Closures Temporary in 2020-2021 Delegation Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
	Reviewed ELT 18/5/2022 OCM 28/6/2022

I.1.7 Control Reserves and Certain Unvested Facilities

Delegator: Power / Duty assigned in legislation to:	Council
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s 5.42 Delegation of some powers or duties to the CEO s 5.43 Limitations on delegations to CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995</i> s 3.53 – Control of certain unvested facilities
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	Authority to agree on the control and management of an unvested facility if it lies within two or more Local Government districts.
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions: Nil
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s 5.44 CEO may delegate some powers and duties to other employees.

Compliance Links:	Local Government Act 1995 Operational Policy: BEXB32 Decision Making Policy – Decision Level 3
Record Keeping:	Records of exercise of delegated authority to be retained in ECM index:11/005. Associated Documentation pertaining to the notice and entry to be retained in relevant ECM index.

Version Control:

1	New Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
	Reviewed ELT 18/5/2022 OCM 28/6/2022

I.1.8 Obstruction of Footpaths and Thoroughfares

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s 5.42 Delegation of some powers or duties to the CEO s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r 5(2) Interfering with, or taking from, local government land r 6 Obstruction of public thoroughfare by things placed and left - Sch. 9.1 cl. 3(1)(a) r 7A Obstruction of public thoroughfare by fallen things – Sch.9.1 cl.3(1)(b) r 7 Encroaching on public thoroughfare – Sch.9.1. s 3(2) <i>City of Belmont Consolidated Local Law 2020</i> Parts 3,6,7,8,9,10, 11 and 12
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	<ol style="list-style-type: none"> 1. Authority to determine, by written notice served on a person who is carrying out plastering, painting or decorating operations (the work) over or near a footpath on land that is local government property, to require the person to cover the footpath during the period specified in the notice so as to: <ol style="list-style-type: none"> a. prevent damage to the footpath; or b. prevent inconvenience to the public or danger from falling materials [ULP r 5(2)]. 2. Authority to provide permission including imposing appropriate conditions or to refuse to provide permission, for a person to place on a specified part of a public thoroughfare one or more specified things that may obstruct the public thoroughfare. [ULP r 6(2) and (4)]. 3. Authority to renew permission to obstruct a thoroughfare and to vary any condition imposed on the permission effective at the time written notice is given to the person to whom permission is granted [ULP r 6(6)]. 4. Authority to require an owner or occupier of land to remove any thing that has fallen from the land or from anything on the land, which is obstructing a public thoroughfare [ULP r 7A]. 5. Authority to require an owner occupier of land to remove any part of a structure, tree or plant that is encroaching, without lawful authority on a public thoroughfare [ULP r 7].



	6. To carry out the powers, functions and duties of the City's local laws relevant to the obstruction of footpaths and thoroughfares.
Council Conditions on this Delegation:	<p>Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation.</p> <p>Additional Conditions:</p> <ol style="list-style-type: none"> 1. Actions under this Delegation must comply with procedural requirements detailed in <i>the Local Government (Uniform Local Provisions) Regulations 1996</i>. 2. Permission may only be granted where, the proponent has: <ol style="list-style-type: none"> i. Where appropriate, obtained written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction. ii. Provided a bond, if requested, sufficient to the value of works that may be required if the proponent does not satisfactorily make good public assets damaged by the obstruction at the completion of works. iii. Provided evidence of sufficient Public Liability Insurance. iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s 5.44 CEO may delegate some powers and duties to other employees

Compliance Links:	<p>Local Government (Uniform Local Provisions) Regulations 1996 – prescribe applicable statutory procedures Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the Local Government Act 1995</p> <p>City of Belmont Consolidated Local Law 2020 City of Belmont Policy Manual – Council City of Belmont Policy Manual – Operational Operational Policy: BEXB32 Decision Making Policy – Decision Level 3</p>
Record Keeping:	Records of exercise of delegated authority to be retained in ECM index:11/005.



	Associated Documentation pertaining to the notice and entry to be retained in relevant ECM index.
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Version Control:

1	Incorporates DA21 Verge Permits in 2020-2021 Delegation Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
2	Minor Removal of consolidated local law reference Reviewed ELT 18/5/2022 OCM 28/6/2022

I.1.9 Gates Across Public Thoroughfares

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s 5.42 Delegation of some powers or duties to the CEO s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r 9 Permission to have gate across public thoroughfare – Sch.9.1 s 5(1)
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	<ol style="list-style-type: none"> 1. Authority to provide, or refuse to provide, permission to have a gate or other device across a local government thoroughfare that permits the passage of vehicle traffic and prevents livestock straying [ULP r 9(1)]. 2. Authority to require an applicant to publish a notice of the application in a manner thought fit for the purpose of informing persons who may be affected by the proposed gate or device [r 9(2)]. 3. Authority to impose conditions on granting permission [ULP r 9(4)]. 4. Authority to renew permission, or at any other time vary any condition, effective upon written notice to the person to whom permission was granted [ULP r 9(5)]. 5. Authority to cancel permission by written notice, and request the person to whom permission was granted to remove the gate or device within a specified time [ULP r 9(6)].
Council Conditions on this Delegation:	<p>Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation.</p> <p>Additional Conditions:</p> <p>Actions under this Delegation must comply with procedural requirements detailed in <i>the Local Government (Uniform Local Provisions) Regulations 1996</i>.</p>
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s 5.44 CEO may delegate some powers and duties to other employees

Compliance Links:	Local Government (Uniform Local Provisions) Regulations 1996 – prescribe applicable statutory procedures
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	<p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the Local Government Act 1995</p> <p>City of Belmont Consolidated Local Law 2020 City of Belmont Policy Manual – Council City of Belmont Policy Manual – Operational Operational Policy: BEXB32 Decision Making Policy – Decision Level 3</p>
Record Keeping:	<p>Records of exercise of delegated authority to be retained in ECM index:11/005.</p> <p>Associated Documentation pertaining to the notice and entry to be retained in relevant ECM index. Record Keeping requirement of <i>Local Government (Uniform Local Provisions) Regulations 1996</i> must be met.</p>

Version Control:

1	New. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
2	Minor Removal of consolidated local law reference Reviewed ELT 18/5/2022 OCM 28/6/2022

I.1.10 Public Thoroughfare – Dangerous Excavations

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s 5.42 Delegation of some powers or duties to the CEO s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r 11(1), (4), (6) & (8) Dangerous excavation in or near public thoroughfare – Sch.9.1 cl.6 <i>City of Belmont Consolidated Local Law 2020 Part 3,</i>
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	<ol style="list-style-type: none"> 1. Authority to determine if an excavation in or on land adjoining a public thoroughfare is dangerous and take action to fill it in or fence it or request the owner / occupier in writing to fill in or securely fence the excavation [ULP r 11(1)]. 2. Authority to determine to give permission or refuse to give permission to make or make and leave an excavation in a public thoroughfare or land adjoining a public thoroughfare [ULP r 11(4)]. 3. Authority to impose conditions on granting permission [ULP r 11(6)]. 4. Authority to renew a permission granted or vary at any time, any condition imposed on a permission granted [ULP r 11(8)]. 5. To carry out the powers, functions and duties of the City's local laws relevant to thoroughfares.
Council Conditions on this Delegation:	<p>Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation.</p> <p>Additional Conditions:</p> <p>Actions under this Delegation must comply with procedural requirements detailed in <i>the Local Government (Uniform Local Provisions) Regulations 1996</i>.</p>
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s 5.44 CEO may delegate some powers and duties to other employees
Compliance Links:	Local Government (Uniform Local Provisions) Regulations 1996 – prescribe applicable statutory procedures

	<p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the Local Government Act 1995</p> <p>City of Belmont Consolidated Local Law 2020 City of Belmont Policy Manual – Council City of Belmont Policy Manual – Operational Operational Policy: BEXB32 Decision Making Policy – Decision Level 3</p>
Record Keeping:	<p>Records of exercise of delegated authority to be retained in ECM index:11/005.</p> <p>Associated Documentation pertaining to the notice and entry to be retained in relevant ECM index.</p>

Version Control:

1	New. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
2	Minor Removal of consolidated local law reference Reviewed ELT 18/5/2022 OCM 28/6/2022

I.1.1.I Crossing from public thoroughfare to private land or private thoroughfare

Delegator: Power / Duty assigned in legislation to:	Council
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s 5.42 Delegation of some powers or duties to the CEO
Express Power or Duty Delegated:	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r 12(1) Crossing from public thoroughfare to private land or private thoroughfare – Sch.9.1 s 7(2) r 13(1) Requirement to construct or repair crossing – Sch.9.1 s 7(3) <i>City of Belmont Consolidated Local Law 2020 Part 3,</i>
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	<ol style="list-style-type: none"> 1. Upon application, approve the construction of a crossing giving access from a public thoroughfare to the land, or a private thoroughfare serving the land. 2. Authority to determine the specifications for the construction of the crossing to the satisfaction of the Local Government. 3. Authority to give notice to an owner or occupier of land requiring the person to construct or repair crossing and if the notice is not complied with initiate works to construct/repair crossing and recover costs in accordance with Regulation 13.
Council Conditions on this Delegation:	<p>Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation.</p> <p>Additional Conditions:</p> <p>Actions under this Delegation must comply with procedural requirements detailed in <i>the Local Government (Uniform Local Provisions) Regulations 1996</i>.</p>
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s 5.44 CEO may delegate some powers and duties to other employees
Compliance Links:	Local Government (Uniform Local Provisions) Regulations 1996 – prescribe applicable statutory procedures Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the Local Government Act 1995



	City of Belmont Consolidated Local Law 2020 Council Policy 1 Asset Management Operational Policy: BEXB32 Decision Making Policy – Decision Level 3
Record Keeping:	Records of exercise of delegated authority to be retained in ECM index:11/005. Associated Documentation pertaining to the notice and entry to be retained in relevant ECM index.

Version Control:

1	New Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
2	Minor Removal of consolidated local law reference Change to Council Policy Numbering Reviewed ELT 18/5/2022 OCM 28/6/2022

I.1.12 Requirement to construct and repair crossing

Delegator: Power / Duty assigned in legislation to:	Council
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s 5.42 Delegation of some powers or duties to the CEO
Express Power or Duty Delegated:	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r 13(1) Requirement to construct or repair crossing – Sch.9.1 s 7(3) <i>City of Belmont Consolidated Local Law 2020 Part 3,</i>
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	1. Give a person who is the owner or occupier of private land a notice in writing requiring the person to construct or repair a crossing from a public thoroughfare. 2. Construct or repair the crossing and recover 50% of the cost if the person fails to comply with the notice.
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions: 1. <i>Local Government (Uniform Local Provisions) Regulations 1996</i> r 14(2)(b) Role of Commissioner of Main Roads must be complied with. 2. That due process be followed for the issuing of a notice under section 3.25 of the <i>Local Government Act 1995</i> for a notice served under Regulation 14(3).
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s 5.44 CEO may delegate some powers and duties to other employees

Compliance Links:	Local Government (Uniform Local Provisions) Regulations 1996 – prescribe applicable statutory procedures Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the Local Government Act 1995 City of Belmont Consolidated Local Law 2020 Council Policy 1 Asset Management Operational Policy: BEXB32 Decision Making Policy – Decision Level 3
Record Keeping:	Records of exercise of delegated authority to be retained in ECM index: 11/005.



	Associated Documentation to be retained in relevant ECM index.
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Version Control:

1	New Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
2	Minor Removal of consolidated local law reference Change to Council Policy Numbering Reviewed ELT 18/5/2022 OCM 28/6/2022

I.1.13 Private Works on, over or under Public Places

Delegator: Power / Duty assigned in legislation to:	Council
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s 5.42 Delegation of some powers or duties to the CEO
Express Power or Duty Delegated:	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r 17(4) & (5) Private works on, over, or under public places r 17(5) Imposition of conditions <i>City of Belmont Consolidated Local Law 2020</i> Parts 3,7,8
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	Grant permission or conditional permission to a person to construct anything on, over or under a public thoroughfare or other public place that is local government property.
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions: Nil
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s 5.44 CEO may delegate some powers and duties to other employees

Compliance Links:	Local Government (Uniform Local Provisions) Regulations 1996 – prescribe applicable statutory procedures Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the Local Government Act 1995 City of Belmont Consolidated Local Law 2020 Council Policy 1 Asset Management Operational Policy: BEXB32 Decision Making Policy – Decision Level 3
Record Keeping:	Records of exercise of delegated authority to be retained in ECM index:11/005. Associated Documentation to be retained in relevant ECM index.

Version Control:

[Delegation Register 2022-2023](#) [Delegation Register 2023-2024](#)

Attachment 12.2.1 Delegation Register 2023 tracked changes



1	New Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
2	Minor Removal of consolidated local law reference Change to Council Policy Numbering Reviewed ELT 18/5/2022 OCM 28/6/2022

1.1.14 Procurement: Tenders; Tender Exemptions; Purchases (\$50,000-\$250,000) & Associated Contract Variations

Delegator: Power / Duty assigned in legislation to:	Council
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s 5.42 Delegation of some powers or duties to the CEO s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995</i> s 3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996 Part 4:</i> r.11 When tenders must be publicly invited r.13 Requirements when local government invites tenders though not required to do so r.14 Publicly inviting tenders, requirements for r.18 Rejecting and accepting tenders r.20 Variation of requirements before entry into contract r.21A Varying a contract for the supply of goods or services
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	<ol style="list-style-type: none"> 1. To call tenders and set weighted criteria as outlined in the relevant legislation and this delegation. 2. To authorise procurement and accept tenders in accordance with the conditions of this delegation. 3. To vary a contract prior to entry into a contract with a successful tenderer in accordance with reg 20. 4. To vary a contract already entered subject to reg 21A. 5. To authorise procurement and accept quotations in accordance with the conditions of this delegation. 6. To make, vary or discharge a contract that is formed through a non-tender process subject to reg 11(2).
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation . This delegation must be read in conjunction with the Council approved Purchasing Policy and the



	<p>regulations and the following specific additional conditions for this delegation.</p> <p>Additional Conditions:</p> <p>1. <u>Tenders:</u></p> <p>Calling of tenders may only occur where there is an approved Council budget provision in the current year.</p> <p>The Chief Executive Officer:</p> <ul style="list-style-type: none"> • may accept tenders, where there is a Council budget provision approved in the current year for the following: <ul style="list-style-type: none"> ○ Annual supplies of a routine operational nature within budget amount and where the contract is: <ul style="list-style-type: none"> ▪ for no greater than 5-years and ▪ expenditure is no more than \$250,000 per annum. ○ New capital items where the tender amount for the capital item is less than amount of \$250,000, including changeover costs where relevant and is within the identified budget amount. • may reject tenders of any amount ((reg 18(5) <i>Local Government (Functions and General) Regulations 1996</i>)) • may accept tenders relating to the disposal of impounded perishable and non-perishable goods in accordance with s3.47 of the <i>Local Government Act 1995</i>. <p>2. Exemptions from Tender (Reg 11(2) <i>Local Government (Functions & General) Regulations 1996</i>) and Purchases (\$50,000-\$250,000)</p> <p>The CEO</p> <ul style="list-style-type: none"> • may authorise purchases that are exempt from tendering regulations as outlined in regulation 11.2, excluding 2(d) of the <i>Local Government (Functions and General) Regulations 1996</i>, (i.e. State Government Common User Arrangement (CUA); WALGA preferred Suppliers provided a Council approved budget position applies; and • may approve purchases where there is a Council budget provision approved in the current year for the following: <ul style="list-style-type: none"> ○ Annual supplies of a routine operational nature within budget amount and where the contract is: <ul style="list-style-type: none"> ▪ for no greater than 5-years; and
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	<ul style="list-style-type: none"> ▪ expenditure is no more than \$250,000 per annum. ○ New capital items where the tender amount for the capital item is less than amount of \$250,000, including changeover costs where relevant and is within the identified budget amount. <p>3. Contract Variations</p> <p>3.1 Contract Variations - Tender</p> <p><u>Pre-Contract:</u></p> <p><i>Note: A minor variation is defined as a variation that the local government is satisfied is minor having regard to the total goods or services that tenderers were invited to supply ((Local Government (Functions and General) Regulations 1996 Reg 20)), and:</i></p> <ul style="list-style-type: none"> ○ Does not alter the nature of the goods and/or services procured; and ○ Does not materially alter the specification or structure provided for by the initial tender; and ○ Is less than 10% of the original tendered price. <p><i>A tender cannot be varied outside the above definition.</i></p> <p>The CEO may approve minor variations (see definition above) regarding the scope of work specified in a tender, following the receipt of submission, but prior to entering into a contract, provided there are sufficient funds being available within the approved budget for that item ((Reg 20 Local Government (Functions and General) Regulations 1996)).</p> <p><u>Post Contract:</u></p> <p>The CEO may approve a variation(s) to tender, limited to 10% of the total tender value (cumulative), or the value of their purchasing authority, whichever is the lesser amount after entering into a contract where the variation was unforeseen and is necessary in order for the goods or services to be supplied, and does not significantly change the contract scope in accordance with Reg 21A(a) Local Government (Functions and General) Regulations 1996.</p> <p>3.2 Contract Variations - Exempt and Procurement (\$50,000 - \$250,000)</p>
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	<p><u>Pre-Contract:</u></p> <p>CEO may approve minor variations (see definition below) regarding to the scope of work specified in the quotation, following the receipt of submission, but prior to entering into a contract provided there are sufficient funds being available within the approved budget for that item.</p> <ul style="list-style-type: none"> • A minor variation is defined as a variation that the local government is satisfied, is minor having regard to the total goods or services that were invited to supply and: <ul style="list-style-type: none"> ○ Does not alter the nature of the goods and/or services procured; and ○ Does not materially alter the specification or structure provided for by the initial quotation process; and ○ Is less than 10% of the original quoted price. <p><u>Post Contract:</u></p> <p>CEO may approve minor variations in a contract that has been entered into provided that there are sufficient funds, being available within the approved budget for that item and the variation complies with the definition of a minor variation above.</p> <ul style="list-style-type: none"> • Approve minor variations that were unforeseen and necessary for the supply of the goods or services. <p>Variations (in total) are limited to a maximum of 10% (cumulative total) of the procurement value for the contract; or the value of the delegated officers' purchasing authority, whichever is the lesser.</p> <p>4. <u>Extension of Contracts:</u></p> <ul style="list-style-type: none"> • Contracts formed from tender process: <ul style="list-style-type: none"> ○ Where a tender is accepted that includes an option to extend the contract beyond the initial period, the Chief Executive Officer may exercise or decline that option (Reg 21A(b) <i>Local Government (Functions and General) Regulations 1996</i>). • Where any other contract is accepted with an option to extend the contract beyond the initial period, the Chief Executive Officer may exercise or decline that option.
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	<p>5. Expressions of Interest (EOI's) (Reg 21(1) Local Government (Functions & General) Regulations 1996):</p> <p>To call, accept the short listing and if required reject all Expression of Interests.</p>
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <p>s 5.44 CEO may delegate some powers and duties to other employees</p>

Compliance Links:	<p>Local Government Act 1995</p> <p>Local Government (Functions and General) Regulations 1996</p> <p>Council Policy 29 Purchasing Policy Operational Policy: BEXB32 Decision Making Policy – Decision Level 3 Purchase Orders – Authority Limits Policy</p>
Record Keeping:	<p>Maintain Tender Register, recording details of decisions under this delegation and insert ECM-links to relevant evidentiary documents.</p> <p>Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> reg.19 Delegates to keep certain records, are retained in the City's record keeping systems.</p>

Version Control:

1	Formerly incorporated as DA04 Tenders in 2020-2021 Delegation Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
2	Amended ELT 18/5/2022 OCM 28/6/2022

1.1.15 Acquisition of Land

Delegator: Power / Duty assigned in legislation to:	Council
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s 5.42 Delegation of some powers or duties to the CEO s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s 3.59 Commercial enterprises by local government
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	Undertake the function of acquiring land, including lease and purchase.
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions: 1. Acquire 'real property', which is specifically identified within the current approved Budget with a value of up to \$1,000,000. 2. Acquire a leasehold interest in property for a cumulative cost over the life of the lease of up to \$1,000,000
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s 5.44 CEO may delegate some powers and duties to other employees

Compliance Links:	Local Government Act 1995: s 3.59 Commercial enterprises by local government Local Government (Functions and General) Regulations 1996 Part 3 Council Policy 29 Purchasing Operational Policy: BEXB32 Decision Making Policy – Decision Level 2
Record Keeping:	Records of exercise of delegated authority to be retained in ECM index:11/005. Associated Documentation to be retained in relevant ECM index.

Version Control:

[Delegation Register 2022-2023](#)[Delegation Register 2023-2024](#)

Attachment 12.2.1 Delegation Register 2023 tracked changes



1	Formerly incorporated as DA05 Acquisition and Disposal of Land in 2020-2021 Delegation Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
2	Minor Change to Council Policy Numbering Reviewed ELT 18/5/2022 OCM 28/6/2022

[Delegation Register 2022-2023](#)[Delegation Register 2023-2024](#)

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I.1.16 Disposal of Land

Delegator: Power / Duty assigned in legislation to:	Council
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s 5.42 Delegation of some powers or duties to the CEO s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s 3.58 Disposal of Property
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	<ol style="list-style-type: none"> 1. Undertake the function of disposing of land including through lease and sale. 2. Authority to dispose of property to: <ul style="list-style-type: none"> • the highest bidder at public auction [s 3.58(2)(a)]. • the person who at public tender called by the local government makes what is considered by the delegate to be, the most acceptable tender, whether or not it is the highest tender [s 3.58(2)(b)] 3. Authority to dispose of property by private treaty only in accordance with s 3.58(3) and prior to the disposal, to consider any submissions received following the giving of public notice [s 3.58(3)]. 4. Manage lease / licence clauses, including but not limited to terminations, renewal options, assignments, subletting, and the establishment of special conditions or variations to payment schedules.
Council Conditions on this Delegation:	<p>Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation.</p> <p>Additional Conditions:</p> <ol style="list-style-type: none"> 1. Dispose of 'real property', which is specifically identified within the current approved Budget with a value of up to \$1,000,000. 2. Dispose of a leasehold interest in property for a cumulative value over the life of the lease of up to \$1,000,000. 3. Assignment of leases and licences is subject to appropriate Police Clearances and Credit Checks (where unsatisfactory and the officer recommendation is to proceed refer to Council for decision). <p>Conditions for Additional Conditions 1 and 2: The exercise of this power does not include the power of delegation.</p>

Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s 5.44 CEO may delegate some powers and duties to other employees
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Compliance Links:	Local Government Act 1995: s 3.58 Disposal of Property s 3.59 Commercial enterprises by local government Local Government (Functions and General) Regulations 1996 Part 3 Council Policy 29 Purchasing Operational Policy: BEXB32 Decision Making Policy – Decision Level 2
Record Keeping:	Records of exercise of delegated authority to be retained in ECM index:11/005. Associated Documentation to be retained in relevant ECM index.

Version Control:

1	Formerly incorporated as DA05 Acquisition and Disposal of Land in 2020-2021 Delegation Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
2	Minor Change to Council Policy Numbering; Changes to DIS subdelegation. Reviewed ELT 18/5/2022 OCM 28/6/2022

I.1.17 Disposal of Property (other than land)

Delegator: Power / Duty assigned in legislation to:	Council
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s 5.42 Delegation of some powers or duties to the CEO s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s 3.58 Disposal of Property <i>Local Government (Functions and General) Regulations 1996 –</i> r 30 (3) Dispositions of property excluded from Act s 3.58
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	Dispose (includes to sell, lease, or otherwise dispose of whether absolutely or not) of assets (not including land surplus to the City's operational needs. Dispose as defined in the Act includes to sell, lease, or otherwise dispose of whether absolutely or not. Property as defined in the Act includes the whole or any part of the interest of a local government in property, but does not include money.
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions: 1. Limited to the disposal of minor plant or asset with a depreciated value of less than \$20,000 without the requirement for Council approval. 2. Limited to the disposal of a plant item or asset with a depreciated value of no more than \$90,000 in accordance with the requirements of s 3.58. 3. Donation of low value equipment, machinery and other materials in accordance with policy <i>51 Donation of Disused Equipment, Machinery and Other Materials</i> .
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate: Appointed by CEO	Director Corporate and Governance

[Delegation Register 2022-2023](#)[Delegation Register 2023-2024](#)



<p>Additional CEO Conditions on this Sub-Delegation: Conditions on the original delegation also apply to the sub-delegations.</p>	<p>In addition to the Council conditions of delegation to the CEO the following are additional:</p> <ol style="list-style-type: none"> Limited to disposal of surplus computer and related hardware with a depreciated value of up to \$5,000, in accordance with procedures to be developed and approved by the CEO. <p>The exercise of the delegated power does not include the power of delegation.</p>
<p>Compliance Links:</p>	<p>Local Government Act 1995: s 3.58 Disposal of Property Local Government (Functions and General) Regulations 1996 Part 3 Council Policy 29 Purchasing Council Policy 51 Donation of Disused Equipment, Machinery and Other Materials Operational Policy: BEXB32 Decision Making Policy – Decision Level 2</p>
<p>Record Keeping:</p>	<p>Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19</p> <p>Records of exercise of delegated authority to be retained in ECM index:11/005.</p> <p>Associated Documentation to be retained in relevant ECM index.</p>

Version Control:

1	Formerly incorporated as DA06 Disposal of Assets in 2020-2021 Delegation Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
	Reviewed ELT 18/5/2022 OCM 28/6/2022

1.1.18 Municipal or Trust Funds: Payments and Procedures

Delegator: Power / Duty assigned in legislation to:	Council
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s 5.42 Delegation of some powers or duties to the CEO s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995</i> s 6.7 Municipal fund s 6.9 (3) Trust fund <i>Local Government (Financial Management) Regulations 1996</i> r 11 Payments, procedures for making etc. r 12 Payments from municipal fund or trust fund, restrictions on making
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	Make payments from the Trust and Municipal Fund in accordance with procedures.
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions: Nil
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s 5.44 CEO may delegate some powers and duties to other employees

Compliance Links:	Local Government Act 1995 Local Government (Financial Management) Regulations 1996 - r 5 CEO's duties as to financial management r 13 Payments from municipal fund or trust fund by CEO, CEO's duties as to etc. Local Government (Audit) Regulations 1996 Department of Local Government, Sport and Cultural Industries Operational Guideline No.11 – Use of Corporate Credit Cards Department of Local Government, Sport and Cultural Industries: Accounting Manual
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	<p>Council Policy 29 Purchasing Council Policy 30 Corporate Credit and Debit Cards Council Policy 43 Organisational Record Keeping Operational Policy: BEXB32 Decision Making Policy – Decision Level 3</p>
Record Keeping:	<p>Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19</p> <p>Minute details of Council's resolution to receive the Authorised Cheque Listing and retain Cheque Vouchers, including electronic transfer records as evidence of decisions to make payments.</p> <p>Records of exercise of delegated authority to be retained in ECM index: 11/005. Associated Documentation to be retained in relevant ECM index.</p>

Version Control:

1	Formerly DA07 Municipal and Trust Fund/Procedures and Payments in 2020-2021 Delegation Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
2	Minor Change to Council Policy Numbering. Addition of Directors to sub-delegation. Reviewed ELT 18/5/2022 OCM 28/6/2022

I.1.19 Grant Concession, Waive or Write Off Debts

Delegator: Power / Duty assigned in legislation to:	Council
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s 5.42 Delegation of some powers or duties to the CEO s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995</i> s 6.12(1)(b), (c) and (3)
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	<ol style="list-style-type: none"> 1. Waive a debt which is owed to the City of Belmont [s 6.12(1)(b)]. 2. Grant a concession in relation to money which is owed to the City of Belmont [s 6.12(1)(b)]. 3. Write off an amount of money which is owed to the City of Belmont [s 6.12(1)(c)]
Council Conditions on this Delegation:	<p>Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation.</p> <p>Additional Conditions:</p> <ol style="list-style-type: none"> 1. Authorise a waiver, grant a concession or write off an amount of money owed to the City to a maximum value of \$5,000 per individual sundry debtor per financial year. 2. Write offs to be reported to Council on a quarterly basis with the Sundry Debtors Listing. 3. Reversals of incorrectly charged debts are not considered to be a write off.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s 5.44 CEO may delegate some powers and duties to other employees

Compliance Links:	<p>Local Government Act 1995</p> <p>43 Organisational Record Keeping</p> <p>Operational Policy: BEXB32 Decision Making Policy – Decision Level 3</p>
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Record Keeping:	<p>Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19</p> <p>Records of exercise of delegated authority to be retained in ECM index: 11/005.</p> <p>Associated Documentation to be retained in relevant ECM index.</p>
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Version Control:

1	Formerly incorporated as DA08 Waiver or Concessions – Granting in 2020-2021 Delegation Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
2	Minor Change to Council Policy Numbering Reviewed ELT 18/5/2022 OCM 28/6/2022

I.1.20 Investments

Delegator: Power / Duty assigned in legislation to:	Council
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s 5.42 Delegation of some powers or duties to the CEO s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995</i> s 6.14 Power to invest <i>Local Government (Financial Management) Regulations 1996:</i> r 19 Investments, control procedures for
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	Money held in the municipal fund or the trust fund that is not, for the time being, required by the local government for any other purpose may be invested in accordance with Part III of the <i>Trustees Act 1962</i> . Establish and document internal control procedures to ensure control over investments that enable the identification of the nature and location of all investments and the transactions related to each investment.
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions: Nil
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s 5.44 CEO may delegate some powers and duties to other employees
Compliance Links:	Local Government Act 1995 Local Government (Financial Management) Regulations 1996 - Council Policy 31 Investment Operational Policy: BEXB32 Decision Making Policy – Decision Level 3



Record Keeping:	<p>Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19 Delegates to keep certain records are retained in the City's record keeping systems.</p> <p>Records of exercise of delegated authority to be retained in ECM index:11/005. Record details of documented procedures; the subsequent amendment of procedures and ECM-links to relevant evidentiary documents.</p>
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Version Control:

1	Formerly incorporated as DA09 Investments in 2020-2021 Delegation Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
2	Minor Change to Council Policy Numbering Reviewed ELT 18/5/2022 OCM 28/6/2022

I.1.21 Recovery of Unpaid Rates

Delegator: Power / Duty assigned in legislation to:	Council
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s 5.42 Delegation of some powers or duties to the CEO s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995</i> s 6.55 Recovery of rates and service charges. s 6.56 (1) Rates or service charges recoverable in court. s 6.60 Local government may require lessee to pay rent. s 6.64 Actions to be taken. s 6.69 (2) (3) Right to pay rates, service charges and costs, and stay proceedings. s 6.74 (1) Power to have land retested in the Crown if rates in arrears 3 years. Schedule 6.2(1) [1] Provisions relating to lease of land where rates or service charges unpaid [s 6.65]. Schedule 6.3(1) [4] and (4) [1] Provisions relating to sale or transfer of land where rates or service charges unpaid [s 6.68(3)].
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	Undertake recovery of overdue unpaid rates, as well as the costs of proceedings, if any, for that recovery, incurred in a court of competent jurisdiction. As part of the legal recovery of rates and charges in court, documents such as summonses and warrants are required to be duly authorised.
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions: Legal representation is limited by the Magistrates Court (Civil Proceedings) Act 2004.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s 5.44 CEO may delegate some powers and duties to other employees
Compliance Links:	Local Government Act 1995 – <ul style="list-style-type: none"> Part 6, Division 6 Subdivision 6 and Schedule.6.3 prescribe procedures relevant to exercise of authority under this delegation.



	<ul style="list-style-type: none"> refer s 6.61 and 6.62 and Schedule 6.2 prescribe procedures relevant to exercise of authority under s 6.60 <p>Local Government (Financial Management) Regulations 1996 – regulations 72 – 78 prescribe forms and procedures relevant to exercise of authority under this delegation.</p> <p>Interpretation Act 1984 Magistrates Court (Civil Proceedings) Act 2004 – Part 4</p> <p>Council Policy 32 Collection of Rates Council Policy 33 Pensioner’s Outstanding Refuse Charges Council Policy 34 Pensioner/Senior Rates Arrears Council Policy 35 Financial Hardship Policy (COVID-19) Operational Policy: BEXB32 Decision Making Policy – Decision Level 3</p>
Record Keeping:	<p>Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19</p> <p>Records of exercise of delegated authority to be retained in ECM index:11/005.</p> <p>Record details of documented procedures; the subsequent amendment of procedures and ECM-links to relevant evidentiary documents.</p>

Version Control:

1	Formerly DA10 Recovery of Unpaid Rates in 2020-2021 Delegation Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
2	Minor Change to Council Policy Numbering Reviewed ELT 18/5/2022 OCM 28/6/2022

I.1.22 Administration of Local Laws

Delegator: Power / Duty assigned in legislation to:	Council
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s 5.42 Delegation of some powers or duties to the CEO s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	Powers to determine applications, issue and apply conditions to approvals, consents, permits, licences and registrations, undertake enforcement functions and exercise discretion under the following local laws: Consolidated Local Laws 2020 Health Local Laws 2002
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	To administer the City of Belmont Local Laws.
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions: <ul style="list-style-type: none"> • Infringements may only be issued by persons authorised for the purposes of section 9.16 of the <i>Local Government Act 1995</i> • Determinations under Part 13 of the Consolidated Local Law 2020 require a Resolution of Council.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s 5.44 CEO may delegate some powers and duties to other employees

Compliance Links:	Local Government Act 1995 Part 9 Division 1 Objections and Review Part 9 Division 2 Enforcement and Legal Proceedings Fines Penalties and Infringement Notices Enforcement Act 1994 Council Policies Council Policy 47 Dangerous Trees Council Policy 48 Urban Forest Policy
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	<p>Council Policy 55 Naming Or Renaming Of Street, Parks And Reserves Council Policy 58 Personalisation Of Council Owned Buildings By Users Council Policy 44 Street Numbering, Renumbering and Renaming</p> <p>Operational policies BB4 Manholes and Stormwater Connections BEXB24 Refuse Charges NB2 Storm Water Disposal from Private Properties SB12 Sausage Sizzle and Low Risk Food Manufacture and Sale by Charities and Community Groups SB13 Community Clothing Collection Bins SB14 Temporary Caravan Accommodation SB18 Commercially Run Temporary and Mobile Food Business Applying to Operate Within the City SB20 Dogs – Keeping of Three Dogs</p> <p>Operational Policy: BEXB32 Decision Making Policy – Decision Level 4</p>
Record Keeping:	<p>Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19.</p> <p>Records of exercise of delegated authority to be retained in ECM index:11/005.</p> <p>Record details of documented procedures; the subsequent amendment of procedures and ECM-links to relevant evidentiary documents.</p>

Version Control:

1	New Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
2	Minor (Removal Local Law delegation reference Change to Council Policy Numbering) Reviewed ELT 18/5/2022 OCM 28/6/2022

I.1.23 Extension for Rate Exemption Application

Delegator: Power / Duty assigned in legislation to:	Council
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s 5.42 Delegation of some powers or duties to the CEO s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s 6.76 Grounds of objection
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	Determine an application to extend the time for lodging an objection to the rate record where an objection is to be made relating to a rates exemption in accordance with s 6.26 Rateable Land beyond 42 days from the date of service of the rate notice.
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions: 1. Applications for an extension are to be made in writing. 2. A recommendation on a rates exemption is to be referred to Council.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s 5.44 CEO may delegate some powers and duties to other employees

Compliance Links:	Local Government Act 1995 Part 6 Division 6 Subdivision 7 Objections and Review Council Policy 32 Collection of Rates Operational Policy: BEXB32 Decision Making Policy – Decision Level 3
Record Keeping:	Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19. Records of exercise of delegated authority to be retained in ECM index:11/005.



	Record decision to approve or not approve the application for extension of time and insert ECM-links to evidentiary documents
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Version Control:

1	Formerly DA 12 Extension for Rate Exemption Application in 2020-2021 Delegation Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
2	Minor Change to Council Policy Numbering Reviewed ELT 18/5/2022 OCM 28/6/2022

I.1.24 Variation of Meeting Date – Annual Electors Meeting

Delegator: Power / Duty assigned in legislation to:	Council
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s 5.42 Delegation of some powers or duties to the CEO s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995</i> s 5.27 Electors' general meetings
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	To vary the Annual Electors Meeting date from the date as outlined in Council Policy 7 Council, Committee and Briefing Meeting Schedule should the need arise.
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions: Nil
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s 5.44 CEO may delegate some powers and duties to other employees

Compliance Links:	Local Government Act 1995 Council Policy 7 Council, Committee and Briefing Schedule Operational Policy: BEXB32 Decision Making Policy – Decision Level 2
Record Keeping:	Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19. Records of exercise of delegated authority to be retained in ECM index:11/005. Record details of documented procedures; the subsequent amendment of procedures and ECM-links to relevant evidentiary documents.

Version Control:

1	Formerly DA 13 Authorised Officers – Variation of Meeting Date – Annual Electors Meeting in 2020-2021 Delegation Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
2	Minor Change to Council Policy Numbering Reviewed ELT 18/5/2022 OCM 28/6/2022

I.1.25 Bank Accounts

Delegator: Power / Duty assigned in legislation to:	Council
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s 5.42 Delegation of some powers or duties to the CEO s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995</i> s6.6 Funds to be established <i>Local Government (Financial Management) Regulations 1996</i> r 8 Separate bank etc. accounts required for some moneys
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	Maintain separate accounts with a bank or other financial institution for money required to be held in: <ul style="list-style-type: none"> • the municipal fund; • the trust fund; • reserve accounts; and common investment authorised by the Act.
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions: <ul style="list-style-type: none"> • Nil.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s 5.44 CEO may delegate some powers and duties to other employees
Compliance Links:	Local Government Act 1995 Part 6 Division 4 Council Policy 31 Investment Operational Policy: BEXB32 Decision Making Policy – Decision Level 3



Record Keeping:	<p>Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19.</p> <p>Records of exercise of delegated authority to be retained in ECM index:11/005.</p> <p>Record details of documented procedures; the subsequent amendment of procedures and ECM-links to relevant evidentiary documents.</p>
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Version Control:

1	Formerly DA 11 Bank Accounts in 2020-2021 Delegation Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
2	Minor Change to Council Policy Numbering Reviewed ELT 18/5/2022 OCM 28/6/2022

I.1.26 Discretionary Gratuity Payments

Delegator: Power / Duty assigned in legislation to:	Council
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s 5.42 Delegation of some powers or duties to the CEO s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995</i> s 5.50– Payments to employees in addition to contract or award
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	To determine if a discretionary Gratuity payment should be made to a finishing employee under clause 23.1.1(d) of the City of Belmont Certified Agreement (2004) or clause 21.1.1(d) of the City of Belmont Certified Agreement (Operations) 2006.
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions: Any discretionary payments made through this delegation are to be advertised in accordance with s 5.50 and must comply with the limitations contained in the regulations.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s 5.44 CEO may delegate some powers and duties to other employees

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Compliance Links:	Local Government Act 1995 s5.50. (2) Local Government (Administration) Regulations 1996 19A. Payments in addition to contract or award, limits of (Act s 5.50(3)) Fair Work Act 2009 Council Policy 39 Gratuity Payments and Gifts to Employees City of Belmont Certified Agreement (2004) - Inside Staff Certified Agreement (Operations) 2006 Operational Policy: BEXB32 Decision Making Policy – Decision Level 2
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Record Keeping:	<p>Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19.</p> <p>Records of exercise of delegated authority to be retained in ECM index:11/005.</p> <p>Record details of documented procedures; the subsequent amendment of procedures and ECM-links to relevant evidentiary documents.</p>
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Version Control:

1	Formerly DA 14 Discretionary Gratuity Payments in 2020-2021 Delegation Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
2	Minor Change to Council Policy Numbering Reviewed ELT 18/5/2022 OCM 28/6/2022

I.1.27 Determination of Applications for Legal Representation for Elected Members and Employees

Delegator: Power / Duty assigned in legislation to:	Council
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s 5.42 Delegation of some powers or duties to the CEO s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995</i> s 6.7 Municipal fund s 9.56 Certain persons protected from liability for wrongdoing.
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	To determine an application seeking financial assistance for Legal Representation not exceeding an amount of \$5,000.
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions: 1. The authority to approval applications for legal representation for Council members and employees is limited to a maximum of \$5,000 as per Council Policy 28 Legal Representation for Elected Members and Employees. Amounts above \$5,000 are to be determined by Council. 2. Council is to be informed of any exercise of this delegation in accordance with Council Policy; 3. The determination must be made pursuant to Council Policy 28 Legal Representation for Council Members and Employees’.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s 5.44 CEO may delegate some powers and duties to other employees



Compliance Links:	<p>Local Government Act 1995 s6.7 (2) s9.56 Certain persons protected from liability for wrongdoing</p> <p>Local Government Operational Guideline Legal Representation for Council Members and Employees</p> <p>Council Policy 28 Legal Representation for Elected Members and Employees</p> <p>Operational Policy: BEXB32 Decision Making Policy – Decision Level 2</p>
Record Keeping:	<p>Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> reg.19</p> <p>Records of exercise of delegated authority to be retained in ECM index:11/005.</p> <p>Record details of documented procedures; the subsequent amendment of procedures and ECM-links to relevant evidentiary documents.</p>

Version Control:

1	Formerly DA 15 Determination of Applications for Legal Representation for Council Members and Employees in 2020-2021 Delegation Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
2	Minor Change to Council Policy Numbering Reviewed ELT 18/5/2022 OCM 28/6/2022

I.1.28 Donations – Disaster Relief

Delegator: Power / Duty assigned in legislation to:	Council
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s 5.42 Delegation of some powers or duties to the CEO s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995</i> s 6.7 Municipal Fund <i>Local Government (Financial Management) Regulations 1996</i> Payments from municipal fund or trust fund, restrictions on making
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	To approve the provisions of funds towards appeals where natural disasters have occurred in accordance with the Donations – Financial Assistance Policy (Council Policy 50)
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions: 1. Limit on Delegation is \$5,000 as outlined within Council Policy 50 Donations – Financial Assistance. 2. The amount to be proposed must be undertaken in liaison with the Mayor. 3. All Elected Members are to be consulted on the proposed donation amount, and if no agreement is reached a decision will then be referred to Council for further determination. 4. All amounts over \$5,000 are to be determined by Council resolution.
Delegator: Power / Duty assigned in legislation to:	Council

Compliance Links:	Local Government Act 1995 s 6.7 Municipal Fund Local Government (Financial Management) Regulations 1996 : 12. Payments from municipal fund or trust fund, restrictions on making Council Policy 50 Donations - Financial Assistance
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	Operational Policy: BEXB32 Decision Making Policy – Decision Level 2
Record Keeping:	<p>Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19.</p> <p>Records of exercise of delegated authority to be retained in ECM index:11/005.</p> <p>Record details of documented procedures; the subsequent amendment of procedures and ECM-links to relevant evidentiary documents.</p>

Version Control:

1	Formerly DA16 Donations – Disaster Relief in 2020-2021 Delegation Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
2	Minor Change to Council Policy Numbering Reviewed ELT 18/5/2022 OCM 28/6/2022

I.1.29 Community Contribution Funds

Delegator: Power / Duty assigned in legislation to:	Council
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s 5.42 Delegation of some powers or duties to the CEO s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995</i> s 6.7 Municipal Fund <i>Local Government (Financial Management) Regulations 1996:</i> 12. Payments from municipal fund or trust fund, restrictions on making
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	To approve applications for the release of funds as part of the Community Contribution Fund through requests for financial assistance in accordance with the Donations – Financial Assistance policy (Council Policy 50)
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions: 1. Limit on Delegation is \$5,000 as outlined within Council Policy 50 Donations – Financial Assistance. 2. All amounts over \$5,000 are to be determined by Council resolution. 3. Expenditure to be within approved budget and must be in accordance with programs outlined in Council Policy 50 Donations – Financial Assistance. 4. Delegation is only to be exercised where there is a direct benefit to the City of Belmont Residents and communities.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s 5.44 CEO may delegate some powers and duties to other employees



Compliance Links:	<p>Local Government Act 1995 s 6.7 Municipal Fund Local Government (Financial Management) Regulations 1996: 12. Payments from municipal fund or trust fund, restrictions on making</p> <p>Council Policy 50 Donations - Financial Assistance</p> <p>Operational Policy: BEXB32 Decision Making Policy – Decision Level 2</p>
Record Keeping:	<p>Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19.</p> <p>Records of exercise of delegated authority to be retained in ECM index:11/005.</p> <p>Record details of documented procedures; the subsequent amendment of procedures and ECM-links to relevant evidentiary documents.</p>

Version Control:

1	Formerly DA 17 Community Contribution Funds in 2020-2021 Delegation Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
2	Minor Change to Council Policy Numbering Reviewed ELT 18/5/2022 OCM 28/6/2022

I.1.30 Belmont Business Innovation Grants

Delegator: Power / Duty assigned in legislation to:	Council
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s 5.42 Delegation of some powers or duties to the CEO s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995</i> s 6.7 Municipal Fund <i>Local Government (Financial Management) Regulations 1996:</i> 12. Payments from municipal fund or trust fund, restrictions on making
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	Undertake the function of approving the release of funds as part of the Belmont Business Innovation Grants (BBIG) to a maximum limit of \$10,000 per application.
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions: 1. Expenditure to be within approved Budget and in accordance with approved guidelines
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s 5.44 CEO may delegate some powers and duties to other employees

Compliance Links:	Local Government Act 1995 s 6.7 Municipal Fund Local Government (Financial Management) Regulations 1996: 12. Payments from municipal fund or trust fund, restrictions on making Operational Policy: BEXB32 Decision Making Policy – Decision Level 2
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Record Keeping:	<p>Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19.</p> <p>Records of exercise of delegated authority to be retained in ECM index:11/005.</p> <p>Record details of documented procedures; the subsequent amendment of procedures and ECM-links to relevant evidentiary documents.</p>
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Version Control:

1	Formerly DA 18 Belmont Business Innovation Grants in 2020-2021 Delegation Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
2	Minor Change to Council Policy Numbering Reviewed ELT 18/5/2022 OCM 28/6/2022

I.1.3I Receiving Legal Documents to be Served on the City

Delegator: Power / Duty assigned in legislation to:	Council
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s 5.42 Delegation of some powers or duties to the CEO s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995</i> s 9.51 giving documents to local government
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	To receive legal documents served upon the City by another party (i.e. subpoenas), these include documents prepared for compliance with; <ul style="list-style-type: none"> • <i>Magistrates Court Act 2004</i> • <i>District Court of WA Act 1969</i> • <i>Supreme Court Act 1975</i> • <i>High Court of Australia Act 1979</i>
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions: 1. Unless a position title is included in the document this delegation does not extend to documents being served personally on an individual by name.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s 5.44 CEO may delegate some powers and duties to other employees

Compliance Links:	Local Government Act 1995 Operational Policy: BEXB32 Decision Making Policy – Decision Level 2.
Record Keeping:	Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19. Records of exercise of delegated authority to be retained in ECM index:11/005.



	Record details of documented procedures; the subsequent amendment of procedures and ECM-links to relevant evidentiary documents.
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Version Control:

1	Formerly DA 19 Receiving of Legal Documents to be served on the City in 2020-2021 Delegation Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
	Reviewed ELT 18/5/2022 OCM 28/6/2022

BUILDING ACT 2011 DELEGATIONS

2.1 Council to CEO / Employees

2.1.1 Grant a Building Permit

Delegator: Power / Duty assigned in legislation to:	Permit Authority (Local Government)
Express Power to Delegate: Power that enables a delegation to be made	<i>Building Act 2011:</i> s 127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	<i>Building Act 2011:</i> s 18 Further Information s 20 Grant of building permit s 22 Further grounds for not granting an application s 27(1) and (3) Impose Conditions on Permit <i>Building Regulations 2012:</i> r 23 Application to extend time during which permit has effect (s 32) r 24 Extension of time during which permit has effect (s 32(3)) r 26 Approval of new responsible person (s 35(c))
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	<ol style="list-style-type: none"> 1. Authority to require an applicant to provide any documentation or information required to determine a building permit application [s 18(1)]. 2. Authority to grant or refuse to grant a building permit [s 20(1) & (2) and s 22]. 3. Authority to impose, vary or revoke conditions on a building permit [s 27(1) and (3)]. 4. Authority to determine an application to extend time during which a building permit has effect [r 23]. <ol style="list-style-type: none"> i. Subject to being satisfied that work for which the building permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r 24(1)] ii. Authority to impose any condition on the building permit extension that could have been imposed under s 27 [r 24(2)]. 5. Authority to approve, or refuse to approve, an application for a new responsible person for a building permit [r 26].
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions:

Attachment 12.2.1 Delegation Register 2023 tracked changes

	<ul style="list-style-type: none"> In issuing permits, licences and approvals ensure the Code of Conduct requirements for 'Quasi-Judicial Role' are applied. <p>Notify Council of all refusals to grant Permits.</p>
Express Power to Sub-Delegate:	<p><i>Building Act 2011:</i> s 127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation - CEO)</p>

Compliance Links:	<p>Building Act 2011 s 119 Building and demolition permits – application for review by SAT s 23 Time for deciding application for building or demolition permit s 17 Uncertified application to be considered by building surveyor</p> <p>Building Regulations 2012 – r 25 Review of decision to refuse to extend time during which permit has effect (s 32(3)) – reviewable by SAT</p> <p>Building Services (Registration Act) 2011 – Section 7 Home Building Contracts Act 1991 – Part 3A, Division 2 – Part 7, Division 2 Building and Construction Industry Training Levy Act 1990 Heritage Act 2018 Operational Policy: BEXB32 Decision Making Policy – Decision Level 3.</p>
Record Keeping:	<p>Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19.</p> <p>Records of exercise of delegated authority to be retained in ECM index:11/005.</p> <p>Record details of documented procedures; the subsequent amendment of procedures and ECM-links to relevant evidentiary documents.</p>

Version Control:

1	Formerly part of DA20 Building Act 2011 in the 2020-2021 Delegations Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
	Reviewed ELT 18/5/2022 OCM 28/6/2022

2.1.2 Demolition Permits

Delegator: Power / Duty assigned in legislation to:	Permit Authority (Local Government)
Express Power to Delegate: Power that enables a delegation to be made	<i>Building Act 2011:</i> s 127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	<i>Building Act 2011:</i> s 18 Further Information s 21 Grant of demolition permit s 22 Further grounds for not granting an application s 27(1) and (3) Impose Conditions on Permit <i>Building Regulations 2012</i> r 23 Application to extend time during which permit has effect (s 32) r 24 Extension of time during which permit has effect (s 32(3)) r 26 Approval of new responsible person (s 35(c))
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	<ol style="list-style-type: none"> 1. Authority to require an applicant to provide any documentation or information required to determine a demolition permit application [s 18(1)]. 2. Authority to grant or refuse to grant a demolition permit on the basis that all s 21(1) requirements have been satisfied [s 20(1) & (2) and s 22]. 3. Authority to impose, vary or revoke conditions on a demolition permit [s 27(1) and (3)]. 4. Authority to determine an application to extend time during which a demolition permit has effect [r 23]. <ol style="list-style-type: none"> i. Subject to being satisfied that work for which the demolition permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r 24(1)] ii. Authority to impose any condition on the demolition permit extension that could have been imposed under s 27 [r 24(2)]. 5. Authority to approve, or refuse to approve, an application for a new responsible person for a demolition permit [r 26].
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions:

	<ul style="list-style-type: none"> In issuing permits, licences and approvals ensure the Code of Conduct requirements for 'Quasi-Judicial Role' are applied. <p>Notify Council of all refusals to grant Permits.</p>
Express Power to Sub-Delegate:	<p><i>Building Act 2011:</i> s 127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation - CEO)</p>

Compliance Links:	<p>Building Act 2011 s 119 Building and demolition permits – application for review by SAT s 23 Time for deciding application for building or demolition permit Building Services (Complaint Resolution and Administration) Act 2011 – Part 7, Division 2 Building and Construction Industry Training Levy Act 1990 Heritage Act 2018 Operational Policy: BEXB32 Decision Making Policy – Decision Level 3</p>
Record Keeping:	<p>Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19.</p> <p>Records of exercise of delegated authority to be retained in ECM index:11/005.</p> <p>Record details of documented procedures; the subsequent amendment of procedures and ECM-links to relevant evidentiary documents.</p>

Version Control:

1	Formerly part of DA20 Building Act 2011 in the 2020-2021 Delegations Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
	Reviewed ELT 18/5/2022 OCM 28/6/2022

2.1.3 Occupancy Permits or Building Approval Certificates

Delegator: Power / Duty assigned in legislation to:	Permit Authority (Local Government)
Express Power to Delegate: Power that enables a delegation to be made	<i>Building Act 2011:</i> s 127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	<i>Building Act 2011:</i> s 55 Further information s 58 Grant of occupancy permit, building approval certificate s 62(1) and (3) Conditions imposed by permit authority s 65(4) Extension of period of duration <i>Building Regulations 2012</i> r 40 Extension of period of duration of time limited occupancy permit or building approval certificate (s 65)
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	<ol style="list-style-type: none"> 1. Authority to require an applicant to provide any documentation or information required in order to determine an application [s 55]. 2. Authority to grant, refuse to grant or to modify an occupancy permit or building approval certificate [s 58]. 3. Authority to impose, add, vary or revoke conditions on an occupancy permit [s 62(1) and (3)]. 4. Authority to extend, or refuse to extend, the period in which an occupancy permit or modification or building approval certificate has effect [s 65(4) and r 40].
Council Conditions on this Delegation:	<p>Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation.</p> <p>Additional Conditions:</p> <ul style="list-style-type: none"> • In issuing permits, licences and approvals ensure the Code of Conduct requirements for 'Quasi-Judicial Role' are applied. <p>Notify Council of all refusals.</p>
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s 127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation - CEO)
Compliance Links:	Building Act 2011 s 59 time for granting occupancy permit or building approval certificate s 60 Notice of decision not to grant occupancy permit or grant building approval certificate



	<p>s 121 Occupancy permits and building approval certificates – application for review by SAT Building Services (Complaint Resolution and Administration) Act 2011 – Part 7, Division 2 Building and Construction Industry Training Levy Act 1990 Heritage Act 2018 Operational Policy: BEXB32 Decision Making Policy – Decision Level 3</p>
Record Keeping:	<p>Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19.</p> <p>Records of exercise of delegated authority to be retained in ECM index:11/005.</p> <p>Record details of documented procedures; the subsequent amendment of procedures and ECM-links to relevant evidentiary documents.</p>

Version Control:

1	Formerly part of DA20 Building Act 2011 in the 2020-2021 Delegations Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
	Reviewed ELT 18/5/2022 OCM 28/6/2022

2.1.4 Designate Employees as Authorised Persons

Delegator: Power / Duty assigned in legislation to:	Permit Authority (Local Government)
Express Power to Delegate: Power that enables a delegation to be made	<i>Building Act 2011:</i> s 127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	<i>Building Act 2011:</i> s 96(3) authorised persons s 99(3) Limitation on powers of authorised person
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	1. Authority to designate an employee as an authorised person [s 96(3)]. 2. Authority to revoke or vary a condition of designation as an authorised person or give written notice to an authorised person limiting powers that may be exercised by that person [s 99(3)]. NOTE: An <i>authorised person</i> for the purposes of s 96(3) and 99(3) is <u>not</u> an <i>approved officer</i> or <i>authorised officer</i> for the purposes of Building Reg. 70.
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions: Decisions under this delegated authority should be in accordance with r 5 of the <i>Building Regulations 2012</i> .
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s 127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation - CEO)

Compliance Links:	Building Act 2011: s 97 each designated authorised person must have an identity card. r 5A Authorised persons (s 3) – definition Operational Policy: BEXB32 Decision Making Policy – Decision Level 3
Record Keeping:	Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19. Records of exercise of delegated authority to be retained in ECM index:11/005. Record details of documented procedures; the subsequent amendment of procedures and ECM-links to relevant evidentiary documents.

Attachment 12.2.1 Delegation Register 2023 tracked changes



Version Control:

1	Formerly part of DA01 Appointment of Authorised Officers in 2020-2021 Delegation Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
	Reviewed ELT 18/5/2022 OCM 28/6/2022

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2.1.5 Building Orders

Delegator: Power / Duty assigned in legislation to:	Permit Authority (Local Government)
Express Power to Delegate: Power that enables a delegation to be made	<i>Building Act 2011:</i> s 127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	<i>Building Act 2011:</i> s 110(1) A permit authority may make a building order s 111(1) Notice of proposed building order other than building order (emergency) s 117(1) and (2) A permit authority may revoke a building order or notify that it remains in effect s 118(2) and (3) Permit authority may give effect to building order if non-compliance s 133(1) A permit authority may commence a prosecution for an offence against this Act
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	<ol style="list-style-type: none"> 1. Authority to make Building Orders in relation to: <ol style="list-style-type: none"> a. Building work b. Demolition work c. An existing building or incidental structure [s 110(1)]. 2. Authority to give notice of a proposed building order and consider submissions received in response and determine actions [s 111(1)(c)]. 3. Authority to revoke a building order [s 117]. 4. If there is non-compliance with a building order, authority to cause an authorised person to: <ol style="list-style-type: none"> a. take any action specified in the order; or b. 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 to cause the action to cease [s 118(2)]. 5. Authority to take court action to recover as a debt, reasonable costs and expense incurred in doing anything in regard to non-compliance with a building order [s 118(3)]. 6. Authority to initiate a prosecution pursuant to section 133(1) for non-compliance with a building order made pursuant to s 110 of the <i>Building Act 2011</i>.
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation.
	Additional Conditions:

Attachment 12.2.1 Delegation Register 2023 tracked changes

	<ul style="list-style-type: none"> In issuing permits, licences and approvals ensure the Code of Conduct requirements for 'Quasi-Judicial Role' are applied.
	Notify Council of all Orders issued.
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s 127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation - CEO)

Compliance Links:	<i>Building Act 2011:</i> s 111 Notice of proposed building order other than building order (emergency) s 112 Content of building order s 113 Limitation on effect of building order s 114 Service of building order Part 9 Review - s 122 Building orders – application for review by SAT Operational Policy: BEXB32 Decision Making Policy – Decision Level 3
Record Keeping:	Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19. Records of exercise of delegated authority to be retained in ECM index:11/005. Record details of documented procedures; the subsequent amendment of procedures and ECM-links to relevant evidentiary documents.

Version Control:

1	Formerly part of DA20 Building Act 2011 in 2020-2021 Delegations Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
	Reviewed ELT 18/5/2022 OCM 28/6/2022

2.1.6 Alternative Solutions – Private Pool Barriers and Smoke Alarms

Delegator: Power / Duty assigned in legislation to:	Permit Authority (Local Government)
Express Power to Delegate: Power that enables a delegation to be made	<i>Building Act 2011:</i> s 127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	<i>Building Regulations 2012:</i> r 51 Approvals by permit authority. r 55 Terms used (alternative building solution approval). r 61 Local government approval of battery powered smoke alarms.
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	<ol style="list-style-type: none"> 1. Authority to approve requirements for alternatives to a fence, wall, gate or other component included in the barrier, if satisfied that the alternative requirements satisfy the relevant requirements of r 51(2), (3) & (5). 2. Authority to approve alternative solutions to meet the requirements of the Building Code relating to fire detection and early warning. 3. Authority to approve or refuse to approve battery operated smoke alarms and determine the form of an application for such approval (r 61).
Council Conditions on this Delegation:	<p>Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation.</p> <p>Additional Conditions:</p> <ul style="list-style-type: none"> • In issuing permits, licences and approvals ensure the Code of Conduct requirements for 'Quasi-Judicial Role' are applied. <p>Notify Council of all refusals.</p>
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s 127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation - CEO)
Compliance Links:	Building Act 2011 Building Regulations 2012 Operational Policy: BEXB32 Decision Making Policy – Decision Level 3
Record Keeping:	Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19.



	Records of exercise of delegated authority to be retained in ECM index:11/005. Record details of documented procedures; the subsequent amendment of procedures and ECM-links to relevant evidentiary documents.
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Version Control:

1	New. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
	Reviewed ELT 18/5/2022 OCM 28/6/2022

2.1.7 Designate Employees as Approved and Authorised Persons (r70)

Delegator: Power / Duty assigned in legislation to:	Permit Authority (Local Government)
Express Power to Delegate: Power that enables a delegation to be made	<i>Building Act 2011:</i> s 127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	<i>Building Regulations 2012:</i> r 70 Approved officers and authorised officers
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	1. Authority to appoint an approved officer for the purposes of s 6(a) of the <i>Criminal Procedure Act 2004</i> , in accordance with Building Regulation 70(1) and (1A). NOTE: Only employees delegated under s 5.44(1) of the <i>Local Government Act 1995</i> with power under s 9.19 or 9.20 may be appointed as “approved officers”. 2. Authority to appoint an authorised officer for the purposes of s 6(b) of the <i>Criminal Procedure Act 2004</i> , in accordance with Building Regulation 70(2). NOTE: Only employees appointed under s 9.10 of the <i>Local Government Act 1995</i> and authorised for the purpose of performing functions under s 9.16 of that Act may be appointed as “authorised officers” for the purposes of Building Regulation 70(2).
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions: Nil
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s 127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation - CEO)

Compliance Links:	Building Act 2011: s 97 each designated authorised person must have an identity card. r 5A Authorised persons (s 3) – definition Operational Policy: BEXB32 Decision Making Policy – Decision Level 3
Record Keeping:	Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> reg.19



	<p>Records of exercise of delegated authority to be retained in ECM index:11/005.</p> <p>Record details of documented procedures; the subsequent amendment of procedures and ECM-links to relevant evidentiary documents.</p>
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Version Control:

1	Formerly part of DA01 Appointment of Authorised Officers in 2020-2021 Delegation Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
	Reviewed ELT 18/5/2022 OCM 28/6/2022

BUSH FIRES ACT 1954 DELEGATIONS

3.1 Council to CEO and Bush Fire Control Officer

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Bush Fires Act 1954:</i> s 48 Delegation by local government s59 Prosecutions (3)
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i>
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	All powers duties and functions of the local government under the <i>Bush Fires Act 1954</i> including s59 & S59A, and associated Regulations
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions: Nil.
Delegation to	Bushfire Control Officers Chief Bushfire Control Officer Manager Safer Communities
Express Power or Duty Delegated:	s 59 Prosecution of Offences s 59A Alternative Procedure – infringement notices
Conditions of Delegation	Standard Conditions as above apply. Withdrawal of Infringements may only be made by the Chief Executive Officer (<i>r4(a) Bush Fire (Infringement)Regulations 1978</i>) Limitation: Bush Fire Control Officers s59A only.
Express Power to Sub-Delegate:	NIL – Sub-delegation is prohibited by s 48(3)
Compliance Links:	Bush Fires Act 1954 Bush Fire (Infringement) Regulations 1978 Bush Fire Regulations 1954 Operational Policy: BEXB32 Decision Making Policy – Decision Level 3.
Record Keeping:	Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19.



	Records of exercise of delegated authority to be retained in ECM index:11/005.
	Record details of documented procedures; the subsequent amendment of procedures and ECM-links to relevant evidentiary documents.

Version Control:

1	Formerly DA24 Bush Fires Act – Powers and Functions in 2020-2021 Delegation Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
	Reviewed ELT 18/5/2022 OCM 28/6/2022

CAT ACT 2011 DELEGATIONS

4.1 Council to CEO

4.1.1 Cat Act 2011 – Administration and Enforcement

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Cat Act 2011:</i> s 44 Delegation by local government
Express Power or Duty Delegated:	<p><i>Cat Act 2011:</i> s 9 Registration s 10 Cancellation of registration s 11 Registration numbers, certificates and tags s 26 Cat control notice may be given to cat owner s 37 Approval to Breed Cats s 38 Cancellation of approval to breed cats s 39 Certificate to be given to approved cat breeder s 49(3) s 73 Prosecutions <i>Cat Regulations 2012</i> Schedule 3, cl.1(4) Fees Payable Schedule 3, cl1(2) & (3) <i>Cat (Uniform Local Provisions) Regulations 2013:</i> r 8 Application to keep additional number of cats. r 9 Grant of approval to keep additional number of cats.</p> <p><i>City of Belmont Consolidated Local Law 2020</i> relevant sections pertaining to animals.</p>
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	Authorised to: 1. Exercise any of the City's powers or the discharge of any of its duties under the <i>Cat Act 2011</i> . Appoint such persons to be Authorised Persons for performing particular functions under this Act.
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions: <ul style="list-style-type: none"> • s 48(2) A person who is not an employee of a local government cannot be appointed to be an authorised person for the purposes of s 62 (Infringement notices). • Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i>.

Attachment 12.2.1 Delegation Register 2023 tracked changes

	<ul style="list-style-type: none"> Reduction or waiver of fees in relation to any class of cat must be a decision of Council and included in the Fees and charges in accordance with s 6.16,6.17 & 6.18 of <i>Local Government Act 1995</i>.
Express Power to Sub-Delegate:	<i>Cat Act 2011</i> : s 45 Delegation by CEO of local government Note: s 45(6) A power or duty under s 63, 64 or 65 cannot be delegated to an authorised person.

Compliance Links:	Cat Act 2011 Cat Regulations 2012 r 11 Application for registration (s 8(2)), prescribes the Form of applications for registration. r 12 Period of registration (s 9(7)) r 11 Changes in registration r 14 Registration certificate (s 11(1)(b)) r 15 Registration tags (s 76(2)) r 21 Application for approval to breed cats (s 36(2)) r 22 Other circumstances leading to refusal of approval to breed cats (s 37(2)(f)) r 23 Person who is not refused approval to breed cats (s 37(5)) r 24 Duration of approval to breed cats (s 37(6)) r 25 Certificate given to approved cat breeder (s 39(1)) Cat (Uniform Local Provisions) Regulations 2013 Decisions are subject to Objection and Review by the State Administration Tribunal rights – refer Part 4, Division 5 of the <i>Cat Act 2011</i> . City of Belmont Consolidated Local Law 2020 Operational Policy: BEXB32 Decision Making Policy – Decision Level 2
Record Keeping:	Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19. Records of exercise of delegated authority to be retained in ECM index:11/005. Record details of documented procedures; the subsequent amendment of procedures and ECM-links to relevant evidentiary documents.

Version Control:

1	Formerly DA31 Cat Act 2011 in 2020-2021 Delegation Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
	Reviewed ELT 18/5/2022 OCM 28/6/2022

DOG ACT 1976 DELEGATIONS

5.1 Council to CEO

5.1.1 Dog Act 1976 – Power or duty of the local government under any provision of the Act

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Dog Act 1976</i> s10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	<i>Dog Act 1976</i> s 15(2) & (4A) Registration period and fees s 16(3) Registration procedures s 17A(2) s 17(4) & (6) s 29(5) power to seize dogs s 29(11) s 33E (1) Individual dog may be declared to be dangerous dog (declared) s 33F(6) Owners to be notified of making of declaration s 33G(4) Seizure and destruction s 33H(1), (2) and (5) Local government may revoke declaration or proposal to destroy s 33M(1)(a) Local Government expenses to be recoverable s 44 Enforcement proceedings
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	To carry out the functions of the <i>Dog Act 1976</i> , associated regulations and local laws. To determine the registration procedures and to <ul style="list-style-type: none"> • determine to refuse a dog registration • determine and provide notice for the non-renewal, cancellation or refusal to register due to reasons in accordance with the Act and associated regulations • discount or waive a registration fee • apply for seizure and following seizure dealt with in accordance with s17(6) Authority to grant, refuse to grant or cancel a kennel licence [s 27(4) and (6)]. Authority to recover moneys, in a court of competent jurisdiction, due in relation to a dog for which the owner is liable [s 29(5)]. Authority to dispose of or sell a dog which is liable to be destroyed [s 29(11)]

	<p>Authority to declare an individual dog to be a dangerous dog [s 33E(1)].</p> <p>Authority to consider and determine to either dismiss or uphold an objection to the declaration of a dangerous dog [s 33F(6)].</p> <p>Authority to consider and determine to either dismiss or uphold an objection to seizure of a dangerous dog [s 33G(4)].</p> <p>Authority to revoke a declaration of a dangerous dog or revoke notice proposing to cause a dog to be destroyed, only where satisfied that the dog can be kept without likelihood of any contravention of this Act [s 33H(1)]</p> <p>Authority to, before dealing with an application to revoke a declaration or notice, require the owner of the dog to attend with the dog a course in behaviour and training or otherwise demonstrate a change in the behaviour of the dog [s 33H(2)].</p> <p>Authority to consider and determine to either dismiss or uphold an objection to a decision to revoke [s 33H(5)]: (a) a notice declaring a dog to be dangerous; or (b) a notice proposing to cause a dog to be destroyed.</p> <p>Authority to determine the reasonable charge to be paid by an owner at the time of payment of the registration fee under s 15, up to any maximum amount prescribed, having regard to the expenses incurred by the Local Government in making inquiries, investigations and inspections concerning the behaviour of a dog declared to be dangerous [s 33H(5)].</p>
Council Conditions on this Delegation:	<p>Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation.</p> <p>Additional Conditions:</p> <p>The Chief Executive Officer may further delegate (Sub-delegate) to employees with the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this delegation.</p>
Express Power to Sub-Delegate:	<p>s 10AA (3) Delegation of local government powers and duties (Note: sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)</p>



Compliance Links:	<p>Dog Act 1976 Includes recovery of expenses relevant to: s 30A(3) Operator of dog management facility may have dog microchipped at owner's expense s 33M Local government expenses to be recoverable. s 47 Veterinary service expenses recoverable from local government Dog Regulations 2013 r 31 Local government expenses as to dangerous dogs (declare) City of Belmont Consolidated Local Law 2020</p> <p>Note –Decisions under this delegation may be referred for review by the State Administration Tribunal</p> <p>Operational Policy: BEXB32 Decision Making Policy – Decision Level 3</p>
Record Keeping:	<p>Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19.</p> <p>Records of exercise of delegated authority to be retained in ECM index:11/005.</p> <p>Record details of documented procedures; the subsequent amendment of procedures and ECM-links to relevant evidentiary documents.</p>

Version Control:

1	Formerly DA29 Dogs in 2020-2021 Delegation Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
	Reviewed ELT 18/5/2022 OCM 28/6/2022

5.1.2 Keeping of Three Dogs

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Dog Act 1976</i> s 10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	<i>Dog Act 1976</i> s 26 Limitation as to numbers
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	To determine applications for keeping of three dogs in accordance with Council Policy.
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions: The Chief Executive Officer may further delegate (Sub-delegate) to employees with the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this delegation.
Express Power to Sub-Delegate:	s 10AA (3) Delegation of local government powers and duties (Note: sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

Compliance Links:	Dog Act 1976 Dog Regulations 2013 City of Belmont Consolidated Local Law 2020 SB20 Dogs – Keeping of Three Dogs Operational Policy: BEXB32 Decision Making Policy – Decision Level 2
Record Keeping:	Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19. Records of exercise of delegated authority to be retained in ECM index:11/005.



	Record details of documented procedures; the subsequent amendment of procedures and ECM-links to relevant evidentiary documents.
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Version Control:

1	Formerly DA30 Keeping of Three Dogs in 2020-2021 Delegation Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6. .
	Reviewed ELT 18/5/2022 OCM 28/6/2022

FOOD ACT 2008 DELEGATIONS

6.1 Council to CEO/ Employees

6.1.1 Determine Compensation

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Food Act 2008:</i> s 118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s 119] and guidelines adopted [s 120] (4) Sub-delegation permissible only if expressly provided in regulations
Express Power or Duty Delegated:	<i>Food Act 2008:</i> s 56(2) Compensation to be paid in certain circumstances s 70(2) and (3) Compensation
Delegate:	Chief Executive Officer Director Development and Communities
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	1. Authority to determine applications for compensation in relation to any item seized, if no contravention has been committed and the item cannot be returned [s 56(2)]. Authority to determine an application for compensation from a person on whom a prohibition notice has been served and who has suffered loss as the result of the making of the order and who considers that there were insufficient grounds for making the order [s 70(2) and (3)].
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions: 1. In accordance with s 118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time. 2. Compensation under this delegation may only be determined upon documented losses up to a maximum of \$5000.00. Compensation requests above this value are to be reported to Council.
Express Power to Sub-Delegate:	NIL – <i>Food Regulations 2009</i> do not provide for sub-delegation.
Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal Food Act 2008 Operational Policy: BEXB32 Decision Making Policy –



	Decision Level 3
Record Keeping:	<p>Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19.</p> <p>Records of exercise of delegated authority to be retained in ECM index:11/005.</p> <p>Record details of documented procedures; the subsequent amendment of procedures and ECM-links to relevant evidentiary documents.</p>

Version Control:

1	New. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
	Reviewed ELT 18/5/2022 OCM 28/6/2022

6.1.2 Prohibition Orders

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Food Act 2008</i> s 118 Functions of enforcement agencies and delegation s 119 Conditions on performance of functions by enforcement agencies s 120 Performance of functions by enforcement agencies and authorised officers
Express Power or Duty Delegated:	<i>Food Act 2008</i> s 65 Prohibition order s 66 Certificate of clearance to be given in certain circumstances s 67 Request for re-inspection
Delegate:	Chief Executive Officer Director Development and Communities Manager Safer Communities
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	This delegation provides authority to: - 1. Serve a prohibition order on the proprietor of a food business in accordance with s 65 of the <i>Food Act 2008</i> ; 2. Give a certificate of clearance, where inspection demonstrates compliance with a prohibition order and any improvement notices; 3. Give written notice to proprietor of a food business on whom a prohibition order has been served of the decision not to give a certificate of clearance after an inspection.
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions: Nil.
Express Power to Sub-Delegate:	NIL – <i>Food Regulations 2009</i> do not provide for sub-delegation.
Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal Food Act 2008 City of Belmont Consolidated Local Laws 2020 Operational Policy: BEXB32 Decision Making Policy – Decision Level 3
Record Keeping:	Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19.



	<p>Records of exercise of delegated authority to be retained in ECM index:11/005.</p> <p>Record details of documented procedures; the subsequent amendment of procedures and ECM-links to relevant evidentiary documents.</p>
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Version Control:

1	Formerly DA26 Prohibition Orders in 2020-2021 Delegations Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
	Reviewed ELT 18/5/2022 OCM 28/6/2022

6.1.3 Registration of Food Business

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Food Act 2008</i> s 118 Functions of enforcement agencies and delegation s 119 Conditions on performance of functions by enforcement agencies s 120 Performance of functions by enforcement agencies and authorised officers
Express Power or Duty Delegated:	<i>Food Act 2008</i> s 110 Registration of food business s 112 Variation of conditions or cancellation of registration of food businesses.
Delegate:	Chief Executive Officer Director Development and Communities Manager Safer Communities
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	The delegation provides the authority to: - 1. Register a food business in respect of any premises for the purposes of Part 9 of the <i>Food Act 2008</i> and issue a certificate of registration; 2. After considering an application, determine to grant (with or without conditions) or refuse the application; 3. Vary the conditions or cancel the registration of a food business in respect of any premises under Part 9 of the <i>Food Act 2008</i> .
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions: Nil.
Express Power to Sub-Delegate:	NIL – <i>Food Regulations 2009</i> do not provide for sub-delegation.
Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal Food Act 2008 City of Belmont Consolidated Local Laws 2020 Operational Policy: BEXB32 Decision Making Policy – Decision Level 3
Record Keeping:	Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19.



	Records of exercise of delegated authority to be retained in ECM index:11/005. Record details of documented procedures; the subsequent amendment of procedures and ECM-links to relevant evidentiary documents.
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Version Control:

1	Formerly DA27 Registration of Food Business in 2020-2021 Delegation Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
	Reviewed ELT 18/5/2022 OCM 28/6/2022

6.1.4 Appoint Authorised Officers and Designated Officers

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Food Act 2008</i> s 118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s 119] and guidelines adopted [s 120] (4) Sub-delegation permissible only if expressly provided in regulations
Express Power or Duty Delegated:	<i>Food Act 2008:</i> s 122(1) Appointment of authorised officers s 126(6), (7) and (13) Infringement Officers
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	<ol style="list-style-type: none"> 1. Authority to appoint a person to be an authorised officer for the purposes of the <i>Food Act 2008</i> [s 122(2)]. 2. Authority to appoint an Authorised Officer appointed under s 122(2) of this Act or the s 24(1) of the <i>Public Health Act 2016</i>, to be a Designated Officer for the purposes of issuing Infringement Notices under the <i>Food Act 2008</i> [s 126(13)]. 3. Authority to appoint an Authorised Officer to be a Designated Officer (who is prohibited by s 126(13) from also being a Designated Officer for the purpose of issuing infringements), for the purpose of extending the time for payment of modified penalties [s 126(6)] and determining withdrawal of an infringement notice [s 126(7)].
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions: Nil.
Express Power to Sub-Delegate:	NIL – <i>Food Regulations 2009</i> do not provide for sub-delegation.
Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal Food Act 2008 Operational Policy: BEXB32 Decision Making Policy – Decision Level 3

Record Keeping:	<p>Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19.</p> <p>Records of exercise of delegated authority to be retained in ECM index:11/005.</p> <p>Record details of documented procedures; the subsequent amendment of procedures and ECM-links to relevant evidentiary documents.</p>
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Version Control:

1	Formerly included in DA01 Appointment of Authorised Officers in 2020-2021 Delegation Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
	Reviewed ELT 18/5/2022 OCM 28/6/2022

6.1.5 Debt Recovery and Prosecutions

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Food Act 2008</i> s 118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s 119] and guidelines adopted [s 120] (4) Sub-delegation permissible only if expressly provided in regulations
Express Power or Duty Delegated:	<i>Food Act 2008:</i> s 54 Cost of destruction or disposal of forfeited item s 125 Institution of proceedings
Delegate:	Chief Executive Officer Director Development and Communities Manager Safer Communities
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	1. Authority to recover costs incurred in connection with the lawful destruction or disposal of an item (seized) including any storage costs [s 54(1)] and the costs of any subsequent proceedings in a court of competent jurisdiction [s 54(3)]. 2. Authority to institute proceedings for an offence under the <i>Food Act 2008</i> [s 125].
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions: Nil.
Express Power to Sub-Delegate:	NIL – <i>Food Regulations 2009</i> do not provide for sub-delegation.
Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal Food Act 2008 Operational Policy: BEXB32 Decision Making Policy – Decision Level 3
Record Keeping:	Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19. Records of exercise of delegated authority to be retained in ECM index:11/005.



	Record details of documented procedures; the subsequent amendment of procedures and ECM-links to relevant evidentiary documents.
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Version Control:

1	Formerly included in DA28 Food Act 2008 Prosecutions in 2020-2021 Delegation Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
	Reviewed ELT 18/5/2022 OCM 28/6/2022

GRAFFITI VANDALISM ACT 2016 DELEGATIONS

7.1. Council to CEO

7.1.1 Graffiti Vandalism Act – Administration and Enforcement

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Graffiti Vandalism Act 2016:</i> s 16 Delegation by local government
Express Power or Duty Delegated:	<i>Graffiti Vandalism Act 2016:</i> s 28 Notice of entry s 29 Entry under warrant
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	Authorised to exercise any of the City's powers or the discharge of any of its duties under the <i>Graffiti Vandalism Act 2016</i> .
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the <u>Standard Conditions of Delegation</u> and the following specific additional conditions for this delegation. Additional Conditions: <i>Graffiti Vandalism Act 2016</i> <ul style="list-style-type: none"> • s 21 Advice of objection and review rights: Whenever a notice is given under section 18, the person giving it is to ensure that, as soon as practicable after the notice is given, the affected person is given written reasons for being given the notice and is informed of the person's rights under this Division to object against, and apply for a review of, the decision to give the notice. • s 20 Affected person: If the person to whom a local government gives a notice under section 18 is not the owner of the property to which the notice relates, the owner is also an affected person, and a reference in this Division to the affected person includes both the owner and the person to whom the notice was given. • s 24 Suspension of effect of notice: Any objection to a notice must be dealt with by the local government as if it were an objection to a decision of the local government under the <i>Local Government Act 1995</i> Part 9 and section 9.6 of that Act applies when dealing with that objection.
Express Power to Sub-Delegate:	<i>Graffiti Vandalism Act 2016:</i> s 17 Delegation by CEO of local government.



Compliance Links:	Graffiti Vandalism Act 2016 City of Belmont Consolidated Local Laws 2020 Operational Policy: BEXB32 Decision Making Policy – Decision Level 3
Record Keeping:	Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19. Records of exercise of delegated authority to be retained in ECM index:11/005. Record details of documented procedures; the subsequent amendment of procedures and ECM-links to relevant evidentiary documents.

Version Control:

1	New. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
	Reviewed ELT 18/5/2022 OCM 28/6/2022

PUBLIC HEALTH ACT 2016 DELEGATIONS

8.1 Council to CEO

8.1.1 Appoint Authorised Officer or Approved Officer (Asbestos Regs)

Delegator: Power / Duty assigned in legislation to:	Enforcement Agency (defined as Local Government)
Express Power to Delegate: Power that enables a delegation to be made	<i>Health (Asbestos) Regulations 1992:</i> r 15D(7) Infringement Notices
Express Power or Duty Delegated:	<i>Health (Asbestos) Regulations 1992:</i> r 15D(5) Infringement Notices
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	Authority to appoint a person or classes of persons as an authorised officer or approved officer for the purposes of the <i>Criminal Procedure Act 2004</i> Part 2 [r 15D(5)].
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions: a. Subject to each person so appointed being issued with a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices [r 15D(6)].
Express Power to Sub-Delegate:	Nil – the <i>Health (Asbestos) Regulations 1992</i> do not provide a power to sub-delegate.
Compliance Links:	Public Health Act 2016 Health (Asbestos) Regulations 1992 Criminal Procedure Act 2004 City of Belmont Consolidated Local Laws 2020 City of Belmont Health Local Law 2012 Operational Policy: BEXB32 Decision Making Policy – Decision Level 3
Record Keeping:	Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19.



	<p>Records of exercise of delegated authority to be retained in ECM index:11/005.</p> <p>Record details of documented procedures; the subsequent amendment of procedures and ECM-links to relevant evidentiary documents.</p>
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Version Control:

1	Formerly Incorporated into DA01 Appointment of Authorised Officers in 2020-2021 Delegation Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
	Reviewed ELT 18/5/2022 OCM 28/6/2022

8.1.2 Enforcement Agency Reports to the Chief Health Officer

Delegator: Power / Duty assigned in legislation to:	Enforcement Agency (defined as Local Government)
Express Power to Delegate: Power that enables a delegation to be made	<i>Public Health Act 2016:</i> s 21 Enforcement agency may delegate
Express Power or Duty Delegated:	<i>Public Health Act 2016</i> s 22 Reports by and about enforcement agencies
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	<ol style="list-style-type: none"> 1. Authority to prepare and provide to the Chief Health Officer, the Local Government's report on the performance of its functions under this Act and the performance of functions by persons employed or engaged by the City of Belmont [s 22(1)] 2. Authority to prepare and provide to the Chief Health Officer, a report detailing any proceedings for an offence under this Act [s 22(2)].
Council Conditions on this Delegation:	<p>Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation.</p> <p>Additional Conditions:</p> <ol style="list-style-type: none"> a. Subject to each person so appointed being issued with a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices [r 15D(6)].
Express Power to Sub-Delegate:	Nil – Unless a Regulation enacted under the <i>Public Health Act 2016</i> , specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s 21(4)].
Compliance Links:	<p>Public Health Act 2016 s 20 Conditions on performance of functions by enforcement agencies.</p> <p>Operational Policy: BEXB32 Decision Making Policy – Decision Level 3</p>
Record Keeping:	<p>Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19.</p> <p>Records of exercise of delegated authority to be retained in ECM index:11/005.</p>



	Record details of documented procedures; the subsequent amendment of procedures and ECM-links to relevant evidentiary documents.
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Version Control:

1	New. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
	Reviewed ELT 18/5/2022 OCM 28/6/2022

8.1.3 Designate Authorised Officers

Delegator: Power / Duty assigned in legislation to:	Enforcement Agency (defined as Local Government)
Express Power to Delegate: Power that enables a delegation to be made	<i>Public Health Act 2016:</i> s 21 Enforcement agency may delegate
Express Power or Duty Delegated:	<i>Public Health Act 2016</i> s 24(1) and (3) Designation of authorised officers
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	<p>1. Authority to designate a person or class of persons as authorised officers for the purposes of:</p> <ul style="list-style-type: none"> i. The <i>Public Health Act 2016</i> or other specified Act ii. Specified provisions of the <i>Public Health Act 2016</i> or other specified Act iii. Provisions of the <i>Public Health Act 2016</i> or another specified Act, other than the specified provisions of that Act. <p>Including:</p> <ul style="list-style-type: none"> 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. [s 24(1) and (3)].
Council Conditions on this Delegation:	<p>Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation.</p> <p>Additional Conditions:</p> <ul style="list-style-type: none"> 1. Subject to each person so appointed being; <ul style="list-style-type: none"> • Appropriately qualified and experienced [s 25(1)(a)]; and • Issued with a certificate, badge or identity card identifying the authorised officer [s 30 and 31]. 2. A Register (list) of authorised officers is to be maintained in accordance with s 27.
Express Power to Sub-Delegate:	Nil – Unless a Regulation enacted under the <i>Public Health Act 2016</i> , specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s 21(4)].
Compliance Links:	Public Health Act 2016 s 20 Conditions on performance of functions by enforcement agencies.

	<p>s 25 Certain authorised officers required to have qualifications and experience. s 26 Further provisions relating to designations s 27 Lists of authorised officers to be maintained s 28 When designation as authorised officer ceases s 29 Chief Health Officer may issue guidelines about qualifications and experience of authorised officers s 30 Certificates of authority s 31 Issuing and production of certificate of authority for purposes of other written laws s 32 Certificate of authority to be returned. s 136 Authorised officer to produce evidence of authority</p> <p>Criminal Investigation Act 2006, Parts 6 and 13 – refer s 245 of the <i>Public Health Act 2016</i></p> <p>The Criminal Code, Chapter XXVI – refer s 252 of the <i>Public Health Act 2016</i></p> <p>Dog Act 1974 Cat Act 2011 City of Belmont Consolidated Local Law 2020 City of Belmont Health Local Law 2012</p> <p>Operational Policy: BEXB32 Decision Making Policy – Decision Level 3</p>
Record Keeping:	<p>Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19.</p> <p>Records of exercise of delegated authority to be retained in ECM index:11/005.</p> <p>Record details of documented procedures; the subsequent amendment of procedures and ECM-links to relevant evidentiary documents.</p>

Version Control:

1	Formerly included DA01 Appointment of Authorised Officers in 2020-2021 Delegation Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6. Reviewed ELT 18/5/2022 OCM 28/6/2022
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8.1.4 Determine Compensation of Seized Items

Delegator: Power / Duty assigned in legislation to:	Enforcement Agency (defined as Local Government)
Express Power to Delegate: Power that enables a delegation to be made	<i>Public Health Act 2016:</i> s 21 Enforcement agency may delegate
Express Power or Duty Delegated:	<i>Public Health Act 2016</i> s 264 Compensation
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	Authority, in response to an application for compensation, to determine compensation that is just and reasonable in relation to any item seized under Part 16 if there has been no contravention of the Act and the item cannot be returned or has in consequence of the seizure depreciated in value [s 264].
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions: Compensation is limited to a maximum value of \$5000, with any proposal for compensation above this value to be referred for Council's determination.
Express Power to Sub-Delegate:	Nil – Unless a Regulation enacted under the <i>Public Health Act 2016</i> , specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s 21(4)].
Compliance Links:	Public Health Act 2016 s 20 Conditions on performance of functions by enforcement agencies. Note – Decisions under this delegation may be referred for review by the State Administration Tribunal City of Belmont Consolidated Local Law 2020 City of Belmont Health Local Law 2012 Operational Policy: BEXB32 Decision Making Policy – Decision Level 3
Record Keeping:	Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19. Records of exercise of delegated authority to be retained in ECM index:11/005.



	Record details of documented procedures; the subsequent amendment of procedures and ECM-links to relevant evidentiary documents.
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Version Control:

1	New. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
	Reviewed ELT 18/5/2022 OCM 28/6/2022

**PLANNING AND DEVELOPMENT ACT 2005
DELEGATIONS**

9.1 Council to CEO

9.1.1 Illegal Development

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s 5.42(b) Delegation of some powers or duties to the CEO s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Planning and Development Act 2005:</i> Section 214(2), (3) and (5)
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	<ol style="list-style-type: none"> 1. Give a written direction to the owner or any other person undertaking an unauthorised development to stop, and not recommence, the development or that part of the development that is undertaken in contravention of the planning scheme, interim development order or planning control area requirements; 2. Give a written direction to the owner or any other person who undertook an unauthorised development: <ol style="list-style-type: none"> (a) to remove, pull down, take up, or alter the development; and (b) to restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the responsible authority. 3. Give a written direction to the person whose duty it is to execute work to execute that work where it appears that delay in the execution of the work to be executed under a planning scheme or interim development order would prejudice the effective operation of the planning scheme or interim development order.
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions: Nil
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s 5.44 CEO may delegate some powers and duties to other employees
Compliance Links:	Planning and Development Act 2005

[Delegation Register 2022-2023](#)[Delegation Register 2023-2024](#)



	<p>Planning and Development (Local Planning Schemes) Regulations 2015</p> <p>City of Belmont Consolidated Local Law 2020</p> <p>Note –Decisions under this delegation may be referred for review by the State Administration Tribunal</p> <p>Operational Policy: BEXB32 Decision Making Policy – Decision Level 3.</p>
Record Keeping:	<p>Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19.</p> <p>Records of exercise of delegated authority to be retained in ECM index:11/005.</p> <p>Record details of documented procedures; the subsequent amendment of procedures and ECM-links to relevant evidentiary documents.</p>

Version Control:

1	New. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
	Reviewed ELT 18/5/2022 OCM 28/6/2022

9.2 Local Planning Scheme 15– Council to CEO

9.2.1 Development Applications

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, Part 10, s 82(1) Delegations by local government
Express Power or Duty Delegated:	<i>Planning and Development (Local Planning Schemes) Regulations 2015, Schedule 2</i> s 68 Determination of applications s 70 Form and date of determination s 77 Amending or cancelling applications Planning and Development (Development Assessment Panel) Regulations 2011 17A Amendment or cancellation of development approval by responsible authority.
Delegate:	Chief Executive Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	Interpret and apply the provisions of Local Planning Scheme No. 15 and any relevant statutory planning framework, including Local and State Planning Policies. To determine development applications by issuing refusals, deemed refusals, approvals with relevant conditions and amendments to development approvals in respect of applications determined under delegated authority.
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions: This delegation must not be exercised by the delegated officer where: <ul style="list-style-type: none"> • The estimated cost of development, excluding any development undertaken by the City, exceeds \$5 million. • The City, or an authorised party acting on behalf of the City, is proposing development, unless the development is on land owned or under the care and control of the City and its estimated cost does not exceed \$2 million.

	<ul style="list-style-type: none"> • The development proposal has a strategic impact and as a result involves issues in which Council has a direct interest. • A significant variation to the development standards listed in Local Planning Scheme No. 15 is evident. • A significant variation to a Local Planning Policy is evident and the variation is not consistent with the objectives of the Local Planning Policy. • A development application proposes a use which is a use that is not listed in the Local Planning Scheme No. 15 Zoning Table and the use has not previously been determined by Council. • A formal written objection has been received during the advertising of an application, unless in the opinion of the Chief Executive Officer or his delegate: <ul style="list-style-type: none"> a. The proposal is consistent with the objectives and intent of Local Planning Scheme No.15, the Residential Design Codes and any relevant Council Policy; and b. The objection can be overcome by imposing a condition on any approval granted, or modifying the design of the development; or c. The objection does not relate to the matter for which it has been referred and/or does not relate to valid planning and development considerations associated with the proposal; or d. The application is refused. • A development application proposes a variation to the Deemed-to-Comply provisions (Part 5) or the Element Objectives and/or Acceptable Outcomes (Part 6) of the Residential Design Codes and that variation does not satisfy the related Design Principles (Part 5 only). • The height of a proposed residential development exceeds three storeys or other height specified by Local Planning Scheme No. 15 or other statutory planning framework.
<p>Specific Delegation to</p>	<p>Director Development and Communities Manager Planning Services Coordinator Planning Coordinator Planning Projects</p>
<p>Function:</p>	<p>Amendments and Cancellations to Previously Approved Development</p> <p>Authority is granted to determine applications to amend or cancel previously Council approved developments, and Development Assessment Panel Form 2 Applications</p>

Specific Delegation to	Director Development and Communities Manager Planning Services
Function:	Approvals for Development Applications – Use Not Listed – Types Previously Determined by Council Authority granted to make determinations on development applications for “Use Not Listed” types that have previously been determined by Council.
Express Power to Sub-Delegate:	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2 Part 10 s 83(1) Local government CEO may delegate powers.

Compliance Links:	Planning and Development Act 2005 Planning and Development (Local Planning Schemes) Regulations 2015 City of Belmont Consolidated Local Law 2020 Note –Decisions under this delegation may be referred for review by the State Administration Tribunal Operational Policy: BEXB32 Decision Making Policy – Decision Level 4 (Extract below).
Record Keeping:	Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19. Records of exercise of delegated authority to be retained in ECM index:11/005. Record details of documented procedures; the subsequent amendment of procedures and ECM-links to relevant evidentiary documents.

Version Control:

1	Formerly DA21 Development Applications in 2020-2021 Delegation Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
2.	Amended OCM 22/2/22 Change to Officer title
	Reviewed ELT 18/5/2022 OCM 28/6/2022

9.2.2 Preliminary and Final Built Strata Approval

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Planning and Development Act 2005</i> s16 (3) (e) Delegation by Commission
Express Power or Duty Delegated:	<i>Planning and Development Act 2005</i> s16 (3) (e) Delegation by Commission <i>Strata Titles Act 1985</i> s15 s21 s22 s25 Certificate of Commission; and s27 Review of Commission decision
Delegate:	Director Development and Communities Manager Planning Services Coordinator Planning Services Coordinator Planning Projects Senior Planning Officer
Function: This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	Determine applications for preliminary built strata approval, and final built strata approval and endorse the applicable Form 26form after the conditions preliminary strata plan approval have been fulfilled, as delegated by the Western Australian Planning Commission.
Council Conditions on this Delegation:	Any person proposing to exercise a power under delegated authority shall comply with the Standard Conditions of Delegation and the following specific additional conditions for this delegation. Additional Conditions: This delegation must not be exercised by the delegated officer for applications that: <ul style="list-style-type: none"> Propose the creation of a vacant lot; Propose vacant air stratas in multi-tiered strata scheme developments; and Where, in the opinion of the WAPC as notified to the relevant local government as notified to the WAPC in writing, relate to a type of development and/or 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.

Attachment 12.2.1 Delegation Register 2023 tracked changes

Express Power to Sub-Delegate:	Nil
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Compliance Links:	<p>Planning and Development Act 2005 Delegation 2020/01 (Refer Delegation 10.2.3)</p> <p>Strata Titles Act 1985</p> <p>Note –Decisions under this delegation may be referred for review by the State Administration Tribunal</p>
Record Keeping:	<p>Ensure that evidentiary documents that meet the requirements of <i>Local Government (Administration) Regulations 1996</i> r 19.</p> <p>Records of exercise of delegated authority to be retained in ECM index:11/005.</p> <p>Record details of documented procedures; the subsequent amendment of procedures and ECM-links to relevant evidentiary documents.</p>

Version Control:

1	Formerly DA22 Preliminary and Final Built Strata in 2020-2021 Delegation Register. Approved ELT 19/5/2021; OCM 22/6/2021 Item 12.6.
2.	Amended OCM 22/2/22 Change to Officer title Reviewed ELT 18/5/2022 OCM 28/6/2022

STATUTORY AUTHORISATIONS AND DELEGATIONS TO LOCAL GOVERNMENT FROM STATE GOVERNMENT AUTHORITIES

10.1 *Environmental Protection Act 1986*

10.1.1 Noise Control – Environmental Protection Notices [Reg 65(1)]
Delegation 52

**10.1.2 Noise Management Plans – Keeping Log Books, Noise Control
Notices, Calibration and Approval of Non-Complying Events**
Delegation 112

10.1.3 Noise Management Plans – Construction Sites
Delegation 119 EPA Noise Regulations

10.2 *Planning and Development Act 2005*

**10.2.1 Instrument of Authorisation – Sign Development Applications
for Crown Land as Owner**
WAPC_DEL_Authorisation_Instrument_Minister_of_Lands_(local_gov_CEOs).pdf

**10.2.2 Development Control Powers – Powers of Local Governments
and DOT - Metropolitan Region Scheme (DEL.2017/02)**
Govt Gazette 30/5/17 &

WAPC_DEL_Powers_of_Local_Governments_and_DoT.pdf

Govt Gazette 2/6/17

WAPC_DEL_Powers_of_Local_Governments_and_DoT_correction_notice_2Jun2017.pdf

Government Gazette 18/12/18

WAPC_DEL_Amendment_Powers_of_local_governments_and_DOT_MRS_18Dec2018.pdf

**10.2.3 WA Planning Commission – Section 25 of the Strata Titles Act
1985**

Powers of Local Governments - s 15 of the *Strata Titles Act 1985* (DEL.2020/01)

10.3 *Main Roads Act 1930*

10.3.1 Traffic Management – Events on Roads & Works on Roads
Main Roads /Delegation of Authority For Parking Control on Verges of M... of Au...
DSID 2588809

[Delegation Register 2022-2023](#)
[Delegation Register 2023-2024](#)

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Main Roads /Delegation of Authority For Parking Control on Verges of M... ument ...

Main Roads /Delegation of Authority For Parking Control on Verges of M...

10.3.2 Control of Advertisements

Guidelines-for-advertising-signs-within-and-beyond-state-road-reserves.pdf

MRWA / Copy original delegation letter 28/05/73 - Control of advertisi...

10.4 Road Traffic (Vehicles) Act 2012

10.4.1 Approval for Certain Local Government Vehicles as Special Use Vehicles

EmergencyVehicle_Yellow_WarningLights.pdf

12.3 Proposed Differential Rates for 2023-2024

Voting Requirement	:	Simple Majority
Subject Index	:	54/004 - Budget Documentation Council
Location/Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	N/A
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	N/A
Responsible Division	:	Corporate and Governance

Council role

Executive The substantial direction setting and oversight role of the Council eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

Purpose of report

For Council to consider the proposed differential and minimum rates for the 2023-2024 rating year for advertising purposes.

Summary and key issues

This report covers the proposed rates in the dollar and minimum payments for the 2023-2024 rating period including the objectives and reasons for the City to charge each differential rate. The City is required to advertise the proposed differential rates, receive feedback from the public and take into consideration the feedback prior to adopting the 2023-2024 budget at the 27 June 2023 Council Meeting. This report recommends the application of a 4% increase, subject to the Perth Metropolitan annualised Consumer Price Index (CPI) for the March 2023 quarter.

Officer Recommendation

That Council:

1. Endorse the following general rates and minimum payments for Residential, Commercial and Industrial ratepayers for rate setting purposes that equate to a 4% increase in the total rate levy:

Residential Category	Proposed Cents in the Dollar	Proposed Minimum \$
Residential	7.1833	925
Commercial	7.5532	1,085
Industrial	7.5892	1,105

2. Endorse the Statement of Objectives and Reasons for each Differential and Minimum Payment (Attachment 12.3.1).
3. Advertise by local public notice for a period of 21 days, in accordance with Section 6.36(1) of the *Local Government Act 1995*, its intention to levy the differential rates and minimum rates referred to under Recommendation 1 above in 2023-2024.
4. Notes any public submissions received in response to Recommendation 3 above will be presented to Council for consideration and included in the budget adoption process.
5. Offer a 5% discount to ratepayers who pay the full amount owing within 35 days of issuing the rate notice in accordance with Section 6.46 of the *Local Government Act 1995*.
6. Offer arrangements and financial support to ratepayers suffering hardship, in accordance with Council Policy and in accordance with Section 6.49 of the *Local Government Act 1995*.
7. Continue to rate the payments in lieu of rates received by Council at the Commercial Differential Rate in the dollar on Gross Rental Values.

Amended Officer Recommendation

That Council:

1. Endorse the following general rates and minimum payments for Residential, Commercial and Industrial ratepayers for rate setting purposes that equate to a 5% increase in the total rate levy:

Residential Category	Proposed Cents in Dollar	Proposed Minimum
Residential	7.252400	930
Commercial	7.625900	1,095
Industrial	7.662200	1,115

2. Endorse the amended Statement of Objectives and Reasons for each Differential and Minimum Payment (amended Attachment 1.3.1).
3. Advertise by local public notice for a period of 21 days, in accordance with Section 6.36(1) of the *Local Government Act 1995*, its intention to levy the differential rates and minimum rates referred to under Recommendation 1 above in 2023-2024.
4. Notes any public submissions received in response to Recommendation 3 above will be presented to Council for consideration and included in the budget adoption process.
5. Offer a 5% discount to ratepayers who pay the full amount owing within 35 days of issuing the rate notice in accordance with Section 6.46 of the *Local Government Act 1995*.
6. Offer arrangements and financial support to ratepayers suffering hardship, in accordance with Council Policy and in accordance with Section 6.49 of the *Local Government Act 1995*.
7. Continue to rate the payments in lieu of rates received by Council at the Commercial Differential Rate in the dollar on Gross Rental Values.

Amended Officer Recommendation adopted en bloc by Absolute Majority - Refer to Resolution appearing at Item 12.

Location

Not applicable.

Consultation

In accordance with section 6.36 of the *Local Government Act 1995* (the Act), public comments will be invited through publication of a local public notice, with the consultation period being open for a minimum of 21 days. All submissions received will be submitted to Council for consideration.

According to the regulations gazetted in November 2020 the City is required to advertise the intention to levy differential rates on four media platforms. Once approved by Council, advertising of the City's intention to levy the 2023-2024 Differential Rates will be on the following forums which will satisfy the regulation requirements:

1. The Saturday West newspaper
2. City's Website
3. City's Social media post (Facebook, Twitter)
4. Noticeboard in the City's Ruth Faulkner Library and Civic Centre
5. PerthNow Southern newspaper

The advertising of the City's intention to levy 2023-2024 differential rates and the statement of objectives and reasons will commence on 11 May 2023 and will be open for submission for 21 days, closing at 5pm Friday, 2 June 2023.

Strategic Community Plan implications

In accordance with the 2020 – 2040 Strategic Community Plan:

Goal 5: Responsible Belmont

Strategy: 5.2 Manage the City's assets and financial resources in a responsible manner and provide the best possible services for the community

Policy implications

This report incorporates the provisions of the City's Financial Hardship Policy.

Statutory environment

It is a requirement under Section 6.36 of the *Local Government Act 1995* that where a Council elects to use differential rates, then it shall advertise its intention to do so, and call for submissions for a period of at least 21 days before any further action occurs. Further, the local government is required to consider any submissions received before imposing the proposed rate or minimum payment with or without modification. This will occur during the budget adoption process.

In accordance with Section 6.35 of the *Local Government Act 1995*, a local government may impose a minimum payment and is to ensure the minimum payment is not imposed on more than 50% of properties in a category.

Background

This report outlines the proposed rate in the dollar and minimum rate for the purpose of public advertising. Previously the advertising of the proposed rate in the dollar and minimums were adopted by Council in May, however this financial year the advertising of the proposed rates has been brought forward by a month to allow sufficient time for planning and scheduling of new works. This is also considered good practice.

The process of setting the rates to be charged for 2023-2024 is a key process prior to budget adoption which is proposed to occur at the 27 June 2023 Ordinary Council Meeting.

The City has three categories of differential rates, namely Residential, Commercial and Industrial. Rates are determined by multiplying the Gross Rental Value (GRV) by the cents in the dollar for each rating category. Landgate sets the GRV and the Council determines the cents in the dollars for each rating category. The cents in the dollar differs for each differential rate.

Council must also set a minimum payment for each rating category that cannot be charged on more than 50% of the total properties for each of the three rating categories in accordance with Section 6.35 of the *Local Government Act 1995*.

Report

Statement of Objectives and Reasons for Differential Rates 2023-2024

The overall objective of the proposed rates in the 2023-2024 Budget is to provide for the net funding requirements of the City's various programs, services and facilities. The statement of objectives and reasons for proposing differential rates for 2023-2024 is attached (Attachment 12.3.1).

Draft Rate Setting Statement for 2023-2024

The budget rate setting statement is a key document in determining the City's ability to be able to maintain amenities and assets, provide services to the community, deliver projects and deliver key strategies. Total predicted operating expenditure for 2023-2024 budget is \$75,272,219 compared to \$67,343,316 for the 2022-2023 adopted budget. Total predicted operating revenue is projected to be \$69,686,868 compared to \$64,357,037 for the 2022-2023 adopted budget. The shortfall in the budget is proposed to be funded from the estimated opening balance of \$9m from 2022-2023. The opening balance is mainly derived from various budget variances including \$1.5m of anticipated prepaid Financial Assistance Grant, \$3.5m from capital projects carried forward from 2022-2023 and \$4m of operational savings (predominantly due to staff vacancies).

The Food Organics and Garden Organics (FOGO) waste management project is scheduled to commence in November 2023 and it is proposed that \$2,257,485 of funding for this project will be sourced from the Waste Management Reserve.

Employee costs are expected to rise in line with the forecasted Wage Price Index and mandatory superannuation payment contribution increase from 10.5% to 11%. Materials and contract expenditure costs are expected to rise in line with the Consumer Price Index (CPI).

Some of the significant projects for the 2023-2024 budget are:

- Bilya Kard Boodja Lookout Foreshore Stabilisation \$2.6M
- Abernethy Road – McDowell St to Kewdale Rd, estimated to be \$1,339,882 and has been funded by Metropolitan Regional Road Group;
- Belmont Oasis, replacement of HVAC in wet area and renewal of fire hydrant system \$1,000,000;
- Continuation of Esplanade Foreshore stabilisation and landscaping, total project cost estimated to be \$656,000;
- Middleton Park sports lighting \$400,000 funded by Investing in Our Communities funding

Capital Grants Revenue for 2023-2024 has decreased by \$1m, mainly due to the receipt of CSRFF and LRCIP funding of \$1.6m in 2023 for the Wilson Park project.

Rating Strategy and Methodology

It is desirable to continue with the proven performance of the strategy adopted in previous years. The overarching principle to this approach is that rate setting should be considered in the light of the forecasted Local Government Cost Index (LGCI) and forecasted Consumer Price Index (CPI) for WA, with the necessary reasonable increases to offset any budget deficit.

In March 2023 WALGA's Local Government Cost Index (LGCI) for Perth was forecasted at 4.5% for 2022-2023 and then expected to grow 2.9% for 2023-2024.

The Australian Bureau of Statistics released the December 2022 CPI, which revealed the Perth Metropolitan CPI increased in the December 2022 quarter by 3.6% and the annualised CPI was 8.3%, compared to the overall CPI for Australia of 7.8%. The February monthly CPI indicator is 6.8%, with the March 2023 quarter due for release in late April.

	Index number(a)	Percentage change (%)	
	Dec Qtr 2022	Sep Qtr 2022 to Dec Qtr 2022	Dec Qtr 2021 to Dec Qtr 2022
Sydney	130.9	1.8	7.6
Melbourne	131.1	1.6	8.0
Brisbane	132.1	1.5	7.7
Adelaide	130.8	1.7	8.6
Perth	129.3	3.6	8.3
Hobart	132.4	1.5	7.7
Darwin	126.6	0.9	7.1
Canberra	129.5	1.2	7.1
Weighted average of eight capital cities	130.8	1.9	7.8

Table A: All Group CPI – December 2022

The following facts were also considered in determining the proposed rates increase for 2023-2024:

- Costs for local governments continue to grow at a fast pace. The City has experienced new construction cost increases as much as 40% to 60% higher than estimated;
- Supply constraints in material and labour continue to place upward pressure on prices; and
- The current development in the international markets has increased the price of fuel, transportation, and cost of goods.

Based on the reasons above and the current economic climate, the City has based its rates modelling on 4%.

Rating Modelling

All GRV and UV property valuations are provided by the independent State Government authority Landgate and the Valuer General of WA. The Valuer General of WA will be undertaking a valuation of properties within the City for the 2023-24 year. This will cause the GRV and UV property valuations of properties in the City to change from that used in the previous year.

The following rate models utilise the current Gross Rental Values (GRV) supplied by Landgate for the 2022-2023 financial year including the annual growth to compare various rating scenarios. The proposed budget has been modelled to establish outcomes against revenue scenarios associated with a 2.5% increase, a 4% increase compared with a 5% increase in rates.

Upon receipt of the updated valuations, the rates in the dollar will be adjusted to achieve the same total revenue for each rating category.

Rate Model No 1

Table B below shows the outcome of applying current GRVs and an adjusted rate in the dollar of 2.5% for each differential rate category. This model produces rate revenue of \$42,772,438 and results in a deficit of \$1,031,773 compared to rate model 3.

Differential Category	2023-2023 Cents in Dollar	2023-2024 Minimum	Non-Minimum Levies	Minimum Levies	Total Rates
Residential	7.079700	910	18,215,491	4,734,730	22,950,221
Commercial	7.444300	1,070	10,260,198	208,650	10,468,848
Industrial	7.479700	1,090	9,343,559	9,810	9,353,369
			\$37,819,248	\$4,953,190	\$42,772,438

Table B: 2.5% increase in rates

An adjusted rate in the dollar of 2.5% will have the following impact on the average rates for properties within the City.

Suburb	Average Rates 2022-2023 (\$)	Average Rates 2023-2024 (\$)	Increase
Ascot	2,115.09	2,163.68	2.30%
Belmont	2,251.35	2,297.37	2.04%
Cloverdale	1,614.30	1,645.24	1.92%
Kewdale	3,070.76	3,138.64	2.21%
Redcliffe	1,608.22	1,643.17	2.17%
Rivervale	1,427.07	1,457.15	2.11%

Table C: Average rate increase with 2.5% increase in rates

Rate Model No 2

Table D below shows the outcome of applying current GRVs and an adjusted rate in the dollar of 4% for each differential rate category. This model produces rate revenue of \$43,406,977 and results in a deficit of \$397,234 compared to rate model 3.

Differential Category	2023-2023 Cents in Dollar	2023-2024 Minimum	Non-Minimum Levies	Minimum Levies	Total Rates
Residential	7.183300	925	18,482,046	4,812,775	23,294,821
Commercial	7.553200	1,085	10,411,376	210,490	10,621,866
Industrial	7.589200	1,105	9,480,345	9,945	9,490,290
			\$38,373,767	\$5,033,210	\$43,406,977

Table D: 4% increase in rates

An adjusted rate in the dollar of 4% will have the following impact on the average rates for properties within the City.

Suburb	Average Rates 2022-2023 (\$)	Average Rates 2023-2024 (\$)	Increase
Ascot	2,111.69	2,194.99	3.78%
Belmont	2,211.14	2,328.11	3.41%
Cloverdale	1,580.71	1,665.40	3.17%
Kewdale	3,051.39	3,182.50	3.64%
Redcliffe	1,592.93	1,665.11	3.54%
Rivervale	1,396.24	1,475.98	3.43%

Table E: Average rate increase with 4% increase in rates

Rate Model No 3

Table F below shows the outcome of applying current GRVs and an adjusted rate in the dollar of 5% for each differential rate category. This model produces rate revenue of \$43,804,211.

Differential Category	2022-2023 Cents in Dollar	2022-2023 Minimum	Non-Minimum Levies	Minimum Levies	Total Rates
Residential	7.252400	930	18,659,834	4,838,790	23,498,624

Commercial	7.625900	1,095	10,511,586	212,430	10,724,016
Industrial	7.662200	1,115	9,571,536	10,035	9,581,571
			\$38,742,956	\$5,061,255	\$43,804,211

Table F: 5% increase in rates

An adjusted rate in the dollar of 5% will have the following impact on the average rates for properties within the City.

Suburb	Average Rates 2022-2023 (\$)	Average Rates 2023-2024 (\$)	Increase
Ascot	2,115.09	2,215.88	4.77%
Belmont	2,251.35	2,348.62	4.32%
Cloverdale	1,614.30	1,678.85	4.00%
Kewdale	3,070.76	3,211.75	4.59%
Redcliffe	1,608.22	1,679.75	4.45%
Rivervale	1,427.07	1,488.54	4.31%

Table G: Average rate increase with 5% increase in rates

Other Considerations

In accordance with the *Local Government Act 1995*, a local government can only raise a maximum of 50% of its rate revenue from minimum payments. For the 2023-2024 financial year 20.57% of Residential properties, 14.70% of Commercial properties and 1.69% of Industrial properties will be rated on the minimum payment (2022-2023: 26.58% 17.94%, and 1.90% respectively). This equates to 19.86% of all rated properties being charged the minimum payment (2022-2023: 25.6%).

The growth of GRV's is another important factor that is considered when formulating a rating strategy. As the following table compares the Gross Rental Values (GRV) applicable to 2022-2023 and the GRV as supplied by Landgate that are applicable for the 2023-2024 financial year. The increase in GRV is due to annual growth also known as interim rating. There has been a relatively minor movement because of slowing growth (1.64% in 2022-2023 compared to 0.68% in 2023-2024).

Rate Category	GRVs 2022-2023	GRV's 2023-2024	Increase
Residential	315,015,478	316,354,693	0.43%
Commercial	139,034,073	139,410,277	0.27%
Industrial	125,031,537	125,008,574	-0.02%
	\$579,081,088	\$580,773,544	0.68%

Table H: Growth in GRV Rating

The predicted growth in rates revenue from interim rates for 2023-2024 is \$285,000. However, this figure is difficult to accurately estimate in the current challenging economic climate. It will however be monitored and updated during the budget review cycles.

Waste Charges

Notwithstanding the recommended 4% cents in the dollar and minimum rate increase, sanitation charges are proposed to increase in 2023-2024, resulting in the (base) sanitation charge increasing to \$326.50. Sanitation charges are a fee for service and aim to cover costs with any surpluses or losses historically offset by transfers through the Waste Management Reserve. The Reserve will be available for the proposed implementation of Food Organics, Garden Organics (FOGO) for the 2023-2024 budget.

Rate Payments

It is proposed that the five percent (5%) discount for full payment of rates by the due date will continue to apply, with flexibility for other payment options namely:

- Pay by instalments (four and two instalments); and
- Pay by alternative payment arrangements.

Financial Hardship

The Financial Hardship Policy was amended in 2021-2022. The amended Policy aims to support ratepayers facing any financial hardship as opposed to only assisting those impacted by COVID-19. The hardship policy has now become a general Financial Hardship Policy and will assist ratepayers experiencing hardship by removing administrative costs and penalties for outstanding rates.

Although it is very difficult to determine the likely take-up, the budget includes an allowance of \$5,000 to support the hardship policy. Should the take-up be greater than that, an increase would need to be considered as part of the budget review cycles.

Financial implications

The advertising of the proposed differential and minimum rates is pivotal in the development of the annual budget. The level of rates generated is linked to the delivery of service and level of funding for capital works and debt servicing.

Environmental implications

There are no environmental implications associated with this report.

Social implications

There are no social implications associated with this report.

Attachment details

Attachment No and title	
1.	Objects and Reasons - Differential Rates 2023-2024 V 2 [12.3.1 - 12 pages]
2.	Draft Rate Setting Statement [12.3.2 - 4 pages]

City of Belmont

**Objects & Reasons
For Differential Rates
2023-24**

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Acknowledgement of Country

The City of Belmont acknowledges the Whadjuk Noongar people as the Traditional Owners of this land and we pay our respects to Elders past, present and emerging. We further acknowledge their cultural heritage, beliefs, connection and relationship with this land which continues today. We acknowledge all Aboriginal and Torres Strait Islander peoples living within the City of Belmont.

Introduction

The City prepares a budget each year which must be adopted by Council. The aim of the budget is to provide sufficient funds for the City to provide the services and key infrastructure that the community wants, while ensuring rates offer value-for-money.

It is a requirement of the *Local Government Act 1995* that the City must advertise its differential rates in a document called 'Objects & Reasons' (this document), a document that explains what the proposed differential rates are, why different properties are charged different rates and what the proposed rate in the dollar is next year. Below, we also explain how rates are calculated and have provided an overview of the proposed capital works expenditure and some key infrastructure projects.

<p>Proposed Expenditure Draft Capital Works Budget 2023-24 Please note some projects may be subject to further consultation outcomes or consideration and could change</p>		<p>Refer to the Draft Capital Works Budget 2023-24 for the complete list of proposed projects</p>
<p>Parks and Environment \$5.8M</p> <ul style="list-style-type: none"> • Bilya Kard Boodja Lookout foreshore stabilisation • Park irrigation renewals • Esplanade foreshore stabilisation • Playground renewals • Park Furniture renewals 	<p>Roads \$3.5M</p> <ul style="list-style-type: none"> • Abernethy Road Rehabilitation - McDowell St to Kewdale Rd • Road resurfacing program: <ul style="list-style-type: none"> ▪ Miles Road Stage 2 - Bell St to Kewdale Rd ▪ Belgravia Street - Wright St to Fulham St ▪ Belvidere Street - Keymer St to Hardey Rd ▪ Belgravia Street - Sydenham St to Wright St • Kooyong Road - Francisco St Roundabout – Blackspot project 	
<p>Path Network \$416K</p> <ul style="list-style-type: none"> • New footpath and fencing installations • Upgrades to existing paths • Replacement of damaged sections of footpaths 	<p>Buildings and facilities \$2.4M</p> <ul style="list-style-type: none"> • Upgrades and refurbishment of City buildings <ul style="list-style-type: none"> ▪ Belmont Oasis HVAC and fire hydrant ▪ Civic Centre chiller replacement ▪ Disability access improvement • Middleton Park sports lighting • Garvey Park Jetty launch ramp 	
<p>City Projects \$1.4M</p> <ul style="list-style-type: none"> • Wilson Park Precinct • Faulkner Civic Precinct • Peet Park Community Centre • Oasis Pool redevelopment • Belvidere Street revitalisation • Abernethy Sporting Precinct 	<p>Other \$2.1M</p> <ul style="list-style-type: none"> • Fleet and plant replacement • IT network hardware • Website improvements 	

What are the reasons for the 2023-24 differential rates?

The City has a net funding shortfall in its Operational and Capital budget for 2023-24 of \$54.7m, required to be made up from rates. This funding pays for infrastructure and services like roads, parks, streetscapes, library, museum, leisure centre and events, to name a few. We are proposing increasing rates by 4.0% for 2023-24 to ensure we can deliver these essential services and projects to our community.

Rates & Minimum Payments for 2023-24

The table below shows the rate in the dollar which is being proposed to be increased by 4.0%, and the minimum payment required for each rate category in 2023-24.

Rate Category	Cents in the \$	Min Payment \$
Proposed for 2023-24		
Differential Rates		
Residential	7.183300	925
Commercial	7.553200	1,085
Industrial	7.589200	1,105

Key projects and services we will deliver

Key Capital projects to be delivered in 2023-24

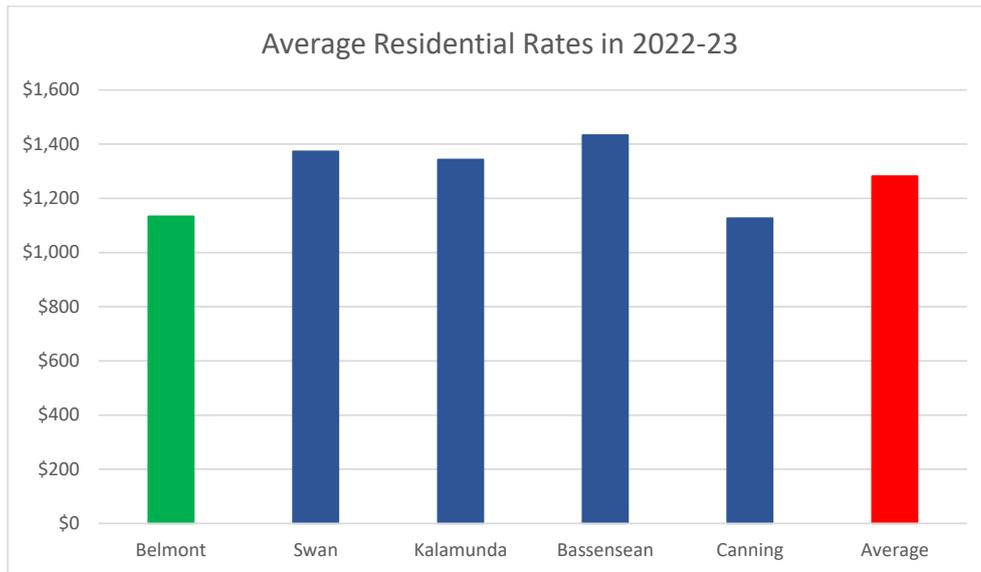
- Playground renewal \$525K
- Irrigation renewal \$1M
- Bore renewal \$245K
- Other park, leisure and environment \$1.2M
- Road renewals \$3.5M
- Drainage renewals \$575K
- Footpath renewals and new footpaths \$417K
- Other transport projects \$101K
- Fleet and plant renewals \$1.6M

Key Services being delivered each day

- Waste collection – 2 bin service and on demand bulk bin services
- Library, Museum and Leisure Centre
- Community watch security patrols
- Free events for our community
- Community Contribution Fund – Grants and donations for local clubs, individuals, incorporated community groups and not-for-profit organisations to provide projects, programs or activities that benefit the Belmont community.

How do we compare with our neighbouring Councils?

The graph below demonstrates how Belmont compares with our neighbouring Councils. The comparison is based on the 2022-23 financial year and the information is sourced from the annual budgets published by the Councils which includes all residential properties.



What is the objective for rates in 2023-24?

In accordance with Sections 6.33 and 6.36 of the *Local Government Act 1995* the City is required to publish its Objects and Reasons for implementing differential general rates.

The objective of the proposed rates and charges in the 2023-24 budget is to provide for the net funding shortfall of \$54.7m in Council's Operational and Capital Program for 2023-24.

The table below shows the net funding shortfall of \$54.7m which will be funded via the proposed 4.0% increase in rates for 2023-24.

	Draft Budget 2023-24 \$M
Budget Surplus Brought Forward	8.9
Operating Revenue	14.5
(Less) Operating Expenditure	75.2
Plus non-cash items (depreciation/provisions)	11.4
(Less) Capital Expenditure	16.9
Plus Capital Grants & Contributions	2.1
Plus Proceeds from Asset Sales	1.9
Plus/(Less) New financial reserve transfers	(0.8)
(Less) Loan repayments	0.6
(less) Surplus carried forward	0.5
Rate Setting Statement deficit funded from rates	54.7

New capital projects planned for 2023-24 total \$15.2m, with the addition of a number of previously approved projects deferred from last year resulting in total capital expenditure of \$1.7m.

Who undertakes the GRV valuations?

All GRV property valuations are provided by the independent State Government authority Landgate and the Valuer General of WA. The City pays a fee for this service but has no role in determining the valuation for any property, nor does the City have the ability to appeal a valuation provided by the Valuer General.

The Valuer General of WA will be undertaking a valuation of properties within the City for the 2023-24 year. This will cause the GRV property valuations in the City to change from those used in the previous year.

Why are there different rates for different properties?

Different properties in Belmont are charged different rates, hence the term 'differential rates'.

Properties are charged differently according to their primary use. The difference is to ensure that a reasonable contribution to the cost of local government services and facilities.

As commercial and industrial sectors generate higher traffic volumes with heavier loads than the residential sector, they should contribute at a higher level for road construction, maintenance and refurbishment. Residential properties typically pay lower rates due to the lower GRV applied and the application of a high GRV concession.

Under the *Local Government Act 1995*, Section 6.33 - Differential General Rates, the Council can introduce differential rates as follows:

A local government may impose differential general rates according to any, or a combination, of the following characteristics —

- (a) The purpose for which the land is zoned under a local planning scheme in force under the planning and Development Act 2005;*
- (b) The predominant purpose for which the land is held or used as determined by the local government;*
- (c) Whether or not the land is vacant land; or*
- (d) Any other characteristic or combination of characteristics prescribed.*

How are rates calculated?

The council sets the rate in the dollar every year for each rate category. The independent State government authority, the Valuer General of WA sets the Gross Rental Value (GRV) every three years. The GRV is a property's estimated yearly rental income. Your property's GRV is stated on your annual rates notice.

To calculate your annual rates, multiply your GRV by the rate in the dollar and subtract any rate concessions you may receive if eligible.

Rates (\$) = GRV X Rate Category RID – any rate concessions

What will happen to rates if the GRV valuations increase?

When the Valuer General of WA completes its valuation of properties within the City for the 2023-24 year, the City will revise the valuations it uses to determine the rates which apply to each property.

The objective of the proposed rates and charges in the 2023-24 budget is to provide for the net funding shortfall of \$54.7m in Council’s Operational and Capital Program for 2023-24. If the property valuations were to increase, the City will revise the rates in the dollar downwards to achieve the same overall rates revenue.

For example, if there was an increase in property valuations of 10%, the impact on the rate in the dollar would look like this.

Before the updated property valuation

Rate Category	Total GRV	Cents in the \$	Rate Revenue
Residential	300,000,000	7.183300	21,549,900
Commercial	140,000,000	7.553200	10,574,480
Industrial	120,000,000	7.589200	9,107,040
			\$41,231,420

After the updated property valuation

Rate Category	Total GRV	Cents in the \$	Rate Revenue
Residential	330,000,000	6.530273	21,549,900
Commercial	154,000,000	6.866545	10,574,480
Industrial	132,000,000	6.899273	9,107,040
			\$41,231,420

Proposed Rates & Minimum Payments for 2023-24

The table below shows the rate in the dollar set by council which has increased by 4.0%, and the minimum payment required for each rate category in 2023-24.

Rate Category	Cents in the \$	Min Payment \$
Proposed for 2023-24		
Differential Rates		
Residential	7.183300	925
Commercial	7.553200	1,085
Industrial	7.589200	1,105

What are the differential rate categories?

Residential

The objective of the residential rate category is to apply a base differential rate to land used for residential purposes and to act as the City's benchmark differential rate by which all other rated properties are assessed.

This rate assures that all ratepayers make a reasonable contribution towards the ongoing maintenance and provision of works, services and facilities throughout Belmont.

Council is committed to increasing the residential rates base resulting in growth which will evenly distribute the overheads of maintaining the infrastructure of the City. There are continuing positive signs of redevelopment under the current Local Planning Scheme, and this is envisaged to continue to increase into the foreseeable future.

The proposed rate in the dollar for this category is 7.1833¢ (increase of 4.0%) with a minimum payment amount of \$925 (increase of 4.0%). These parameters will apply to 4058 or 26.58% of the City's rateable properties.

Commercial & Industrial

The location of both the Perth Airport and the Kewdale Freight Terminal has encouraged industry to locate within the City of Belmont. This results in large volumes of heavy traffic within the City and therefore an accelerated deterioration of roads which is a major factor in the differential categories and their respective rates and minimum payments (i.e. with Industrial sectors having a slightly higher rate in the dollar and minimum payment than Commercial sector).

Both the Commercial and Industrial sectors also require greater resourcing and expenditure from Council on services such as Health, Building and Town Planning. The differential rates and minimum payments reflect the levels of costs and resourcing required to service each sector of the community.

Council is also mindful of the employment opportunities generated by both sectors and therefore, keeps the differential as reasonable as possible.

Council also recognises that the Commercial and Industrial sectors form an integral part of the City's rate base and therefore uses the City of Opportunity Marketing Strategy to support and promote both sectors.

The objective of these differential rate categories is to raise sufficient revenue to offset the costs associated with increased maintenance of infrastructure, particularly transport related infrastructure, and higher levels of services associated with properties in this category.

The proposed rate in the dollar for the commercial category is 7.5532¢ (increase of 4.0%) with a minimum payment amount of \$1,085 (increase of 4.0%). These parameters will apply to 151 or 14.69% of the City's rateable properties.

The proposed rate in the dollar for the industrial category is 7.5892¢ (increase of 4.0%) with a minimum payment amount of \$1,105 (increase of 4.0%). These parameters will apply to 8 or 1.69% of the City's rateable properties.

Council will continue to compare its rates in the dollar and minimum payments with other neighbouring local governments for benchmarking purposes.

Are there other charges?

The Waste Management Service Charge for residential, commercial and industrial properties using the service will be \$326.50 for 2023-24. This charge is calculated on a full cost recovery basis.

The Swimming Pool Levy for 2023-24 will remain at \$14.60 per swimming pool. All funds raised by the levy will go towards the inspection of 1,294 swimming pools in Belmont as required by legislation.

Although not a Council related charge, the City collects the Emergency Services Levy (ESL) on behalf of the Department of Fire & Emergency Services (DFES) via the annual rates notice. At the time of preparing this document, DFES had not yet indicated their intentions in relation to ESL charges for 2023-24.

Payment options

Payment options include payment in full within 35 days of your rates notice being issued, payment over two instalments, or payment over four instalments. Administration charges for instalment options are \$20, with an additional 5.5% instalment interest charge the 4 instalment option.

The City also provides the opportunity for ratepayers to make weekly, fortnightly, monthly direct debit payments for both outstanding and prepaid amounts. The outstanding Direct Debit option attracts a once off administration fee of \$20.

The City is one of only a few councils to offer a discount where payment is made in full by the due date. This 5% discount applies to the rates portion of your account where rates are paid as one instalment by the due date.

Interest is levied on Council imposed rates and charges where payment in full or instalment payments are not received within their respective due dates. The penalty rate will remain at 7%.

Submissions

Section 6.36 (3)(b)(ii) of the *Local Government Act 1995* requires Council to invite submissions from electors and ratepayers in respect of the rates and minimum payments proposed for the differential general rating categories.

All submissions are required to be made by 5pm on Friday, 2 June 2023.

A report will be prepared on submissions, if any, and present to the Council Meeting on Tuesday, 27 June 2023.

Enquiries by telephone to 08 9477 7222 or email rates@belmont.wa.gov.au

Attachment 12.3.2 Draft Rate Setting Statement

City of Belmont Draft Rate Setting Statement

	Authorised Budget	Current Budget	Actual YTD	Proposed Budget	Increase	Movement
Revenue from operating activities (excluding rates)						
Operating grants, subsidies and contributions						
Finance	323,058	317,943	233,326	390,000	72,057	22.66%
Works	392,618	277,029	248,063	395,219	118,190	42.66%
Design, Assets & Development	2,000	2,000	0	2,000	0	0.00%
Parks, Leisure & Environment	82,360	107,360	59,147	82,360	-25,000	-23.29%
Safer Communities	176,900	151,339	122,954	186,638	35,299	23.32%
Economic & Community Development	63,500	63,500	148,672	174,996	111,496	175.58%
Library, Culture & Place	105,000	86,800	20,800	98,000	11,200	12.90%
Total Operating grants, subsidies and contributions	1,145,436	1,005,971	832,962	1,329,213	323,242	32.13%
Fees and charges						
Governance, Strategy & Risk	1,500	1,500	1,455	0	-1,500	-100.00%
Finance	192,578	192,578	176,410	193,500	922	0.48%
Public Relations & Stakeholder Engagement	4,000	4,000	0	0	-4,000	-100.00%
Works	6,379,110	6,379,110	6,363,184	6,860,642	481,532	7.55%
Design, Assets & Development	14,000	14,000	9,500	14,000	0	0.00%
Parks, Leisure & Environment	9,250	9,250	0	0	-9,250	-100.00%
City Facilities & Property	993,094	937,002	823,780	991,905	54,904	5.86%
Planning Services	356,500	416,500	449,317	416,500	0	0.00%
Safer Communities	452,700	486,949	447,281	633,000	146,051	29.99%
Economic & Community Development	360,000	360,000	89,547	360,000	0	0.00%
Library, Culture & Place	32,100	56,100	44,920	89,800	33,700	60.07%
Total Fees and charges	8,794,833	8,856,989	8,405,394	9,559,347	702,358	7.93%
Interest earnings						
Governance, Strategy & Risk	18,131	0	0	0	0	-
Finance	974,376	2,945,891	2,224,944	2,900,000	-45,891	-1.56%
Total Interest earnings	992,507	2,945,891	2,224,944	2,900,000	-45,891	-1.56%
Other revenue						
Chief Executive Officer	0	0	3,676	0	0	-
Governance, Strategy & Risk	7,000	7,000	14,742	1,500	-5,500	-78.57%
Finance	199,757	265,616	198,592	284,252	18,636	7.02%
Information Technology	0	0	5,133	0	0	-
Works	45,255	56,312	44,286	15,500	-40,812	-72.47%
Design, Assets & Development	2,450	12,450	1,641	8,200	-4,250	-34.14%
Parks, Leisure & Environment	1,000	1,500	3,280	2,000	500	33.33%
City Facilities & Property	316,254	305,248	253,039	300,440	-4,808	-1.58%
Planning Services	300	300	6,283	300	0	0.00%
Safer Communities	32,950	32,950	21,710	33,750	800	2.43%
Economic & Community Development	9,675	-10,290	11,241	1,000	11,290	-109.72%
Library, Culture & Place	7,000	17,143	15,366	5,500	-11,643	-67.92%
Total Other revenue	621,641	688,229	578,989	652,442	-35,787	-5.20%
Profit on asset disposals						
People & Culture	6,495	6,495	0	0	-6,495	-100.00%
Governance, Strategy & Risk	0	0	4,298	0	0	-
Finance	7,158	7,158	0	0	-7,158	-100.00%
Information Technology	3,327	3,327	0	0	-3,327	-100.00%
Public Relations & Stakeholder Engagement	3,960	3,960	0	0	-3,960	-100.00%
Works	49,298	49,298	14,646	0	-49,298	-100.00%
Design, Assets & Development	7,543	7,543	0	0	-7,543	-100.00%
Planning Services	7,127	7,127	0	0	-7,127	-100.00%
Safer Communities	22,231	22,231	3,527	0	-22,231	-100.00%
Economic & Community Development	6,762	6,762	0	0	-6,762	-100.00%
Total Profit on asset disposals	113,901	113,901	22,471	115,000	1,099	0.96%
	11,668,318	13,610,981	12,064,760	14,556,002	945,021	6.94%
Expenditure from operating activities						
Employee costs						
Chief Executive Officer	-799,351	-795,049	-634,073	-898,604	-103,556	13.03%
People & Culture	-1,180,049	-1,090,049	-707,876	-1,160,670	-70,621	6.48%
Work Health & Safety	-348,601	-238,601	-143,535	-334,025	-95,425	39.99%
Governance, Strategy & Risk	-1,910,766	-1,770,766	-1,256,781	-2,392,692	-621,925	35.12%

Attachment 12.3.2 Draft Rate Setting Statement

City of Belmont Draft Rate Setting Statement

	Authorised Budget	Current Budget	Actual YTD	Proposed Budget	Increase	Movement
Finance	-2,019,469	-2,169,546	-1,651,744	-2,145,648	23,898	-1.10%
Information Technology	-1,113,962	-1,145,962	-818,449	-970,522	175,441	-15.31%
Public Relations & Stakeholder Engagement	-917,290	-693,773	-500,808	-860,579	-166,806	24.04%
Works	-1,934,618	-1,838,732	-1,289,862	-2,059,784	-221,052	12.02%
Design, Assets & Development	-1,768,955	-1,481,075	-948,019	-1,794,767	-313,692	21.18%
City Projects	-472,461	-472,461	-350,292	-544,444	-71,983	15.24%
Parks, Leisure & Environment	-3,316,821	-3,042,440	-2,182,981	-3,399,136	-356,696	11.72%
City Facilities & Property	-1,106,261	-1,138,495	-770,757	-1,072,750	65,745	-5.77%
Planning Services	-1,983,991	-1,813,991	-1,310,352	-2,088,893	-274,903	15.15%
Safer Communities	-3,151,026	-2,896,021	-1,991,469	-3,402,888	-506,867	17.50%
Economic & Community Development	-1,096,758	-1,066,758	-827,382	-1,472,567	-405,809	38.04%
Library, Culture & Place	-2,490,027	-2,604,748	-2,046,616	-2,789,694	-184,946	7.10%
Total Employee costs	-25,610,406	-24,258,468	-17,430,996	-27,387,662	-3,129,195	12.90%
Materials and contracts						
Chief Executive Officer	-132,534	-148,834	-58,334	-182,756	-33,922	22.79%
People & Culture	-202,948	-242,948	-148,071	-230,187	12,761	-5.25%
Work Health & Safety	-32,250	-92,750	-39,778	-125,076	-32,326	34.85%
Governance, Strategy & Risk	-469,013	-663,713	-325,479	-517,947	145,766	-21.96%
Finance	-680,818	-1,010,308	-412,769	-412,530	597,778	-59.17%
Information Technology	-1,816,348	-1,816,356	-1,716,826	-2,056,709	-240,353	13.23%
Public Relations & Stakeholder Engagement	-966,047	-1,083,747	-641,812	-1,007,734	76,013	-7.01%
Works	-8,978,504	-7,169,939	-4,966,747	-9,948,910	-2,778,972	38.76%
Design, Assets & Development	-586,929	-588,709	-196,909	-692,446	-103,737	17.62%
City Projects	-624,402	-813,928	-29,231	-63,300	750,628	-92.22%
Parks, Leisure & Environment	-5,294,939	-5,809,946	-3,701,997	-6,410,043	-600,097	10.33%
City Facilities & Property	-2,384,941	-2,783,533	-1,750,382	-3,031,065	-247,532	8.89%
Planning Services	-431,372	-392,946	-154,142	-366,460	26,486	-6.74%
Safer Communities	-2,459,983	-2,658,590	-1,745,187	-2,598,008	60,582	-2.28%
Economic & Community Development	-1,894,387	-1,934,302	-1,245,493	-2,313,839	-379,537	19.62%
Library, Culture & Place	-1,987,254	-1,861,254	-1,013,431	-2,014,151	-152,896	8.21%
Total Materials and contracts	-28,942,669	-29,071,803	-18,146,588	-31,971,161	-2,899,358	9.97%
Utility charges						
Chief Executive Officer	-4,153	-4,153	-5,069	-8,618	-4,465	107.51%
People & Culture	-5,348	-5,348	-6,440	-11,224	-5,876	109.87%
Work Health & Safety	0	-720	-280	-440	280	-38.89%
Governance, Strategy & Risk	-16,225	-16,225	-13,715	-24,770	-8,545	52.67%
Finance	-10,521	-10,521	-9,392	-16,864	-6,343	60.29%
Information Technology	-150,506	-150,506	-106,406	-178,862	-28,356	18.84%
Public Relations & Stakeholder Engagement	-9,717	-9,717	-7,684	-13,390	-3,673	37.80%
Works	-140,817	-135,725	-96,435	-130,321	5,404	-3.98%
Design, Assets & Development	-10,183	-10,183	-8,938	-15,836	-5,653	55.51%
City Projects	-1,574	-1,740	-1,317	-2,148	-408	23.45%
Parks, Leisure & Environment	-239,791	-239,791	-187,751	-308,926	-69,135	28.83%
City Facilities & Property	-601,194	-717,684	-526,840	-854,596	-136,912	19.08%
Planning Services	-7,627	-7,627	-7,714	-13,519	-5,892	77.25%
Safer Communities	-41,961	-41,961	-35,055	-57,372	-15,411	36.73%
Economic & Community Development	-54,072	-54,072	-36,957	-62,749	-8,677	16.05%
Library, Culture & Place	-15,983	-15,983	-16,609	-28,788	-12,805	80.12%
Total Utility charges	-1,309,672	-1,421,956	-1,066,602	-1,728,423	-306,467	21.55%
Depreciation on non-current assets	-8,959,935	-8,959,935	-7,901,112	-11,400,000	-2,440,065	27.23%
Interest expenses						
Finance	-571,292	-571,292	-289,382	-544,195	27,097	-4.74%
Total Interest expenses	-571,292	-571,292	-289,382	-544,195	27,097	-4.74%
Insurance expenses						
Chief Executive Officer	-400	-400	-1,399	-381	19	-4.75%
People & Culture	-4,454	-4,454	-4,417	-4,091	363	-8.15%
Governance, Strategy & Risk	-64,186	-74,642	-164,445	-268,640	-193,998	259.90%
Finance	-6,892	-6,892	-8,008	-6,308	584	-8.47%
Information Technology	-11,281	-11,281	-11,681	-10,286	995	-8.82%
Public Relations & Stakeholder Engagement	-14,502	-14,502	-15,046	-13,201	1,301	-8.97%
Works	-169,586	-169,586	-170,141	-156,118	13,468	-7.94%
Design, Assets & Development	-2,758	-2,758	-2,850	-2,627	131	-4.75%
City Projects	0	0	-375	0	0	-
Parks, Leisure & Environment	-117,201	-117,201	-116,804	-106,683	10,518	-8.97%
City Facilities & Property	-250,798	-250,798	-250,898	-228,097	22,701	-9.05%

Attachment 12.3.2 Draft Rate Setting Statement

City of Belmont Draft Rate Setting Statement

	Authorised Budget	Current Budget	Actual YTD	Proposed Budget	Increase	Movement
Planning Services	-1,278	-1,278	-1,556	-1,217	61	-4.77%
Safer Communities	-35,029	-36,929	-35,336	-32,175	4,754	-12.87%
Economic & Community Development	-24,684	-24,684	-23,908	-22,608	2,076	-8.41%
Library, Culture & Place	-873	-873	-829	-831	42	-4.81%
Total Insurance expenses	-703,922	-716,278	-807,693	-853,263	-136,985	19.12%
Other expenditure						
Chief Executive Officer	-204,148	-215,104	-163,709	-15,500	199,604	-92.79%
People & Culture	1,392,287	1,392,284	866,733	-30,250	-1,422,534	-102.17%
Work Health & Safety	380,853	382,071	183,593	-1,200	-383,271	-100.31%
Governance, Strategy & Risk	-2,541,960	-2,596,702	-1,762,198	-488,682	2,108,020	-81.18%
Finance	1,103,254	1,207,571	965,987	-255,452	-1,463,023	-121.15%
Information Technology	3,173,161	3,173,169	2,648,230	0	-3,173,169	-100.00%
Public Relations & Stakeholder Engagement	-487,347	-475,758	-308,783	-71,320	404,438	-85.01%
Works	-589,683	-898,451	-740,311	-500	897,951	-99.94%
Design, Assets & Development	-306,334	-352,502	-269,907	-22,000	330,502	-93.76%
City Projects	-89,039	-91,333	-67,019	-500	90,833	-99.45%
Parks, Leisure & Environment	-1,020,875	-1,040,519	-741,680	-1,250	1,039,269	-99.88%
City Facilities & Property	-552	37,633	-166,437	-81,000	-118,633	-315.24%
Planning Services	35,172	32,462	-123,651	-2,500	-34,962	-107.70%
Safer Communities	-701,361	-687,412	-507,366	-111,711	575,701	-83.75%
Economic & Community Development	-623,216	-624,894	-375,886	-283,850	341,044	-54.58%
Library, Culture & Place	-762,087	-760,786	-557,122	-21,800	738,986	-97.13%
Total Other expenditure	-1,241,872	-1,518,272	-1,119,526	-1,387,515	130,757	-8.61%
Loss on asset disposals	-3,548	-3,548	-35,854	0	3,548	-100.00%
	-67,343,316	-66,521,552	-46,797,753	-75,272,219	-8,750,667	13.15%
Non-cash amounts excluded from operating activities	8,192,883	8,192,883	6,374,565	11,464,822	3,271,940	39.94%
Amount attributable to operating activities	-47,482,116	-44,717,687	-28,358,428	-49,251,395	-4,533,707	10.14%
INVESTING ACTIVITIES						
Non-operating grants, subsidies and contributions						
Works	1,555,805	1,590,129	1,372,136	1,842,794	252,665	15.89%
Design, Assets & Development	0	10,000	10,000	10,000	0	0.00%
City Projects	1,182,213	1,033,122	603,914	0	-1,033,122	-100.00%
Parks, Leisure & Environment	0	0	602,735	0	-	-
City Facilities & Property	250,000	490,731	172,000	250,000	-240,731	-49.06%
Planning Services	50,000	50,000	0	50,000	0	0.00%
Safer Communities	0	0	139,096	0	0	-
Total Non-operating grants, subsidies and contributions	3,038,018	3,173,982	2,899,881	2,152,794	-1,021,188	-32.17%
Payments for property, plant and equipment						
Chief Executive Officer	-67,980	-67,980	0	0	67,980	-100.00%
People & Culture	-44,875	-44,875	0	0	44,875	-100.00%
Governance, Strategy & Risk	-26,000	0	0	0	0	-
Information Technology	-893,686	-854,875	-142,135	-1,645,116	-790,241	92.44%
Public Relations & Stakeholder Engagement	-33,000	0	0	0	0	-
Works	-415,511	-672,240	-91,446	-98,415	573,825	-85.36%
Design, Assets & Development	-89,750	0	0	-1,062,360	-1,062,360	-
City Projects	-44,875	-44,875	0	0	44,875	-100.00%
Parks, Leisure & Environment	-33,000	-23,001	-23,001	150,000	173,001	-752.15%
City Facilities & Property	-1,918,456	-1,341,812	-235,990	-2,390,000	-1,048,188	78.12%
Planning Services	-178,547	-100,925	0	-50,000	50,925	-50.46%
Safer Communities	-455,891	-796,934	-315,950	-299,000	497,934	-62.48%
Economic & Community Development	-44,875	-44,875	0	0	44,875	-100.00%
Library, Culture & Place	-84,875	-99,782	-46,978	-65,000	34,782	-34.86%
Total Payments for property, plant and equipment	-4,331,321	-4,092,174	-855,500	-5,459,891	-1,367,717	33.42%
Payments for construction of infrastructure						
Works	-4,771,615	-5,145,818	-2,419,345	-3,552,712	1,593,106	-30.96%
City Projects	-2,995,000	-2,958,174	-2,428,938	-2,023,406	934,768	-31.60%
Parks, Leisure & Environment	-3,797,500	-4,350,874	-1,402,509	-5,928,053	-1,577,179	36.25%

City of Belmont

Draft Rate Setting Statement

	Authorised Budget	Current Budget	Actual YTD	Proposed Budget	Increase	Movement
Total Payments for construction of infrastructure	-11,564,115	-12,454,867	-6,250,792	-11,504,171	950,696	-7.63%
Proceeds from disposal of assets						
Total Proceeds from disposal of assets	792,940	1,350,393	196,319	1,941,820	-488,153	-36.15%
Amount attributable to investing activities	-12,064,478	-12,022,666	-4,010,092	-12,869,448	-1,926,362	16.02%
FINANCING ACTIVITIES						
Repayment of borrowings	-595,216	-595,216	-294,800	-618,110	-22,894	3.85%
Transfers to cash backed reserves (restricted assets)	-1,361,206	-10,674,053	0	-6,040,592	4,633,461	-43.41%
Transfers from cash backed reserves (restricted assets)	4,337,782	3,232,772	0	5,177,796	1,945,024	60.17%
Amount attributable to financing activities	2,381,360	-8,036,497	-294,800	-1,480,906	6,555,591	-81.57%
Net current assets (budgeted) at start of fin. year - surplus/(deficit)	4,976,513	12,151,298	12,151,298	8,970,882	-3,180,416	-26.17%
Budgeted deficiency before general rates	-52,188,721	-52,625,552	-20,512,022	-54,630,866	-2,005,314	3.81%
Amount raised from general rates	52,688,719	53,115,552	52,959,567	55,130,866	2,015,314	3.79%
Net current assets at end of financial period - surplus/(deficit)	499,999	490,000	32,447,545	500,000	10,000	

NB: Activity Based Costing are not yet included

12.4 Annual Electors' Meeting Minutes - 8 March 2023

Voting Requirement	:	Simple Majority
Subject Index	:	154/006 Annual Electors' Meeting
Location/Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	N/A
Responsible Division	:	Corporate and Governance

Council role

Executive The substantial direction setting and oversight role of the Council eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

Purpose of report

For Council to consider the outcomes and confirm the Minutes of the Annual Electors' Meeting held on Wednesday 8 March 2023 (refer Attachment 12.4.1).

Summary and key issues

In accordance with section 5.33 of the *Local Government Act 1995*, Council is to consider decisions made at the Annual Electors' Meeting held on Wednesday 8 March 2023 and record the reason for any decision made at the electors' meeting in the council meeting minutes.

Officer Recommendation

Wolff moved, Ryan seconded

That Council:

1. Note the decision to receive the City of Belmont 2021-2022 Annual Report.
2. Note that consideration has been given to all motions carried during General Business at the Annual Electors' Meeting held on Wednesday 8 March 2023 and endorse the actions as noted in the officer comments.
3. Confirm the Minutes of the Annual Electors' Meeting held on Wednesday 8 March 2023 (refer Attachment 12.4.1) as a true and accurate record.

Carried Unanimously 7 votes to 0

8.13pm The Coordinator Planning departed the meeting and did not return.

Location

Not applicable.

Consultation

There has been no specific consultation undertaken in respect to this matter.

Strategic Community Plan implications

In accordance with the 2020 – 2040 Strategic Community Plan:

Goal 5: Responsible Belmont

Strategy: 5.5 Engage and consult the community in decision-making

Strategy: 5.6 Deliver effective, fair and transparent leadership and decision-making, reflective of community needs and aspirations

Policy implications

There are no policy implications associated with this report.

Statutory environment

Section 5.27 of the *Local Government Act 1995* requires that a general meeting of electors be held once every financial year. The meeting is to occur not more than 56 days after the local government accepts the Annual Report.

‘5.27 Electors’ general meetings

- (1) A general meeting of the electors of a district is to be held once every financial year.
- (2) A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.
- (3) The matters to be discussed at general electors’ meetings are to be those prescribed.’

The City of Belmont 2021-2022 Annual Report was formally adopted at the 8 February 2023 Special Council Meeting.

Section 5.32 of the *Local Government Act 1995* requires that the minutes of the electors’ general meeting be kept and made available for public inspection before the Council Meeting at which decisions made at the electors’ meeting are first considered.

Section 5.33 of the *Local Government Act 1995* requires all decisions made at electors’ meetings be considered at the next available ordinary council meeting, or, if not possible at a special council meeting called for that purpose, whichever happens first. The reasons for a decision made at a council meeting in response to a decision made at an electors’ meeting are to be recorded in the minutes of the council meeting.

Regulation 15 of the *Local Government (Administration) Regulations 1996* outlines the matters to be discussed at the electors’ general meeting.

‘15. Matters to be discussed at general meeting (Act s5.27(3))

For the purposes of section 5.27(3), the matters to be discussed at a general electors’ meeting are, firstly, the contents of the annual report for the previous financial year and then any other general business.’

Background

The Annual Electors’ Meeting was held on Wednesday 8 March 2023 at the City of Belmont Civic Centre, 215 Wright Street, Cloverdale.

Report

Public notice of the Annual Electors' Meeting was placed in the Perth Now newspaper on 23 February 2023, placed on the notice board in the City of Belmont Civic Centre, the e-Community Board in the Ruth Faulkner Library, the City of Belmont website and advertised through social media.

There were eight electors and two members of the public in attendance, being:

Electors

Ms J Gee
Ms H Hawke
Ms D Ransome
Ms E Ransome
Mr R Reakes
Mr L Rosolin
Mr E Spini
Mr T Teasdale

Members of the Public (Non-Electors)

Ms S Forsyth
Ms L Hollands

The following decision was made at the Annual Electors' Meeting held on Wednesday, 8 March 2023:

- Receipt of the City of Belmont 2021-2022 Annual Report

Questions and responses in relation to the reports included in the 2021-2022 Annual Report are included in the minutes of the meeting.

Under general business, the Mayor invited any further questions. Questions and responses are included in the minutes of the meeting.

Questions Taken on Notice – Report of the Mayor

The following question from Ms L Hollands was taken on notice at the 8 March 2023 Annual Electors' Meeting. Ms Hollands was provided with a response on 24 March 2023. The response from the City is recorded accordingly:

1. There are various awards contained within the Report of the Mayor, does it cost the City anything to be considered or nominated for any of these awards and, if so, what are the costs?

Response

The following entry fees were paid by the City for awards relating to Belmont Hub:

- \$3,300: Urban Development Institute of Australia WA 2021 - Award for Excellence in Social & Community Infrastructure
- \$440: Australian Library and Information Association - Library Design Award 2021 – Public Libraries Highly Commended.

The profile and acknowledgements afforded to the City from the awards has not only promoted the City on a wide scale but has attracted visitors to Belmont Hub and the wider community.

Questions Taken on Notice – Report of the Chief Executive Officer

The following question from Ms L Hollands was taken on notice at the 8 March 2023 Annual Electors' Meeting. Ms Hollands was provided with a response on 24 March 2023. The response from the City is recorded accordingly:

1. Why is the City investing \$100,000 in gym equipment for the Belmont Oasis when it is a private business?

Response

The operation of Belmont Oasis is under a management contract with BlueFit (appointed through a tender process). Under this contract the City is responsible for the supply, renewal and replacement of gym equipment.

Questions Taken on Notice – General Business

The following questions from Ms L Hollands were taken on notice at the 8 March 2023 Annual Electors' Meeting. Ms Hollands was provided with responses on 24 March 2023. The responses from the City are recorded accordingly:

1. The Freedom of Information Report states there were 16 applications which were processed and completed within 48 days. Why are they taking longer than the 45 days required when 16 applications does not seem like a lot?

Response

A FOI Application has an initial timeframe of 45 days from completion of a valid application. This timeframe can be extended by:

- Agreement between the applicant and the City;
- Such period as allowed by the Information Commissioner;
- Non-payment of fees and charges (timeframe halts after request is placed and begins again after payment is made); or
- Requests for internal review by third parties.

Each FOI application is different in scope, and in addition to the factors above, the total time to process applications may also vary, depending on the availability of records, staff availability and third party feedback.

2. On page 89 of the Annual Report 2021-222, the Independent Auditor's Report stated that "other information" was not received prior to the date of the auditor's report. What information was not provided and why was it not provided when the City was aware there was an audit?

Response

The 'Other information' portion of the independent auditor's report is a standard inclusion. It refers to the fact that the auditor's opinion refers to the financial report and the other information contained in the annual report that was available at the time of audit (December 2022). Information included in the annual report as part of its production after the completion of the annual audit and were therefore not available at the time of audit, is read when available and if the OAG concludes that there is a material misstatement at that time it will be communicated to the CEO and Council. The OAG was provided with all information pertaining to the annual financial statements that enabled the OAG to sign the audit report.

3. With regard to Epsom Avenue parking, are we on track for completion, if not, why not?

Response

The procurement process associated with the installation of 39 sensors has been finalised. An installation date is yet to be confirmed by the contractor and is subject to materials and human resource availability. Installation is anticipated to be April/May 2023. While unfortunate, it is not unusual for the City to face delays with the delivery of goods and services, due to the impact of current market conditions associated with supply chains and human resources.

4. What steps are the City taking to stop re-offenders who dump rubbish on verges?

Response

Verge dumping complaints are investigated by the City's Rangers. Dumping complaints are dealt with in a manner that reflects the severity and frequency of the offence.

Actions include education, verbal warnings, infringements and in extreme cases prosecution.

Should an individual continue to re-offend the likelihood of enforcement action would increase.

5. When will we get the outcomes of the Faulkner Precinct Parking Survey and get some seniors marked bays?

Response

The draft Faulkner Precinct Parking Survey has been received by the City and is currently subject to internal review.

It is anticipated that the outcomes will be available by the end of April 2023.

The seniors currently have 10 car parks allocated at the rear of the City's Civic Centre building, adjacent to the Belmont Hub, along with two ACROD bays.

6. Can Council please explain what steps have been taken in previous years to consider the Annual Electors' Meeting, under the Act the Annual Electors' Meeting has to be considered?

Response

In accordance with sections 5.32 and 5.33 of the Local Government Act 1995, minutes of the electors' meeting are prepared and made available. All decisions made at the electors' meeting are considered as part of a Council report prepared for the next practicable Ordinary Council Meeting. The decisions are researched by the relevant officers at the City and responses prepared for consideration by Council as part of the report. These are considered at the Agenda Briefing Forum and Council decisions are made at the Ordinary Council Meeting. Councillors may adopt the report en bloc if there are no questions, debate or amendments requested.

Motions

Under general business, the following motions were put forward and are to be considered by Council:

Motion 1

Ms J Gee moved, Ms D Ransome seconded

That Council commences the immediate livestreaming of all meetings including Ordinary Council Meeting, Agenda Briefing Forums, Special Meetings and all meetings of electors.

Carried 7 votes to 1

Officer comment

Council was briefed on livestreaming at an Information Forum on 8 November 2022. The procurement process for equipment and software has commenced but installation will be dependent on availability of both equipment and external resources. Ongoing operational expenses associated with the equipment will be included in the FY2024 budget.

The drafting of a new council policy relating to livestreaming has also commenced.

Motion 2

Ms J Gee moved, Ms D Ransome seconded

A vote of no confidence in the Chief Executive Officer.

Carried 5 votes to 2

Officer comment

The role in reviewing the performance of the Chief Executive Officer rests with the Council under section 5.39A (B) of the *Local Government Act 1995* and Regulations of the *Local Government (Administration) Regulations 1996*.

The Council has recently completed the interim appraisal of the Chief Executive Officer, Mr. John Christie. The Council were satisfied with the CEO's performance and his work towards completing the annual key performance indicators.

It is considered that no further action is required.

Motion 3

Ms J Gee moved, Mr L Rosolin seconded

That Council supports the implementation of a speed limit reduction to 40km/h on Stanton Road and directs the Chief Executive Officer to undertake the necessary steps and necessary requirements to allow this to happen.

Carried 5 votes to 3

Officer comment

The City will investigate and discuss with Main Roads; however, Stanton Road is unlikely to satisfy the Main Roads WA Speed Zoning, Policy and Application Guidelines relating to existing function, road form and environment, speed profile, along with compliance considerations.

Motion 4

Ms J Gee moved, Ms D Ransome seconded

1. That Council does not support the recently introduced Complaint Management Policy without oversight of any penalties being allowed on residents for unreasonable complaint conduct which is undefined.
2. Officers are to provide any evidence of such conduct that requires a penalty, and the matter will come before Council to be decided. The resident will have the opportunity to address the Council before the matter is determined.

Carried 7 votes to 1

Officer comment

Council adopted the Customer Complaints Management Policy at the Ordinary Council Meeting on 28 March 2023.

It is considered that no further action is required.

Motion 5

Ms J Gee moved, Ms D Ransom seconded

1. Urban Forest Policy to include a mandate on street trees on all vacant street verges where the City thinks they are both necessary and appropriate.
2. Increase verge tree planting to 3,000 trees per year for the next five years after which a review of street tree numbers is undertaken to plan for the future.

Carried 7 votes to 1

Officer comment

The Urban Forest Policy is currently under review and scheduled for completion in 2024, officers are supportive of a change to this policy. Once the recommendations are complete the revision will be provided to Council for consideration.

A full audit of potential and suitable locations for the future establishment of tree canopy is currently underway. Once completed (Estimated June 2023) this will inform the City of its capacity to plant trees throughout the City in suitable locations. The audit will inform the plant stock required to maximise the City's tree canopy along with a benchmark for future works program and budgets as the City strives to increase its tree canopy.

It is considered that no further action is required.

Motion 6

Ms J Gee moved, Ms D Ransome seconded

That Council vote on these motions individually and not en bloc at the Council meeting.

Carried 8 votes to 0

Officer comment

The City of Belmont Standing Orders Local Law 2017 provide for any agenda item to be voted 'en bloc' or as an individual item.

It is considered that no further action is required.

Financial implications

There are no financial implications evident at this time.

Environmental implications

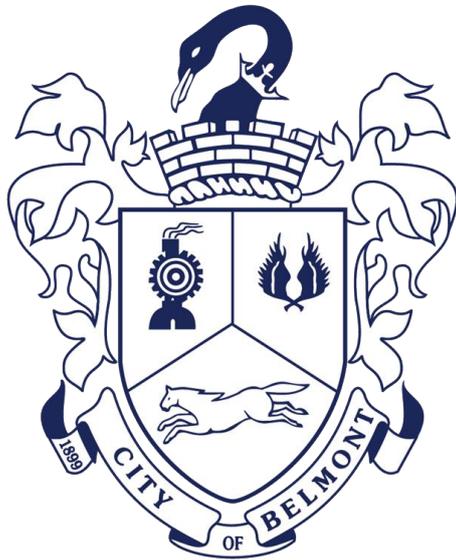
There are no environmental implications associated with this report.

Social implications

There are no social implications associated with this report.

Attachment details

Attachment No and title
1. Annual Electors Meeting 8 March 2023 Minutes [12.4.1 - 10 pages]



Annual Electors' Meeting

Minutes

Wednesday 8 March 2023



CITY OF BELMONT

Annual Electors' Meeting

Minutes

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Minutes from the Annual Electors' Meeting held in the Function Room, City of Belmont Civic Centre, 215 Wright Street, Cloverdale on Wednesday 8 March 2023 commencing at 7.00pm.

Minutes

Present

Cr P Marks, Mayor	East Ward
Cr B Ryan	East Ward
Cr S Wolff	South Ward
Cr D Sessions	West Ward

In attendance

Mr S Downing	Acting Chief Executive Officer
Ms J Gillan	Director Development and Communities
Mr J Bidwell	Acting Director Infrastructure Services
Ms A Bird	Acting Director Corporate and Governance
Ms L Chaplyn	Coordinator Media and Communications
Mrs J Cherry-Murphy	Senior Governance Officer
Ms M Phillips	Governance Officer

Electors

Ms J Gee
Ms H Hawke
Ms D Ransome
Ms E Ransome
Mr R Reakes
Mr L Rosolin
Mr E Spini
Mr T Teasdale

Members of the Public

Ms S Forsyth
Ms L Hollands

I Welcome

7.00pm The Presiding Member welcomed all those in attendance and declared the meeting open.

The Presiding Member read aloud the Acknowledgement of Country.

Acknowledgement of Country

Before I begin, I would like to acknowledge the Whadjuk Noongar people as the Traditional Owners of this land and pay my respects to Elders past, present and emerging.

I further acknowledge their cultural heritage, beliefs, connection and relationship with this land which continues today.

7.07pm In accordance with Section 17.2 of the City of Belmont *Standing Orders Local Law 2017*, the Presiding Member informed the meeting, that should any person in attendance wish to participate in the discussions, who is not an elector or a ratepayer, an elector can move a motion in order for this to occur.

Note:

Ms L Hollands indicated that she would like the opportunity to participate in the discussion.

Ms J Gee moved, Ms D Ransome seconded

That in accordance with Section 17.2 of the *Standing Orders Local Law 2017* Ms L Hollands who is not an elector or ratepayer, be permitted to participate in the discussion.

Carried 6 votes to 0

2 Apologies and leave of absence

Cr M Bass (apology)	East Ward
Cr N Carter (apology)	South Ward
Cr J Davis (apology)	South Ward
Cr R Rossi (apology)	West Ward
Cr G Sekulla (leave of absence)	West Ward
Mr J Christie (apology)	Chief Executive Officer
Ms M Reid (apology)	Director Infrastructure Services

3 Report of the Mayor

The Report of the Mayor is contained in the 2021-2022 Annual Report. The Mayor asked if there were any questions on the report.

Ms L Hollands asked the following question:

1. There are various awards contained within the Report of the Mayor, does it cost the City anything to be considered or nominated for any of these awards and if so what are the costs?

Response

The Acting Chief Executive Officer stated that the question would be taken on notice.

4 Report of the Chief Executive Officer

The Report of the Chief Executive Officer is contained in the 2021-2022 Annual Report. The Mayor asked if there were any questions regarding the content of the report.

Ms L Hollands asked the following question:

1. Why is the City investing \$100,000 in gym equipment for Belmont Oasis when it is a private business?

Response

The Mayor stated that the question would be taken on notice.

5 Receiving the Annual Report

Officer Recommendation

Mr T Teasdale moved, Cr S Wolff seconded

That the City of Belmont [Annual Report 2021-2022](#) be received.

Carried 11 votes to 0

6 General business

6.1 Notice of Motion 1

Ms J Gee moved, Ms D Ransome seconded

That Council commences the immediate livestreaming of all meetings including Ordinary Council Meeting, Agenda Briefing Forums, Special Meetings and all meetings of electors.

Carried 7 votes to 1

6.2 Notice of Motion 2

Ms J Gee moved, Ms D Ransome seconded

A vote of no confidence in the Chief Executive Officer.

Carried 5 votes to 2

6.3 Notice of Motion 3

Ms J Gee moved, Mr L Rosolin seconded

That Council supports the implementation of a speed limit reduction to 40km/h on Stanton Road and directs the Chief Executive Officer to undertake the necessary steps and necessary requirements to allow this to happen.

Carried 5 votes to 3

6.4 Notice of Motion 4

Ms J Gee moved, Ms D Ransome seconded

1. That Council does not support the recently introduced Complaint Management Policy without oversight of any penalties being allowed on residents for unreasonable complaint conduct which is undefined.
2. Officers are to provide any evidence of such conduct that requires a penalty, and the matter will come before Council to be decided. The resident will have the opportunity to address the Council before the matter is determined.

Carried 7 votes to 1

6.5 Notice of Motion 5

Ms J Gee moved, Ms D Ransom seconded

1. Urban Forest Policy to include a mandate on street trees on all vacant street verges where the City thinks they are both necessary and appropriate.
2. Increase verge tree planting to 3000 trees per year for the next five years after which a review of street tree numbers is undertaken to plan for the future.

Carried 7 votes to 1

6.6 Notice of Motion 6

Ms J Gee moved, Ms D Ransome seconder

That Council vote on these motions individually and not en bloc at the Council meeting.

Carried 8 votes to 0

6.7 Ms L Hollands, Redcliffe

1. Within the Audit and Risk report, what was in the Auditor General's report, what was proposed action plan and where can we find it?

Response

The Acting Chief Executive Officer stated that the Auditor General's report was confidential and not available to the public. Everything has been addressed to the satisfaction of the auditors.

2. Outcome 8 of the Access and Inclusion Plan is to raise awareness in the broader community, how are we giving access and inclusion to people who cannot attend meetings if we do not livestream?

Response

The Mayor stated that just because the City does not livestream does not mean the City does not give access to most people.

The Director Development and Communities stated that the Access and Inclusion Plan targets the most important things. The City cannot do everything. Chambers itself is accessible and the audio recording is made available after the meeting.

3. The Freedom of Information Report states there were 16 applications which were processed and completed within 48 days. Why are they taking longer than the 45 days required when 16 applications does not seem like a lot?

Response

The Acting Director Corporate and Governance stated that the question would be taken on notice.

4. On page 89 of the Annual Report 2021-2022, the Independent Auditor's Report stated that "other information" was not received prior to the date of the auditor's report. What information was not provided and why was it not provided when the City was aware there was an audit?

Response

The Acting Chief Executive Officer stated the question would be taken on notice.

5. With regard to Epsom Avenue parking, are we on track for completion, if not, why not?

Response

The Acting Director Infrastructure Services stated the question would be taken on notice.

6. What steps are the City taking to stop re-offenders who dump rubbish on verges?

Response

The Acting Chief Executive Officer stated the question would be taken on notice.

7. When will we get the outcomes of the Faulkner Precinct Parking Survey and get some seniors marked bays?

Response

The Acting Director Infrastructure Services stated the question would be taken on notice.

8. Can Council please explain what steps have been taken in previous years to consider the Annual Electors' Meeting, under the Act the Annual Electors' Meeting has to be considered?

Response

The Mayor stated the question would be taken on notice.

6.8 Mr L Rosolin, Belmont

1. In the past I have reported a rubbish issue at 272, 274, 276 Hardey Road which is still continuing. The units belong to the Department of Housing. What can the City do to help?

Response

The Director Development and Communities stated that with community housing issues residents need to continue to report every incident. Unfortunately, this is the process that the Department of Communities needs to follow. If the Department of Communities have continuous complaints against an occupant, they can do something under their complaints management process.

2. I had some issues near my property and tried to contact Security Watch. I had to call twice before speaking to someone. They said someone would come. How many security watch officers are there?

Response

The Director Development and Communities stated that if Mr Rosolin has any concerns with the Security Watch services provided he should contact the Manager Safer Communities to report the issue.

6.9 Ms J Gee, Cloverdale

1. Has Council heard anything else about how many Councillors will be in each ward and what boundaries we are going to have?

Response

The Acting Chief Executive Officer stated that the City is waiting for the Minister's determination. The City expects the determination in the next several months, there has been no timeframe given.

7 Closure

There being no further business, the Presiding Member thanked everyone for their attendance and closed the meeting at 8.25pm.

12.5 Accounts for Payment - March 2023

Voting Requirement	:	Simple Majority
Subject Index	:	54/007- Creditors- Payment Authorisations
Location/Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	NIL
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	N/A
Responsible Division	:	Corporate and Governance

Council role

Executive The substantial direction setting and oversight role of the Council eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

Purpose of report

To present to Council the list of expenditure paid for the period 01 March 2023 to 31 March 2023 under delegated authority.

Summary and key issues

A list of payments is presented to the Council each month for confirmation and endorsement in accordance with the *Local Government (Financial Management) Regulations 1996*.

Officer Recommendation

That the Authorised Payment Listing for March 2023 as provided under Attachment 12.5.1 be received.

Officer Recommendation adopted en bloc by Absolute Majority - Refer to Resolution appearing at Item 12.

Location

Not applicable.

Consultation

There has been no specific consultation undertaken in respect to this matter.

Strategic Community Plan implications

In accordance with the 2020 – 2040 Strategic Community Plan:

Goal 5: Responsible Belmont

Strategy: 5.2 Manage the City's assets and financial resources in a responsible manner and provide the best possible services for the community

Strategy: 5.6 Deliver effective, fair and transparent leadership and decision-making, reflective of community needs and aspirations

Policy implications

There are no policy implications associated with this report.

Statutory environment

Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996* states:

“If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared:

- (a) the payee's name;
- (b) the amount of the payment;
- (c) the date of the payment; and
- (d) sufficient information to identify the transaction.”

(3) A list prepared under sub regulation (1) is to be presented to Council at the next ordinary meeting of Council after the list is prepared; and recorded in the minutes of that meeting.

Background

Council has delegated to the Chief Executive Officer under Delegation 1.1.18 to make payment from the Municipal and Trust Fund account. In accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*, where this power has been delegated, a list of payments each month is to be compiled and presented to Council.

Report

The following summary of payments are recommended for confirmation and endorsement.

Payment type	Payment reference	\$
Municipal Fund Cheques	788849-788853	2,889.86
Municipal Fund EFTs	083245-083472 083474-083747	4,132,971.60
Municipal Fund Payroll	March 2023	2,578,041.69
Trust Fund EFT	083384-083385	7,340.29
Total Payments for March 2023		6,721,243.44

A copy of the Authorised Payment Listing is included as Attachment 12.5.1.

Financial implications

All expenditure included in the Authorised Payment Listing is in accordance with Council's annual budget.

Environmental implications

There are no environmental implications associated with this report.

Social implications

There are no social implications associated with this report.

Attachment details

Attachment No. and title
1. March 2023 payments [12.5.1 - 7 pages]

Attachment 12.5.1 March 2023 payments



City of Belmont					
Accounts for Payment - March 2023					Compiled : 03/04/23 15:59
Pmnt_Ref	Date	CR_Code	Supplier	Pmnt_Amnt	Description
Contractors					
EF083248	03/03/23	00529	Janni Goss	500.00	Community Exercise Classes
EF083249	03/03/23	00613	Qualicon Laboratories Pty Ltd	1,401.40	Bore Drilling/ Maintenance
EF083250	03/03/23	00707	LoGo Appointments	7,808.98	Labour/Personnel Hire
EF083251	03/03/23	00760	Alison M Barrett, Art Consultant	357.50	Public Art Project Consultancy
EF083252	03/03/23	00859	Parkland Mazda	447.40	Plant Parts & Repairs
EF083254	03/03/23	00988	Reece Australia Pty Ltd	5.76	Plumbing Maintenance/Supplies
EF083255	03/03/23	01243	WARP Pty Ltd	680.59	Traffic Control
EF083258	03/03/23	01318	Flexi Staff Group Pty Ltd	2,014.93	Labour/Personnel Hire
EF083259	03/03/23	01838	Redman Solutions Pty Ltd	2,750.00	Computer Software Maintenance
EF083260	03/03/23	02303	Ultimo Catering and Events	3,763.00	Catering/Catering Supplies
EF083264	03/03/23	02844	Chandler Macleod Group Ltd	5,461.67	Labour/Personnel Hire
EF083265	03/03/23	03614	Julie's Boarding Kennels & Cattery	379.50	Pound Expenses
EF083266	03/03/23	03810	Kalico Consulting	1,320.00	Grant Writing Workshop
EF083269	03/03/23	04250	TLC Safety Pty Ltd T/As Einsteins Australia	163.78	Library-Entertainment Expense
EF083270	03/03/23	04287	Labourforce Impex Personnel Pty Ltd	1,959.06	Labour/Personnel Hire
EF083271	03/03/23	04400	The Freedom Fairies	1,897.50	Music/Entertainment Expenses
EF083274	03/03/23	04524	Moore Australia WA Pty Ltd	1,155.00	Financial Reporting Workshop
EF083277	03/03/23	04974	Turf Care WA Pty Ltd	28,431.67	Turf Renovation
EF083279	03/03/23	05205	N and H Sanders	2,070.00	Floor Coverings
EF083280	03/03/23	05283	IRP Pty Ltd	9,443.06	Labour/Personnel Hire
EF083281	03/03/23	05394	DFP Recruitment Services Pty Ltd	3,816.12	Labour/Personnel Hire
EF083282	03/03/23	05572	Pack & Send Welshpool	1,333.26	Postage
EF083283	03/03/23	05809	Specialized Cleaning Group t/as Clean Sweep	7,691.75	Plant/Equipment Hire
EF083284	03/03/23	05923	Hudson Global Resources (Aust) Pty Ltd	5,052.06	Labour/Personnel Hire
EF083287	03/03/23	06094	Boyan Electrical Services	937.20	Electrical Contractor
EF083288	03/03/23	06164	Brianology	145.00	Electrical Contractor
EF083289	03/03/23	06203	Ngala Boodja Aboriginal Land Care	17,812.41	Maintenance of Natural Areas COB
EF083290	03/03/23	06275	Altus Planning	2,788.50	Professional Fees - Planning
EF083291	03/03/23	06283	defiNET Pty Ltd	13,200.00	Computer Software Maintenance
EF083297	03/03/23	06438	Marketlife Pty Ltd T/As Erin Madeley Consulting	8,756.00	Music/Entertainment Expenses
EF083306	10/03/23	00163	Bayswater Fire Protection	2,513.50	Fire Equipment/Service
EF083308	10/03/23	00230	Jackson McDonald	1,831.50	Legal Expenses
EF083310	10/03/23	00585	Hydroquip Pumps	28,149.00	Bore Drilling/ Maintenance
EF083313	10/03/23	00699	Marketforce Pty Ltd	7,905.82	Advertising and Printing
EF083314	10/03/23	00707	LoGo Appointments	3,708.46	Labour/Personnel Hire
EF083319	10/03/23	01180	Position Partners	247.24	Survey Expenses
EF083326	10/03/23	01731	Charter Plumbing and Gas	1,176.69	Plumbing Maintenance/Supplies
EF083331	10/03/23	02303	Ultimo Catering and Events	1,696.00	Catering/Catering Supplies
EF083332	10/03/23	02387	Triton Electrical Contractors Pty Ltd	17,644.00	Electrical Contractor
EF083334	10/03/23	02627	Dunbar Services WA Pty Ltd	12.10	Cleaning Services
EF083339	10/03/23	03655	Acclaimed Catering	1,540.00	Catering/Catering Supplies
EF083341	10/03/23	04067	Taylor Burrell Barnett	5,193.38	Professional Fees - Planning
EF083342	10/03/23	04109	Heroes Framing & Memorabilia	248.09	Photography/Framing Expenses
EF083344	10/03/23	04287	Labourforce Impex Personnel Pty Ltd	1,664.52	Labour/Personnel Hire
EF083345	10/03/23	04302	Southern Cross Housing Ltd	6,738.11	Independent Living Units Management
EF083349	10/03/23	04529	Southern Cross Care (WA) Inc	5,768.44	Independent Living Units Management
EF083350	10/03/23	04594	Website Weed and Pest W A Pty Ltd	21,214.56	Weed Control
EF083351	10/03/23	04986	Jan McCahon Marshall	835.00	Professional Fees - Analysis
EF083353	10/03/23	05228	Office of the Auditor General	6,204.00	Grant certification fees
EF083354	10/03/23	05252	AAAC Towing Pty Ltd	660.00	Towing Vehicles
EF083355	10/03/23	05427	Horizon West Landscape & Irrigation Pty Ltd	291.50	Monthly Maintenance - Streetscapes & SES
EF083357	10/03/23	05587	Dynamic Planning & Developments Pty Ltd	47.00	Professional Fees - Planning
EF083358	10/03/23	05703	Vital Interpreting Personnel - Auslan (WA) Pty Ltd	298.63	Auslan Interpreter
EF083361	10/03/23	05783	Emma Williamson	942.50	Professional Fees - Planning
EF083362	10/03/23	05819	Ritz Drycleaners	219.80	Cleaning Services
EF083363	10/03/23	05904	Pinnacle People	325.27	Labour/Personnel Hire
EF083364	10/03/23	05944	Delron Cleaning Pty Ltd - Ventia	1,112.84	Cleaning Services
EF083365	10/03/23	05950	Commercial and Industrial Mowing - DJ and TM Luckin	924.00	Mowing and Pruning
EF083368	10/03/23	06094	Boyan Electrical Services	5,578.93	Electrical Contractor
EF083369	10/03/23	06117	ELM (WA) Pty Ltd	16,662.80	Maintenance of Streetscapes
EF083370	10/03/23	06267	Red Mark Agency	632.50	Photography/Framing Expenses
EF083371	10/03/23	06276	Efficient Site Services (WA)	9,680.00	Building Construction
EF083373	10/03/23	06335	Hatch Pty Ltd	2,906.20	Professional Fees - Planning
EF083374	10/03/23	06337	MowScape Pty Ltd	5,508.66	Turf Maintenance
EF083375	10/03/23	06345	SoCo Studios - Travis Hayto Photography	1,265.00	Photography/Framing Expenses
EF083376	10/03/23	06367	Linearity Pty Ltd t/as CCA Productions	8,499.22	Building Maintenance
EF083377	10/03/23	06415	Amore Landscapes Pty Ltd	2,600.00	Professional Fees - Landscaping
EF083386	13/03/23	03504	Classic Tree Services	129,126.06	Tree Pruning Within CoB
EF083388	15/03/23	00118	Australia Post	5,148.49	Postage
EF083392	17/03/23	00083	Ascot Veterinary Hospital	95.00	Pound Expenses
EF083395	17/03/23	00230	Jackson McDonald	3,930.30	Legal Expenses
EF083396	17/03/23	00294	City of Canning	900.00	Rubbish Removals
EF083397	17/03/23	00346	Action Couriers	68.35	Courier Service
EF083398	17/03/23	00390	Landgate	909.22	Title Searches

Attachment 12.5.1 March 2023 payments

Pmnt_Ref	Date	CR_Code	Supplier	Pmnt_Amnt	Description
EF083399	17/03/23	00501	Infor Global Solutions (ANZ) Pty Ltd	2,332.00	Computer Software Maintenance
EF083403	17/03/23	00608	Programmed Skilled Workforce Ltd	11,295.45	Labour/Personnel Hire
EF083404	17/03/23	00699	Marketforce Pty Ltd	212.07	Advertising
EF083405	17/03/23	00707	LoGo Appointments	5,583.22	Labour/Personnel Hire
EF083406	17/03/23	00815	New Town Toyota	1,494.50	Plant Parts & Repairs
EF083410	17/03/23	01243	WARP Pty Ltd	559.25	Traffic Control
EF083415	17/03/23	01317	WA Hino Sales & Service	3,633.45	Plant Parts & Repairs
EF083416	17/03/23	01318	Flexi Staff Group Pty Ltd	2,654.96	Labour/Personnel Hire
EF083417	17/03/23	01499	Porter Consulting Engineers	5,720.00	Professional Fees - Design
EF083418	17/03/23	01507	The Pressure King	13,427.99	Graffiti Removal
EF083420	17/03/23	01731	Charter Plumbing and Gas	2,286.10	Plumbing Maintenance/Supplies
EF083421	17/03/23	01947	Animal Care Equipment & Services (Australia) Pty Ltd	105.00	Pest Control
EF083422	17/03/23	02303	Ultimo Catering and Events	1,696.00	Catering/Catering Supplies
EF083423	17/03/23	02425	Prestige Alarms	357.50	Security Services
EF083424	17/03/23	02614	Monsterball Amusements & Hire	850.00	Plant/Equipment Hire
EF083426	17/03/23	02711	CPG Research and Advisory Pty Ltd	1,558.33	Professional Fees - Analysis
EF083427	17/03/23	02844	Chandler Macleod Group Ltd	3,150.33	Labour/Personnel Hire
EF083430	17/03/23	03498	Talis Consultants Pty Ltd	43,475.06	Professional Fees - Road Design
EF083431	17/03/23	03614	Julie's Boarding Kennels & Cattery	671.00	Pound Expenses
EF083433	17/03/23	03882	APV Valuers & Asset Management	825.00	Valuation Expense
EF083436	17/03/23	04120	Randstad Pty Ltd	7,278.48	Labour/Personnel Hire
EF083438	17/03/23	04391	Lifeskills Australia	1,628.00	Professional Fees - Analysis
EF083441	17/03/23	04579	Mills Recruitment	5,918.98	Labour/Personnel Hire
EF083444	17/03/23	04941	Perth Pet Cremation - Lawnswood	62.50	Pound Expenses
EF083445	17/03/23	04963	Centigrade	2,614.33	Airconditioning/Refrigeration Maintenance
EF083447	17/03/23	05016	Cyclus Pty Ltd	607.20	Labour/Personnel Hire
EF083448	17/03/23	05099	Noongar Boodjar Language Cultural Aboriginal Corp	462.00	Library-Entertainment Expense
EF083450	17/03/23	05283	IRP Pty Ltd	3,977.82	Labour/Personnel Hire
EF083451	17/03/23	05336	West-Sure Group Pty Ltd	504.90	Security Services
EF083453	17/03/23	05401	Creative Spaces	2,277.00	Professional Fees - Design
EF083455	17/03/23	05523	Go Doors Pty Ltd	4,725.60	Building Maintenance
EF083456	17/03/23	05642	Steve's Sand Sifting for Playground Services	8,670.40	Sand Sifting at Various Parks
EF083457	17/03/23	05726	Pool Robotics Perth	3,653.55	Plant Parts & Repairs
EF083459	17/03/23	05886	Furnace Technologies	378.97	Building Maintenance
EF083460	17/03/23	05904	Pinnacle People	2,303.97	Labour/Personnel Hire
EF083461	17/03/23	06094	Boyan Electrical Services	1,233.38	Electrical Contractor
EF083462	17/03/23	06130	Amalgam Recruitment	1,274.90	Labour/Personnel Hire
EF083463	17/03/23	06160	SEEK Limited	8,322.99	Advertising
EF083464	17/03/23	06210	366 Solutions Pty Ltd	3,668.50	Computer Software Maintenance
EF083465	17/03/23	06284	Talent International	3,737.20	Labour/Personnel Hire
EF083466	17/03/23	06293	Freo Fire Maintenance Services Pty Ltd	995.50	Fire Equipment/Service
EF083469	17/03/23	06418	Richard Edmund Fenny	440.00	Library - Entertainment Expense
EF083471	17/03/23	06450	Sport and Recreation Surfaces Pty Ltd	30,173.00	Wilson Park Tennis Court Resurfacing
EF083476	24/03/23	00195	Bin Bath Australia Pty Ltd	247.50	Cleaning Services
EF083478	24/03/23	00230	Jackson McDonald	6,169.68	Legal Expenses
EF083479	24/03/23	00346	Action Couriers	74.23	Courier Service
EF083481	24/03/23	00608	Programmed Skilled Workforce Ltd	1,932.34	Labour/Personnel Hire
EF083482	24/03/23	00699	Marketforce Pty Ltd	371.80	Advertising
EF083485	24/03/23	00988	Reece Australia Pty Ltd	1,755.88	Plumbing Maintenance/Supplies
EF083486	24/03/23	01002	RAC Businesswise Vehicle Breakdowns	104.00	Plant Parts & Repairs
EF083492	24/03/23	01318	Flexi Staff Group Pty Ltd	6,615.57	Labour/Personnel Hire
EF083493	24/03/23	01731	Charter Plumbing and Gas	430.89	Plumbing Maintenance/Supplies
EF083494	24/03/23	02216	Western Australia Police	34.00	Volunteer National Police Check
EF083496	24/03/23	02303	Ultimo Catering and Events	2,544.00	Catering/Catering Supplies
EF083497	24/03/23	02411	Allsports Linemarking	572.00	Line Marking
EF083499	24/03/23	02844	Chandler Macleod Group Ltd	1,431.51	Labour/Personnel Hire
EF083507	24/03/23	04137	Greive Panelbeaters	566.01	Plant Parts & Repairs
EF083508	24/03/23	04146	JB Hi-Fi Group Commercial Account, Osborne Park	4,052.91	Electrical Goods
EF083509	24/03/23	04287	Labourforce Impex Personnel Pty Ltd	4,282.91	Labour/Personnel Hire
EF083510	24/03/23	04354	Art Services Perth - Parallax Productions Pty Ltd	330.00	Art Awards/Exhibition
EF083511	24/03/23	04391	Lifeskills Australia	396.00	Professional Fees - Analysis
EF083513	24/03/23	04400	The Freedom Fairies	1,188.00	Music/Entertainment Expenses
EF083514	24/03/23	04454	FM Contract Solutions Pty Ltd	892.62	Professional Fees - Analysis
EF083516	24/03/23	04496	Azure Painting Pty Ltd	4,884.00	Painting Contractor
EF083517	24/03/23	04555	MG Group WA	143,245.83	Progress Claim - Wilson Park Netball Courts
EF083518	24/03/23	04579	Mills Recruitment	5,973.36	Labour/Personnel Hire
EF083519	24/03/23	04868	Rachel Watts	100.00	Library-Entertainment Expense
EF083521	24/03/23	05123	West Coast Bus Charters Pty Ltd	1,980.00	Plant/Equipment Hire
EF083522	24/03/23	05190	Mark Foote	2,165.90	Building Maintenance
EF083523	24/03/23	05235	Ben Sgherza, Independent Disability Consultant	1,500.00	Professional Fees - Analysis
EF083524	24/03/23	05344	Veolia Recycling and Recovery Pty Ltd Suez	709.58	Rubbish Removals
EF083525	24/03/23	05394	DFP Recruitment Services Pty Ltd	3,816.12	Labour/Personnel Hire
EF083526	24/03/23	05401	Creative Spaces	110.00	Professional Fees - Design
EF083528	24/03/23	05480	Miriam Crandell	950.00	Professional Fees - Analysis
EF083529	24/03/23	05493	Dapth	1,787.50	Computer Software Maintenance
EF083530	24/03/23	05529	Reconciliation Western Australia Inc	425.00	Advertising and Printing
EF083531	24/03/23	05731	Keys The Moving Solution	3,686.00	Removalists
EF083533	24/03/23	05771	Alsco Pty Ltd	221.58	Cleaning Services
EF083534	24/03/23	05783	Emma Williamson	1,110.70	Professional Fees - Planning

Attachment 12.5.1 March 2023 payments

Pmnt_Ref	Date	CR_Code	Supplier	Pmnt_Amnt	Description
EF083536	24/03/23	05895	Outside the box, Rope Access Solutions	10,560.00	Cleaning Services
EF083537	24/03/23	05904	Pinnacle People	704.75	Labour/Personnel Hire
EF083538	24/03/23	05950	Commercial and Industrial Mowing - DJ and TM Luckin	1,045.00	Mowing and Pruning
EF083540	24/03/23	06129	AKJC Hospitality Group - 8 Yolks Cafe	1,200.00	Catering/Catering Supplies
EF083541	24/03/23	06164	Brianology	525.00	Electrical Contractor
EF083542	24/03/23	06277	Ignite Limited	3,307.43	Labour/Personnel Hire
EF083543	24/03/23	06284	Talent International	3,187.61	Labour/Personnel Hire
EF083544	24/03/23	06293	Freo Fire Maintenance Services Pty Ltd	1,072.99	Fire Equipment/Service
EF083545	24/03/23	06297	Swan Cafe	215.00	Catering/Catering Supplies
EF083550	24/03/23	06440	DOSE Movement Pty Ltd T/as DOSE Running	1,674.00	Community Exercise Classes
EF083569	30/03/23	00033	ATF Services Pty Ltd - Aust Temporary Fencing	3,825.48	Fencing
EF083574	30/03/23	00163	Bayswater Fire Protection	4,829.00	Fire Equipment/Service
EF083575	30/03/23	00195	Bin Bath Australia Pty Ltd	206.25	Cleaning Services
EF083576	30/03/23	00221	John Hughes Group	2,034.92	Plant Parts & Repairs
EF083581	30/03/23	00272	Chadson Engineering Pty Ltd	484.00	Professional Fees - Testing
EF083583	30/03/23	00295	Capital Recycling	11,395.12	Rubbish Removals
EF083585	30/03/23	00390	Landgate	306.72	Title Searches
EF083587	30/03/23	00412	Dowsing Group Pty Ltd	94,989.63	Concrete Contractor
EF083588	30/03/23	00491	Fujifilm Business Innovation Australia	4,086.49	Photocopy Expenses
EF083589	30/03/23	00557	City Subaru	3,789.85	Plant Parts & Repairs
EF083590	30/03/23	00585	Hydroquip Pumps	2,654.74	Bore Drilling/ Maintenance
EF083591	30/03/23	00608	Programmed Skilled Workforce Ltd	3,043.68	Labour/Personnel Hire
EF083592	30/03/23	00613	Qualcon Laboratories Pty Ltd	5,308.60	Bore Drilling/ Maintenance
EF083593	30/03/23	00665	Kenwards Hire Pty Ltd	382.80	Plant/Equipment Hire
EF083595	30/03/23	00699	Marketforce Pty Ltd	24,200.74	Advertising and Printing
EF083596	30/03/23	00707	LoGo Appointments	5,300.30	Labour/Personnel Hire
EF083597	30/03/23	00718	Major Motors Pty Ltd	3,909.50	Plant Parts & Repairs
EF083598	30/03/23	00726	T-Quip	221.95	Plant Parts & Repairs
EF083599	30/03/23	00736	McLeods	15,886.21	Legal Expenses
EF083600	30/03/23	00783	iSentia Pty Ltd	1,925.00	Professional Fees - Marketing
EF083601	30/03/23	00815	New Town Toyota	1,846.80	Plant Parts & Repairs
EF083602	30/03/23	00830	Canon Production Printing Australia Pty Ltd	820.14	Photocopy Expenses
EF083604	30/03/23	00855	Pacific Biologics Pty Ltd	4,191.00	Pest Control
EF083605	30/03/23	00859	Parkland Mazda	370.00	Plant Parts & Repairs
EF083606	30/03/23	00917	Positive Auto Electrics	1,308.51	Plant Parts & Repairs
EF083607	30/03/23	00931	Sonic HealthPlus Pty Ltd	1,653.31	Medical Examinations
EF083608	30/03/23	00972	Repco Auto Parts	417.48	Plant Parts & Repairs
EF083609	30/03/23	00988	Reece Australia Pty Ltd	6,996.79	Plumbing Maintenance/Supplies
EF083610	30/03/23	01074	Shred-X Pty Ltd	44.28	Rubbish Removals
EF083611	30/03/23	01097	Dept of the Premier & Cabinet	265.20	Government Gazette Advertising
EF083612	30/03/23	01110	Downer EDI Works Pty Ltd	95,063.62	Road Building Contractor
EF083613	30/03/23	01112	Sunny Industrial Brushware	686.40	Plant Parts & Repairs
EF083614	30/03/23	01138	E & M J Rosher Pty Ltd	746.19	Plant Parts & Repairs
EF083616	30/03/23	01186	ZircoDATA Pty Ltd	1,941.37	Records Storage
EF083618	30/03/23	01233	Stihl Shop Redcliffe	1,899.45	Tools/Tool Repairs
EF083619	30/03/23	01243	WARP Pty Ltd	107,571.75	Traffic Control
EF083620	30/03/23	01251	Wurth Australia Pty Ltd	148.05	Plant Parts & Repairs
EF083623	30/03/23	01317	WA Hino Sales & Service	3,701.85	Plant Parts & Repairs
EF083625	30/03/23	01395	Saferoads Pty Ltd	69.12	Traffic Control
EF083628	30/03/23	01507	The Pressure King	5,952.19	Graffiti Removal
EF083630	30/03/23	01533	WC Convenience Management	5,462.61	Building Maintenance
EF083635	30/03/23	01712	Donegan Enterprises Pty Ltd	5,126.55	Various Parks Repairs and Maintenance
EF083636	30/03/23	01714	Total Eden Pty Ltd - Nutrien Water	1,749.59	Reticulation Parts & Repairs
EF083637	30/03/23	01731	Charter Plumbing and Gas	13,551.72	Plumbing Maintenance/Supplies
EF083638	30/03/23	01735	Air Roofing Co Pty Ltd	70,015.00	Roof works - Belmont Oasis
EF083639	30/03/23	01797	Green Skills (Ecojobs)	5,053.87	Labour/Personnel Hire
EF083640	30/03/23	02023	YMCA of Perth Youth and Community Services Inc	76,325.98	Youth Services Expenses
EF083641	30/03/23	02049	NVMS - Noise and Vibration Measurement Systems	880.00	Plant Parts & Repairs
EF083642	30/03/23	02050	Austraffic WA	2,112.24	Traffic Control
EF083643	30/03/23	02059	Western Resource Recovery Pty Ltd	907.50	Rubbish Removals
EF083647	30/03/23	02207	Wilson Security	121,173.28	Security Services
EF083648	30/03/23	02298	Pelican Linemarking	1,100.00	Line Marking
EF083651	30/03/23	02387	Triton Electrical Contractors Pty Ltd	572.00	Electrical Contractor
EF083652	30/03/23	02393	Zipform Pty Ltd	4,318.07	Postage
EF083653	30/03/23	02411	Allsports Linemarking	2,288.00	Line Marking
EF083654	30/03/23	02418	Programmed Property Services Pty Ltd	3,866.50	Gardening Maintenance contract
EF083656	30/03/23	02425	Prestige Alarms	854.00	Security Services
EF083658	30/03/23	02589	Zenien	18,722.68	Security Services
EF083659	30/03/23	02614	Monsterball Amusements & Hire	1,345.00	Plant/Equipment Hire
EF083660	30/03/23	02627	Dunbar Services WA Pty Ltd	792.00	Cleaning Services
EF083661	30/03/23	02672	Ruah Community Services	33,925.46	Labour/Personnel Hire
EF083663	30/03/23	02779	Natural Area Holdings Pty Ltd	192.50	Plants for Ceremony
EF083664	30/03/23	02837	GLG Greenlife Group	6,455.31	Mowing and Pruning
EF083666	30/03/23	02913	Syrinx Environmental Pty Ltd	957.00	Professional Fees - Landscaping
EF083668	30/03/23	03366	Daimler Trucks Perth	3,435.74	Plant Parts & Repairs
EF083669	30/03/23	03419	Gott Health	110.00	Community Exercise Classes
EF083670	30/03/23	03464	Bridgestone Australia Ltd	2,738.92	Plant Parts & Repairs
EF083671	30/03/23	03504	Classic Tree Services	109,586.40	Tree Pruning Within CoB
EF083672	30/03/23	03567	Gardner Autos Pty Ltd t/as Gardner Isuzu	595.00	Plant Parts & Repairs

Attachment 12.5.1 March 2023 payments

Pmnt_Ref	Date	CR_Code	Supplier	Pmnt_Amnt	Description
EF083673	30/03/23	03908	Road Specialist Australia Pty Ltd	3,308.47	Plant Parts & Repairs
EF083676	30/03/23	04072	Australian Property Consultants	3,850.00	Valuation Expense
EF083677	30/03/23	04105	Cleanflow Environmental Solutions	2,363.16	Drainage Maintenance
EF083678	30/03/23	04125	Pressure Cleaner Shop WA/Industrial Cleaning Equipment	716.28	Plant Parts & Repairs
EF083679	30/03/23	04202	City Retravision	293.00	Electrical Goods
EF083680	30/03/23	04211	Advance Scanning Services	2,084.50	Survey Expenses
EF083682	30/03/23	04320	ABM Landscaping	26,281.75	Bricks/Bricklaying
EF083683	30/03/23	04529	Southern Cross Care (WA) Inc	5,768.44	Independent Living Units Management
EF083684	30/03/23	04565	Heritage Conservation Solutions - Dr Ian MacLeod	453.20	Professional Fees - Analysis
EF083686	30/03/23	04693	Allwest Plant Hire Australia Pty Ltd	7,535.00	Plant/Equipment Hire
EF083687	30/03/23	04723	Future Logic	4,060.06	Computer Software Maintenance
EF083688	30/03/23	04963	Centigrade	22,465.92	Airconditioning/Refrigeration Maintenance
EF083689	30/03/23	04974	Turf Care WA Pty Ltd	38,146.65	Turf Renovation
EF083691	30/03/23	05083	Dent Dismissal	275.00	Plant Parts & Repairs
EF083694	30/03/23	05090	Elan Energy Matrix Pty Ltd	667.48	Rubbish Removals
EF083696	30/03/23	05143	David Gray & Co Pty Ltd	1,430.00	Pest Control
EF083697	30/03/23	05190	Mark Foote	242.00	Building Maintenance
EF083698	30/03/23	05283	IRP Pty Ltd	9,034.91	Labour/Personnel Hire
EF083699	30/03/23	05344	Veolia Recycling and Recovery Pty Ltd Suez	427,145.91	Rubbish Removals
EF083701	30/03/23	05427	Horizon West Landscape & Irrigation Pty Ltd	18,144.50	Monthly Maintenance - Streetscapes & SES
EF083702	30/03/23	05447	Bollywood Dance Studio	660.00	Music/Entertainment Expenses
EF083703	30/03/23	05460	Elizabeth Narkle - Koolankas Kreate	3,960.00	Music/Entertainment Expenses
EF083705	30/03/23	05523	Go Doors Pty Ltd	3,597.00	Building Maintenance
EF083706	30/03/23	05558	BlueFit Pty Ltd	3,695.36	Oasis Expenses
EF083707	30/03/23	05568	Allstate Kerbing and Concrete	457.60	Kerbing Contractor
EF083708	30/03/23	05612	ASCON Survey and Drafting Pty Ltd	3,004.93	Survey Expenses
EF083709	30/03/23	05692	Newground Water Services Pty Ltd	3,300.00	Professional Fees - Design
EF083710	30/03/23	05726	Pool Robotics Perth	1,741.05	Plant Parts & Repairs
EF083713	30/03/23	05809	Specialized Cleaning Group t/as Clean Sweep	8,317.65	Plant/Equipment Hire
EF083715	30/03/23	05840	Commercial Aquatics Australia Pty Ltd	30,336.71	Oasis Expenses
EF083717	30/03/23	05904	Pinnacle People	1,639.89	Labour/Personnel Hire
EF083718	30/03/23	05923	Hudson Global Resources (Aust) Pty Ltd	2,327.74	Labour/Personnel Hire
EF083719	30/03/23	05944	Delron Cleaning Pty Ltd - Ventia	86,642.59	Cleaning Services
EF083721	30/03/23	06020	CyberCX Pty Ltd	528.00	Computer Software Maintenance
EF083722	30/03/23	06067	TK Elevator Australia Pty Ltd	976.49	Building Maintenance
EF083724	30/03/23	06094	Boyan Electrical Services	17,557.23	Electrical Contractor
EF083725	30/03/23	06104	Flick Anticimex Pty Ltd	14,049.48	Pest Control
EF083727	30/03/23	06226	Modus Compliance Pty Ltd	12,276.00	Labour/Personnel Hire
EF083728	30/03/23	06276	Efficient Site Services (WA)	15,540.80	Building Construction
EF083729	30/03/23	06282	Dell Financial Services Pty Ltd	82,337.49	Plant/Equipment Hire
EF083730	30/03/23	06293	Freo Fire Maintenance Services Pty Ltd	1,055.69	Fire Equipment/Service
EF083731	30/03/23	06304	Prestige Property Maintenance	14,311.00	Building Maintenance
EF083732	30/03/23	06377	Choiceone Pty Ltd	21,515.37	Labour/Personnel Hire
EF083733	30/03/23	06411	The Plastic Sandwich Co	616.00	Photography/Framing Expenses
EF083734	30/03/23	06414	Complete Glass & Glazing Services	2,922.27	Road Building Contractor
EF083735	30/03/23	06417	Sense Recruitment	8,432.13	Labour/Personnel Hire
EF083737	30/03/23	99966	MAIA Financial Pty Ltd	19,491.53	Plant/Equipment Hire
Contractors Total				2,727,354.99	
Councillor Payments					
EF083458	17/03/23	05828	Deborah Sessions	47.92	Councillor Sitting Fee/Reimbursement
EF083572	30/03/23	00158	Margie Bass	8,651.67	Councillor Sitting Fee/Reimbursement
EF083624	30/03/23	01369	Philip Marks	35,175.25	Councillor Sitting Fee/Reimbursement
EF083629	30/03/23	01520	Stephen Wolff	8,992.50	Councillor Sitting Fee/Reimbursement
EF083645	30/03/23	02145	Robert Rossi	14,760.67	Councillor Sitting Fee/Reimbursement
EF083674	30/03/23	03916	Bernard Ryan	8,992.50	Councillor Sitting Fee/Reimbursement
EF083692	30/03/23	05084	Jenny Davis	8,992.50	Councillor Sitting Fee/Reimbursement
EF083693	30/03/23	05085	George Sekulla	8,992.50	Councillor Sitting Fee/Reimbursement
EF083714	30/03/23	05828	Deborah Sessions	8,651.67	Councillor Sitting Fee/Reimbursement
EF083726	30/03/23	06162	Natalie Carter	8,992.50	Councillor Sitting Fee/Reimbursement
Councillor Payments Total				112,249.68	
Fuels and Utilities					
EF083245	03/03/23	00042	Alinta Energy	42.65	Light, Power, Gas
EF083256	03/03/23	01252	Water Corporation	3,958.98	Water, Annual & Excess
EF083257	03/03/23	01274	Synergy	6,064.00	Light, Power, Gas
EF083262	03/03/23	02422	Connect Call Centre Services	721.60	Phone/Internet expenses
EF083296	03/03/23	06424	Telstra Limited	11,555.46	Phone/Internet expenses
EF083322	10/03/23	01252	Water Corporation	282.16	Water, Annual & Excess
EF083324	10/03/23	01274	Synergy	122,403.12	Light, Power, Gas
EF083327	10/03/23	02029	ATCO Gas Australia Pty Ltd	992.07	Light, Power, Gas
EF083333	10/03/23	02471	Western Power	17,536.00	Light, Power, Gas
EF083336	10/03/23	03592	Steven Harling	87.10	Fuel, Oil, Additives
EF083380	10/03/23	06453	Mark Giardini	120.23	Fuel, Oil, Additives
EF083411	17/03/23	01252	Water Corporation	1,982.44	Water, Annual & Excess
EF083414	17/03/23	01274	Synergy	39,681.49	Light, Power, Gas
EF083425	17/03/23	02631	Ampol - Caltex	10,928.28	Fuel, Oil, Additives
EF083470	17/03/23	06424	Telstra Limited	4,168.88	Phone/Internet expenses
EF083483	24/03/23	00788	Motorcharge - WEX Fuel Cards Australia Ltd	16,538.17	Fuel, Oil, Additives
EF083490	24/03/23	01252	Water Corporation	6,151.06	Water, Annual & Excess
EF083498	24/03/23	02474	Digital Marketing Australia - Captivate Connect	1,320.00	Phone/Internet expenses

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Pmnt_Ref	Date	CR_Code	Supplier	Pmnt_Amnt	Description
EF083502	24/03/23	03592	Steven Harling	108.71	Fuel, Oil, Additives
EF083547	24/03/23	06331	Mathew Smith	114.48	Fuel, Oil, Additives
EF083549	24/03/23	06424	Telstra Limited	13,367.29	Phone/Internet expenses
EF083570	30/03/23	00042	Alinta Energy	480.80	Light, Power, Gas
EF083580	30/03/23	00264	Castrol Australia Pty Ltd	234.96	Fuel, Oil, Additives
EF083621	30/03/23	01252	Water Corporation	2,567.01	Water, Annual & Excess
EF083622	30/03/23	01274	Synergy	524.27	Light, Power, Gas
EF083655	30/03/23	02422	Connect Call Centre Services	782.65	Phone/Internet expenses
EF083736	30/03/23	06424	Telstra Limited	11,533.65	Phone/Internet expenses
Fuels and Utilities Total				274,247.51	
Materials					
EF083246	03/03/23	00203	BOC Gases Australia Ltd	13.93	Welding Equipment/Supplies
EF083268	03/03/23	04177	Artcom Fabrication	836.00	Stationery & Printing
EF083272	03/03/23	04470	Arts Law Centre of Australia	600.00	Publications/Newspapers
EF083273	03/03/23	04491	Woolworths Group - Functions/Catering only	353.52	Groceries
EF083275	03/03/23	04607	Ink Station	183.82	Stationery & Printing
EF083278	03/03/23	05011	Bullet Produce (was WA Fresh)	419.00	Groceries
EF083292	03/03/23	06294	Combat Clothing Australia Pty Ltd	515.35	Safety Clothing/Equipment
EF083293	03/03/23	06372	Scooteroo Perth Pty Ltd	1,284.50	Hardware
EF083295	03/03/23	06408	LOTE Libraries Direct Pty Ltd	556.60	Books/CDs/DVDs
EF083302	10/03/23	00009	Cafe Corporate	740.00	Groceries
EF083304	10/03/23	00132	Bolinda Publishing Pty Ltd	140.21	Books/CDs/DVDs
EF083305	10/03/23	00162	ExBo Visual - Bokay Signage	178.56	Signs
EF083307	10/03/23	00203	BOC Gases Australia Ltd	132.09	Welding Equipment/Supplies
EF083311	10/03/23	00653	Humes - Holcim (Australia) Pty Ltd QLD	50.00	Concrete Products
EF083312	10/03/23	00664	Kmart Australia Limited	135.50	Craft/Display Materials
EF083315	10/03/23	00778	Modern Teaching Aids Pty Ltd	203.23	Books/CDs/DVDs
EF083316	10/03/23	00986	Reface Industries Pty Ltd	2,090.00	Quicksand Pre-Sander
EF083317	10/03/23	01066	Snap Belmont - Belsnap Pty Ltd	107.94	Stationery & Printing
EF083318	10/03/23	01073	Spotlight Pty Ltd	10.20	Craft/Display Materials
EF083323	10/03/23	01265	Westbooks	356.58	Books/CDs/DVDs
EF083325	10/03/23	01547	Big W	148.50	Books/CDs/DVDs
EF083328	10/03/23	02139	Ulverscroft Large Print Books Ltd	1,094.76	Books/CDs/DVDs
EF083329	10/03/23	02201	Neverfail Springwater Limited	44.55	Beverages
EF083335	10/03/23	02862	James Bennett Pty Ltd	499.30	Books/CDs/DVDs
EF083338	10/03/23	03630	Direct Trades Supply Pty Ltd	628.50	Hardware
EF083340	10/03/23	04053	Totally Workwear TWW	123.16	Safety Clothing/Equipment
EF083343	10/03/23	04246	Bibliotheca Australia Pty Ltd	489.50	RFID TAGS
EF083346	10/03/23	04394	JB Hi-Fi Belmont Forum - Library purchases	908.58	Books/CDs/DVDs
EF083347	10/03/23	04471	Booktopia	67.69	Books/CDs/DVDs
EF083348	10/03/23	04491	Woolworths Group - Functions/Catering only	466.14	Groceries
EF083352	10/03/23	05011	Bullet Produce (was WA Fresh)	419.00	Groceries
EF083356	10/03/23	05465	QBD Books	164.94	Books/CDs/DVDs
EF083360	10/03/23	05770	Kwik Kopy Perth CBD	240.90	Stationery & Printing
EF083366	10/03/23	05992	Corsign WA	672.32	Signs
EF083367	10/03/23	06084	Asphaltech Pty Ltd	2,198.59	Road/Drainage Material
EF083378	10/03/23	06427	Balshaws Florist	344.00	Flowers
EF083393	17/03/23	00132	Bolinda Publishing Pty Ltd	299.11	Books/CDs/DVDs
EF083394	17/03/23	00203	BOC Gases Australia Ltd	13.93	Welding Equipment/Supplies
EF083407	17/03/23	00832	Officeworks	418.78	Stationery & Printing
EF083409	17/03/23	01093	SAI Global Limited	7,226.42	Publications/Newspapers
EF083412	17/03/23	01265	Westbooks	353.46	Books/CDs/DVDs
EF083428	17/03/23	03144	COS Complete Office Supplies Pty Ltd	37.57	Stationery & Printing
EF083432	17/03/23	03660	Safe T Card Australia Pty Ltd	44.00	Safety Clothing/Equipment
EF083434	17/03/23	04036	CleverPatch Pty Ltd	225.37	Craft/Display Materials
EF083435	17/03/23	04053	Totally Workwear TWW	310.00	Safety Clothing/Equipment
EF083437	17/03/23	04145	T J Depiazzi and Sons	4,139.85	Gardening - Plants/Supplies
EF083439	17/03/23	04471	Booktopia	73.62	Books/CDs/DVDs
EF083440	17/03/23	04491	Woolworths Group - Functions/Catering only	174.15	Groceries
EF083442	17/03/23	04752	Abacus Educational Suppliers	587.02	Toys
EF083443	17/03/23	04763	Merchandising Libraries Pty Ltd	609.13	Books/CDs/DVDs
EF083446	17/03/23	05011	Bullet Produce (was WA Fresh)	419.00	Groceries
EF083449	17/03/23	05211	Manic Botanic	820.00	Flowers
EF083475	24/03/23	00131	Dsatco Pty Ltd	888.30	Gardening - Plants/Supplies
EF083477	24/03/23	00203	BOC Gases Australia Ltd	13.93	Welding Equipment/Supplies
EF083487	24/03/23	01073	Spotlight Pty Ltd	149.80	Craft/Display Materials
EF083488	24/03/23	01115	All Foods Belmont IGA Belvidere Street	195.54	Groceries
EF083489	24/03/23	01238	WA Library Supplies Pty Ltd	723.91	Stationery & Printing
EF083491	24/03/23	01265	Westbooks	251.16	Books/CDs/DVDs
EF083500	24/03/23	02862	James Bennett Pty Ltd	1,749.09	Books/CDs/DVDs
EF083504	24/03/23	03856	SEM Distribution - newspaper delivery	219.00	Publications/Newspapers
EF083505	24/03/23	04053	Totally Workwear TWW	395.91	Safety Clothing/Equipment
EF083512	24/03/23	04394	JB Hi-Fi Belmont Forum - Library purchases	2,385.00	Books/CDs/DVDs
EF083515	24/03/23	04491	Woolworths Group - Functions/Catering only	425.28	Groceries
EF083520	24/03/23	05011	Bullet Produce (was WA Fresh)	838.00	Groceries
EF083527	24/03/23	05432	Bloomin Boxes	150.00	Flowers
EF083539	24/03/23	06005	MDM Entertainment Pty Ltd	85.54	Books/CDs/DVDs
EF083548	24/03/23	06346	Southern Chronicles	400.00	Publications/Newspapers
EF083552	24/03/23	06457	Wall Art Australia Pty Ltd	385.00	Signs

Attachment 12.5.1 March 2023 payments

Pmnt_Ref	Date	CR_Code	Supplier	Pmnt_Amnt	Description
EF083571	30/03/23	00099	Ausrecord Pty Ltd	213.62	Stationery & Printing
EF083573	30/03/23	00162	ExBo Visual - Bokay Signage	379.78	Signs
EF083577	30/03/23	00231	Bunnings Group Ltd	109.31	Hardware
EF083578	30/03/23	00233	Bunzl Limited	3,282.76	Cleaning Products
EF083579	30/03/23	00261	Atom Supply	613.05	Metal Goods
EF083582	30/03/23	00278	Chefmaster Australia	653.11	Cleaning Products
EF083586	30/03/23	00396	Di Candilo Steel City	1,113.20	Metal Goods
EF083594	30/03/23	00697	Nutrien AG Solutions Ltd	3,689.13	Gardening - Plants/Supplies
EF083603	30/03/23	00850	Pacific Safety Wear Malaga	1,734.48	Safety Clothing/Equipment
EF083615	30/03/23	01183	Total Packaging (WA) Pty Ltd	3,432.00	Cleaning Products
EF083617	30/03/23	01206	Access Icon Pty Ltd t/a Cascada	1,562.00	Concrete Products
EF083626	30/03/23	01398	Winc Australia Pty Ltd	5,646.14	Stationery & Printing
EF083627	30/03/23	01426	Sprayline Spraying Equipment	325.60	Gardening - Plants/Supplies
EF083631	30/03/23	01568	Allstate Safety Products	169.40	Safety Clothing/Equipment
EF083632	30/03/23	01570	Blackwoods	666.65	Hardware
EF083644	30/03/23	02088	Lock Stock & Farrell Locksmith	234.00	Hardware
EF083646	30/03/23	02168	Ergolink	2,163.50	Stationery & Printing
EF083650	30/03/23	02320	Ambius Indoor Plants	228.76	Gardening - Plants/Supplies
EF083657	30/03/23	02431	ASB Branded Merchandise - ASB Marketing Pty Ltd	2,600.40	Promotional Items
EF083665	30/03/23	02862	James Bennett Pty Ltd	559.51	Books/CDs/DVDs
EF083667	30/03/23	03144	COS Complete Office Supplies Pty Ltd	487.08	Stationery & Printing
EF083675	30/03/23	04053	Totally Workwear TWW	787.24	Safety Clothing/Equipment
EF083681	30/03/23	04246	Bibliotheca Australia Pty Ltd	865.87	Books/CDs/DVDs
EF083685	30/03/23	04670	BCF Australia Pty Ltd	259.99	Hardware
EF083690	30/03/23	05055	Statewide Cleaning Supplies	271.85	Cleaning Products
EF083704	30/03/23	05465	QBD Books	561.57	Books/CDs/DVDs
EF083711	30/03/23	05744	TCD Services Australia - TC Drainage (WA) Pty Ltd	990.00	Drainage Materials
EF083712	30/03/23	05770	Kwik Kopy Perth CBD	649.79	Stationery & Printing
EF083716	30/03/23	05890	Living Turf	17,204.00	Turf Installation
EF083720	30/03/23	05992	Corsign WA	1,326.60	Signs
EF083723	30/03/23	06084	Asphaltech Pty Ltd	278,266.64	Road/Drainage Material
Materials Total				373,471.36	
Other					
788849	03/03/23	99999	James Ian Moore	764.98	Pension Rebate Refund
EF083253	03/03/23	00957	The Artists Foundation of WA - Artsource	275.00	Membership Fee
EF083261	03/03/23	02356	City of Fremantle	200.00	Donation
EF083267	03/03/23	04079	Belmont Men's Shed Inc	4,924.70	Grants General
EF083276	03/03/23	04965	Customers of SirsiDynix Australasia Inc (COSA)	149.00	Membership Fee
EF083285	03/03/23	06002	Arts Hub Australia Pty Ltd	385.00	Membership Fee
EF083286	03/03/23	06003	National Association for the Visual Arts Ltd	345.00	Membership Fee
EF083298	03/03/23	99998	Kais Property Holdings	6,264.56	Rates Refund
EF083299	03/03/23	99998	Phillipa Joanne Turner	113.06	Rates Refund
EF083300	03/03/23	99998	Rebecca Leigh	800.00	Sport Donation-International
EF083301	03/03/23	99998	Megan Jane Ballantine	840.00	Rates Refund
788850	10/03/23	00893	N Palencia Munoz & Z Del Prado Munoz	278.20	Petty Cash Recoup
788851	10/03/23	99999	N Palencia Munoz & Z Del Prado Munoz	545.78	Pension Rebate Refund
EF083309	10/03/23	00530	Natasha Griggs	577.50	Membership Fee
EF083320	10/03/23	01190	Town of Victoria Park	100.00	Emergency Services Levy
EF083337	10/03/23	03602	Carlisle Rivervale Little Athletics Club	350.00	Donation
EF083372	10/03/23	06285	Nonlinear Solutions	5,000.00	Grants General
EF083381	10/03/23	99998	Stella Winifred Morris	543.67	Pension Rebate Refund
EF083382	10/03/23	99998	Feliksa Woznica	541.56	Pension Rebate Refund
EF083383	10/03/23	99998	Astyn Penny	800.00	Sport Donation - International
EF083389	17/03/23	01236	Department of Fire and Emergency Services	325,054.48	Emergency Services Levy
EF083390	17/03/23	165856	The United Methodist Church WA	400.00	Bond Payment/Refund
EF083391	17/03/23	166097	Stand Up Paddle (WA) Inc SUPWA	750.00	Bond Payment/Refund
EF083413	17/03/23	01270	Perth Racing - WA Turf Club	2,461.25	Reimbursements
EF083419	17/03/23	01606	Reward Gateway Pty Ltd	26,136.00	Staff Recognition Program
EF083429	17/03/23	03377	City of Belmont RSL Sub Branch	5,600.00	Donation
EF083452	17/03/23	05400	Lisa Bretnall	92.97	Photo Frames Reimbursement
EF083467	17/03/23	06309	Anthea Bird	15.00	Staff Reimbursement
EF083472	17/03/23	99998	Sabah Suleiman	1,100.00	Reimbursements - Food Safari
788852	24/03/23	00894	Petty Cash - Operations Centre Stores	52.00	Petty Cash Recoup
EF083474	24/03/23	167000	Belmont District Probus Club Inc	400.00	Bond Payment/Refund
EF083495	24/03/23	02280	Juliette Gillan	446.00	Staff Reimbursement
EF083501	24/03/23	03071	Department of Transport - Vehicle Owner Searches	311.60	Vehicle Ownership Searches
EF083506	24/03/23	04079	Belmont Men's Shed Inc	13,750.00	Grants General
EF083546	24/03/23	06309	Anthea Bird	385.00	Training Fee Reimbursement
EF083557	24/03/23	99998	Wendy Jane Nicholson	531.03	Pension Rebate Refund
EF083558	24/03/23	99998	G & J Sadri	1,966.69	Rates Refund
EF083559	24/03/23	99998	Samantha Robb	70.00	Cloth Nappy Rebate Refund
EF083560	24/03/23	99998	Tania P Drew	94.02	Cloth Nappy Rebate Refund
EF083561	24/03/23	99998	Paula Palmer	74.95	Cloth Nappy Rebate Refund
EF083562	24/03/23	99998	Lauren McAulay	94.38	Cloth Nappy Rebate Refund
EF083563	24/03/23	99998	Janet L Augustinsen	61.70	Cloth Nappy Rebate Refund
EF083564	24/03/23	99998	Christobel S Tan	400.00	Sport Donation - National
788853	30/03/23	00889	Petty Cash - Finance	1,248.90	Petty Cash Recoup
EF083565	30/03/23	03526	City of Belmont Corporate Card Executive Assistant Mayor/CEO	2,376.33	ALGWA 23 conference, Google Workshop, Staff farewell gift, LG Professionals Webinar

Attachment 12.5.1 March 2023 payments

Pmnt_Ref	Date	CR_Code	Supplier	Pmnt_Amnt	Description
EF083566	30/03/23	05121	City of Belmont Corporate Card CEO	310.57	Planning Study Tour
EF083567	30/03/23	06342	City of Belmont Corporate Card Manager Public Relations	4,942.90	Advertising, Marketing
EF083568	30/03/23	06409	City of Belmont Corporate Card Director Corporate & Gov	969.24	Australian Institute of Company Directors, Australian Financial Review
EF083700	30/03/23	05400	Lisa Bretnall	40.98	Volunteer Week Name Tags Reimbursement
EF083738	30/03/23	99998	Harsha Agarwal	61.65	Building Service Levy Refund
EF083739	30/03/23	99998	Cameron M Liburn	159.94	Rates Refund
EF083740	30/03/23	99998	Bella Build & Design	2,673.25	Building Service Levy Refund
EF083741	30/03/23	99998	Bella Build & Design WA	3,222.92	Building Service Levy Refund
EF083742	30/03/23	99998	Ann Bui	61.65	Building Service Levy Refund
EF083743	30/03/23	99998	Balm Holdings	750.51	Crossover Subsidy Refund
EF083744	30/03/23	99998	Michael Stone	47.00	Rates Refund
EF083745	30/03/23	99998	Y & R Clayton	400.00	Sport Donation- National
EF083746	30/03/23	99998	Kieren J Webster	800.00	Sport Donation- International
EF083747	30/03/23	99998	Charisse Rond	400.00	Sport Donation- National
	Other Total			422,510.92	
Property, Plant & Equipment					
EF083294	03/03/23	06400	4Park Pty Ltd T/A Forpark Australia	128,804.50	Playground Equipment - Volcano Park
EF083330	10/03/23	02254	PLE Computers	193.21	Computer Hardware
EF083359	10/03/23	05733	Comware Pty Ltd	663.96	Computer Hardware
EF083387	13/03/23	06035	Colonial Jarrah Enterprises	264.00	Museum Inventory Assessment
EF083454	17/03/23	05423	Storm Computers Pty Ltd	369.00	Computer Hardware
EF083468	17/03/23	06400	4Park Pty Ltd T/A Forpark Australia	57,079.00	Playground Equipment - Hoffman Park
EF083532	24/03/23	05766	PPC Practical Peripherals Corp Pty Ltd	324.50	Computer Hardware
EF083535	24/03/23	05894	Artek Joinery (was Artek Furniture)	616.00	Office Furniture
EF083584	30/03/23	00377	Dell Australia Pty Ltd	8,334.70	Computer Hardware
EF083649	30/03/23	02310	Exteria Pty Ltd - Landmark Engineering	9,625.00	Street Furniture
	Property, Plant & Equipment Total			206,273.87	
Salaries/Wages					
SL000103	02/03/23	COB	City of Belmont Payroll	656,940.43	Salaries/Wages
EF083247	03/03/23	00296	City of Gosnells	10,270.89	Long Service Leave Liability
EF083263	03/03/23	02633	City of Busselton	4,060.85	Long Service Leave Liability
WG000803	09/03/23	COB	City of Belmont Payroll	121,147.09	Salaries/Wages
SL001503	16/03/23	COB	City of Belmont Payroll	631,228.54	Salaries/Wages
EF083473	21/03/23	99971	SuperChoice	228,981.69	Superannuation Contribution
WG002203	23/03/23	COB	City of Belmont Payroll	130,422.93	Salaries/Wages
EF083553	24/03/23	99950	Australian Services Union	51.80	Salaries/Wages
EF083554	24/03/23	99952	Child Support Agency	1,290.91	Salaries/Wages
EF083555	24/03/23	99954	City of Belmont Social Club	715.00	Salaries/Wages
EF083556	24/03/23	99962	IGRCEU - WA Shire Councils Union	121.00	Salaries/Wages
SL002903	24/03/23	COB	City of Belmont Payroll	28,863.13	Salaries/Wages
WG002903	30/03/23	COB	City of Belmont Payroll	639,627.64	Salaries/Wages
EF083748	31/03/23	99971	SuperChoice	124,319.79	Superannuation Contribution
	Salaries/Wages Total			2,578,041.69	
Training and Conferences					
EF083303	10/03/23	00110	Australian Institute of Management	2,763.00	Training
EF083321	10/03/23	01240	WA Local Government Association	1,716.00	Training
EF083379	10/03/23	06433	Volunteering Australia Incorporated	250.00	Training
EF083400	17/03/23	00595	Work Health & Safety Foundation (Previously IFAP)	1,980.00	Training
EF083401	17/03/23	00600	Institute of Public Works Engineering WA	5,610.00	Conference Expenses
EF083402	17/03/23	00602	Local Government Professionals Australia WA	445.00	Conference Expenses
EF083408	17/03/23	00953	Planning Institute of Australia Limited	90.00	Training
EF083480	24/03/23	00429	Economic Development Australia Ltd	495.00	Training
EF083484	24/03/23	00953	Planning Institute of Australia Limited	1,930.00	Training
EF083503	24/03/23	03760	Wilmot Loh	543.23	Conference Expenses
EF083551	24/03/23	06443	Social Pinpoint Pty Ltd	550.00	Training
EF083633	30/03/23	01605	ATM Australian Training Management	325.00	Training
EF083634	30/03/23	01660	Local Government Planners Association	120.00	Training
EF083662	30/03/23	02719	Aveling	55.00	Training
EF083695	30/03/23	05097	Quantified Tree Risk Assessment Ltd	2,880.90	Training
	Training and Conferences Total			19,753.13	
MUNI Total					
				6,713,903.15	
Trust Funds					
EF083384	13/03/23	154102	Building and Energy - Building Services Levy	7,091.29	Building Services Levy
EF083385	13/03/23	164040	Department of Planning DAP fees	249.00	Department of Planning DAP fees
	Trust Funds Total			7,340.29	
TRUST Total					
				7,340.29	
Grand Total					
				6,721,243.44	
Breakdown - Cheques :				2,889.86	
EFT :				6,718,353.58	

12.6 Monthly Activity Statement for March 2023

Voting Requirement	:	Simple Majority
Subject Index	:	32/009 -Financial Operating Statements
Location/Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	N/A
Responsible Division	:	Corporate and Governance

Council role

Executive The substantial direction setting and oversight role of the Council eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

Purpose of report

To provide Council with relevant monthly financial information for the 2022-2023 financial year.

Summary and key issues

The following report includes a concise list of material variances and the net current assets position for the month ending 31 March 2023.

Officer Recommendation

That the Monthly Financial Reports as at 31 March 2023 as included in Attachment 12.6.1 be received.

Officer Recommendation adopted en bloc by Absolute Majority - Refer to Resolution appearing at Item 12.

Location

Not applicable.

Consultation

There has been no specific consultation undertaken in respect to this matter.

Strategic Community Plan implications

In accordance with the 2020 – 2040 Strategic Community Plan:

Goal 5: Responsible Belmont

Strategy: 5.2 Manage the City's assets and financial resources in a responsible manner and provide the best possible services for the community

Policy implications

There are no policy implications associated with this report.

Statutory environment

Section 6.4 of the *Local Government Act 1995* in conjunction with Regulations 34 (1) of the *Local Government (Financial Management) Regulations 1996* requires monthly financial reports to be presented to Council.

Regulation 34(1) requires a monthly Statement of Financial Activity reporting on revenue and expenditure.

Regulation 34(5) determines the mechanism required to ascertain the definition of material variances which are required to be reported to Council as a part of the monthly report. It also requires Council to adopt a “percentage or value” for what it will consider to be material variances on an annual basis.

Background

Regulation 34(1) of the *Local Government (Financial Management) Regulations 1996* requires that financial statements are presented monthly to Council. The Statutory Monthly Financial Report is to consist of a Statement of Financial Activity reporting on revenue and expenditure as set out in the Annual Budget. It is required to include:

- Annual budget estimates
- Budget estimates to the end of the reporting month
- Actual amounts to the end of the reporting month
- Material variances between the monthly budgeted and actual amounts
- Net current assets as at the end of the reporting month.

Report

At the June 2022 Ordinary Council Meeting, Council adopted the materiality threshold for the 2022-2023 fiscal year as 10% of the budgeted closing surplus which is \$500,000 (i.e. amounts \$50,000 or more is considered to be a material variance). The below table provides a summary of significant variations based on this materiality threshold. The detailed financial activity report is included at Attachment 12.6.1.

<i>Report Section</i>	Budget YTD	Actual YTD	Report Comments
Operating Activities			
Revenue from operating activities (excluding rates)			
Operating grants, subsidies and contributions			
Works	173,928	248,063	Additional income from sanitation charges.
Economic & Community Development	63,500	148,672	Variance due to phasing of contribution received from Southern Cross Care
Library, Culture & Place	85,600	20,800	Grant funding for KidzFest will not be received until April due to being rescheduled. Let's Celebrate Belmont grant funding relates to a 2023/24 event so won't be recognised in 2022/23.
Fees and charges			
City Facilities & Property	703,026	823,780	Higher income due to all tenancies in Belmont Hub now being leased out and an increase in usage of community facilities
Planning Services	312,375	449,317	Higher than anticipated income from application fees
Safer Communities	365,774	447,281	The revenue from one application fee was greater than budgeted
Economic & Community Development	240,188	89,547	Variance due to phasing of contribution received from Southern Cross Care

Report Section	Budget YTD	Actual YTD	Report Comments
Interest earnings			
Finance	705,707	2,224,944	Investment interest accrued monthly but budgeted in accordance with maturity dates
Expenditure from operating activities			
Employee costs			
People & Culture	(790,049)	(707,876)	Salaries are below budget due to vacancies
Governance, Strategy & Risk	(1,373,790)	(1,256,781)	Salaries are below budget due to vacancies
Information Technology	(915,099)	(818,449)	A temporary position within the IT team has ended earlier than expected, in addition to a full-time position being reduced to 0.4FTE due to AI/Automation technology
Works	(1,439,703)	(1,289,862)	Salaries are below budget due to vacancies
Design, Assets & Development	(1,169,394)	(948,019)	Salaries are below budget due to vacancies
Parks, Leisure & Environment	(2,326,571)	(2,182,981)	Salaries are below budget due to vacancies
City Facilities & Property	(926,338)	(770,757)	Salaries are below budget due to vacancies
Planning Services	(1,447,728)	(1,310,352)	Salaries are below budget due to vacancies
Safer Communities	(2,244,574)	(1,991,469)	Due to previous and current long-term vacancies there are salary underspends in the Rangers, Community Safety, Building Control and Customer Service areas
Materials and contracts			

Report Section	Budget YTD	Actual YTD	Report Comments
Governance, Strategy & Risk	(381,298)	(325,479)	Belmont Trust work deferred to 2024
Finance	(520,573)	(412,769)	OAG audit fees not yet invoiced
Information Technology	(1,407,473)	(1,716,826)	Major licensing renewals for TechOne and Pathway were issued earlier than expected
Public Relations & Stakeholder Engagement	(828,256)	(641,812)	Some underspend forecast and awaiting incoming invoices
Works	(4,902,841)	(4,966,747)	Sanitation expenditure tracking behind budget
Design, Assets & Development	(328,662)	(196,909)	Staff vacancies impacting on progress of projects
City Projects	(200,193)	(29,231)	Pending procurement of consultant for Ornamental Lakes
Parks, Leisure & Environment	(4,155,178)	(3,701,997)	Awaiting final invoicing
City Facilities & Property	(1,855,440)	(1,750,382)	Some works delayed due to availability of both contractors and materials
Planning Services	(298,311)	(154,142)	Slower than anticipated progress on planning projects due to changes in project arrangements for DA6
Safer Communities	(2,010,322)	(1,745,187)	Delays in receiving new Ranger fleet as well as the arrival of CCTV hardware
Economic & Community Development	(1,433,833)	(1,245,493)	Variances due to Youth Service general contract and several major Community Development and Engagement Strategies programs

Report Section	Budget YTD	Actual YTD	Report Comments
Library, Culture & Place	(1,454,459)	(1,013,431)	A number of projects have yet to commence whilst some are partially completed
Utility charges			
Depreciation on non-current assets	(6,719,951)	(7,901,112)	Variance due to the commencement of depreciation after finalisation of the annual audit
Insurance expenses			
Governance, Strategy & Risk	(74,142)	(164,445)	Variance due to timing of internal insurance premiums recovery
Other expenditure			
People & Culture	1,069,068	866,733	ABC Recovery less than budget due to reduced expenditure
Work Health & Safety	292,616	183,593	ABC Recovery less than budget due to reduced expenditure
Governance, Strategy & Risk	(1,989,834)	(1,762,198)	ABC recovery less than budget due to reduced expenditure
Information Technology	2,452,977	2,648,230	ABC Cost Recovery was greater than budgeted
Public Relations & Stakeholder Engagement	(374,444)	(308,783)	Some underspend forecast and awaiting invoices
Parks, Leisure & Environment	(799,856)	(741,680)	ABC allocation is lesser than budgeted due to reduced expenditure
City Facilities & Property	(19,199)	(166,437)	ABC recovery less than budget due to reduced expenditure
Planning Services	30,400	(123,651)	ABC recovery less than budget due to reduced expenditure

Report Section	Budget YTD	Actual YTD	Report Comments
Economic & Community Development	(488,385)	(375,886)	Variances due to several major Economic Development, Community Development and Engagement Strategy programs expending around March/April
Non-cash amounts excluded from operating activities	6,617,912	6,374,565	Variance due to the commencement of depreciation after finalisation of the annual audit
Investing Activities			
Non-operating grants, subsidies and contributions			
City Projects	219,164	603,914	Grant funding for Wilson Park Netball Courts processed.
Parks, Leisure & Environment	Nil	602,735	Unbudgeted grant received from Department of Biodiversity
City Facilities & Property	240,731	172,000	Grant received early for upgrade of two tennis courts at BPTC
Safer Communities	Nil	139,096	Reflects LGGS grant funded SES general rescue vehicle delivered in 2022
Payments for property, plant and equipment			
Chief Executive Officer	(67,980)	Nil	Fleet delivery expected later in the year
Information Technology	(290,000)	(142,135)	Internal resource constraints have caused a delay in the procurement phase of a major IT network project
City Facilities & Property	(693,437)	(235,990)	Awaiting invoices from contractors for works

Report Section	Budget YTD	Actual YTD	Report Comments
			completed at Tennis Club and Belmont Oasis
Payments for construction of infrastructure			
Works	(3,120,905)	(2,419,345)	Major variances occur in projects in progress/ completed awaiting invoices
City Projects	(2,645,071)	(2,428,938)	Invoices yet to be received for works completed in February
Parks, Leisure & Environment	(2,487,298)	(1,402,509)	Minor delays with materials and works schedule for completion before June 30
Financing Activities			
Transfers from cash backed reserves (restricted assets)	131,262	Nil	Timing of reserve transfer
Amount raised from general rates	53,100,627	52,959,567	Variance due to interim rates levied being less than anticipated

In accordance with *Local Government (Financial Management) Regulations 1996*, Regulation 34 (2)(a) the following table explains the composition of the net current assets amount which appears at the end of the attached report.

Reconciliation of Net Current Assets to Statement of Financial Activity		
Current Assets as at 31/03/23	\$	Comment
Cash and investments	89,956,370	Includes municipal and reserve fund
- less non rate setting cash	- 54,222,617	Reserves
Receivables	2,236,980	Rates levied yet to be received and Sundry Debtors
ESL Receivable	- 507,529	ESL Receivable

Stock on hand	251,806	
Total Current Assets	37,715,010	
Current Liabilities		
Creditors and provisions	- 8,593,594	Includes ESL and deposits
- less non rate setting creditors & provisions	3,326,126	Cash Backed LSL, current loans & ESL
Total Current Liabilities	- 5,267,468	
Net Current Assets 31/03/23	32,447,542	
Net Current Assets as Per Financial Activity Report	32,447,542	
Less Committed Assets	- 31,947,542	All other budgeted expenditure

Financial implications

The presentation of these reports to Council ensures compliance with the *Local Government Act 1995* and associated Regulations, and also ensures that Council is regularly informed as to the status of its financial position.

Environmental implications

There are no environmental implications associated with this report.

Social implications

There are no social implications associated with this report.

Attachment details

Attachment No and title
1. Financial Activity Report March 2023 [12.6.1 - 4 pages]

Attachment 12.6.1 Financial Activity Report March 2023

City of Belmont

Monthly Financial Activity Statement for the Period Ending March 2023

Note: Material variances have been identified in accordance with the Local Government (Financial Management) Regulations 34(1)(d) and Australian Accounting Standards (AASB 101). A variance on the budgeted closing balance has been applied in the determination of material variances.
M=Material Variance

Budget: 23CLRBD2, Actual: 23CLACT

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	Budget	Budget YTD	Actual YTD	YTD Variance	YTD Var %
Revenue from operating activities (excluding rates)					
Operating grants, subsidies and contributions					
Finance	317,943	238,319	233,326	(4,992)	(2.09%)
Works	277,029	173,928	248,063	74,135	42.62% M
Design, Assets & Development	2,000	1,500	Nil	(1,500)	(100.00%)
Parks, Leisure & Environment	107,360	61,770	59,147	(2,623)	(4.25%)
Safer Communities	151,339	114,889	122,954	8,065	7.02%
Economic & Community Development	63,500	63,500	148,672	85,172	134.13% M
Library, Culture & Place	86,800	85,600	20,800	(64,800)	(75.70%) M
Total Operating grants, subsidies and contributions	1,005,971	739,505	832,962	93,457	12.64%
Fees and charges					
Governance, Strategy & Risk	1,500	1,125	1,455	330	29.33%
Finance	192,578	178,827	176,410	(2,417)	(1.35%)
Public Relations & Stakeholder Engagement	4,000	3,000	Nil	(3,000)	(100.00%)
Works	6,379,110	6,344,691	6,363,184	18,494	0.29%
Design, Assets & Development	14,000	10,500	9,500	(1,000)	(9.52%)
Parks, Leisure & Environment	9,250	6,938	Nil	(6,938)	(100.00%)
City Facilities & Property	937,002	703,026	823,780	120,754	17.18% M
Planning Services	416,500	312,375	449,317	136,942	43.84% M
Safer Communities	486,949	365,774	447,281	81,507	22.28% M
Economic & Community Development	360,000	240,188	89,547	(150,641)	(62.72%) M
Library, Culture & Place	56,100	43,075	44,920	1,845	4.28%
Total Fees and charges	8,856,989	8,209,518	8,405,394	195,876	2.39%
Interest earnings					
Finance	2,945,891	705,707	2,224,944	1,519,237	215.28% M
Total Interest earnings	2,945,891	705,707	2,224,944	1,519,237	215.28%
Other revenue					
Chief Executive Officer	Nil	Nil	3,676	3,676	0.00%
Governance, Strategy & Risk	7,000	4,375	14,742	10,367	236.96%
Finance	265,616	193,753	198,592	4,838	2.50%
Information Technology	Nil	Nil	5,133	5,133	0.00%
Works	56,312	45,787	44,286	(1,501)	(3.28%)
Design, Assets & Development	12,450	11,900	1,641	(10,259)	(86.21%)
Parks, Leisure & Environment	1,500	1,200	3,280	2,080	173.36%
City Facilities & Property	305,248	217,468	253,039	35,571	16.36%
Planning Services	300	225	6,283	6,058	2692.29%
Safer Communities	32,950	13,462	21,710	8,247	61.26%
Economic & Community Development	(10,290)	(10,304)	11,241	21,545	(209.10%)
Library, Culture & Place	17,143	12,857	15,366	2,509	19.51%
Total Other revenue	688,229	490,725	578,989	88,265	17.99%
Profit on asset disposals					
People & Culture	6,495	6,495	Nil	(6,495)	(100.00%)
Governance, Strategy & Risk	Nil	Nil	4,298	4,298	0.00%
Finance	7,158	3,720	Nil	(3,720)	(100.00%)
Information Technology	3,327	Nil	Nil	Nil	0.00%
Public Relations & Stakeholder Engagement	3,960	3,960	Nil	(3,960)	(100.00%)
Works	49,298	47,590	14,646	(32,944)	(69.22%)
Design, Assets & Development	7,543	7,543	Nil	(7,543)	(100.00%)
Planning Services	7,127	7,127	Nil	(7,127)	(100.00%)

Attachment 12.6.1 Financial Activity Report March 2023

	Budget	Budget YTD	Actual YTD	YTD Variance	YTD Var %
Safer Communities	22,231	18,879	3,527	(15,352)	(81.32%)
Economic & Community Development	6,762	2,822	Nil	(2,822)	(100.00%)
Total Profit on asset disposals	113,901	98,136	22,471	(75,665)	(77.10%)
	13,610,981	10,243,591	12,064,761	1,821,170	17.78%
Expenditure from operating activities					
Employee costs					
Chief Executive Officer	(795,049)	(627,638)	(634,073)	6,435	(1.03%)
People & Culture	(1,090,049)	(790,049)	(707,876)	(82,174)	10.40% M
Work Health & Safety	(238,601)	(170,513)	(143,535)	(26,978)	15.82%
Governance, Strategy & Risk	(1,770,766)	(1,373,790)	(1,256,781)	(117,009)	8.52% M
Finance	(2,169,546)	(1,694,274)	(1,651,744)	(42,531)	2.51%
Information Technology	(1,145,962)	(915,099)	(818,449)	(96,650)	10.56% M
Public Relations & Stakeholder Engagement	(693,773)	(533,654)	(500,808)	(32,846)	6.15%
Works	(1,838,732)	(1,439,703)	(1,289,862)	(149,841)	10.41% M
Design, Assets & Development	(1,481,075)	(1,169,394)	(948,019)	(221,375)	18.93% M
City Projects	(472,461)	(373,239)	(350,292)	(22,946)	6.15%
Parks, Leisure & Environment	(3,042,440)	(2,326,571)	(2,182,981)	(143,590)	6.17% M
City Facilities & Property	(1,138,495)	(926,338)	(770,757)	(155,581)	16.80% M
Planning Services	(1,813,991)	(1,447,728)	(1,310,352)	(137,376)	9.49% M
Safer Communities	(2,896,021)	(2,244,574)	(1,991,469)	(253,105)	11.28% M
Economic & Community Development	(1,066,758)	(843,599)	(827,382)	(16,217)	1.92%
Library, Culture & Place	(2,604,748)	(2,083,131)	(2,046,616)	(36,514)	1.75%
Total Employee costs	(24,258,468)	(18,959,294)	(17,430,997)	(1,528,297)	8.06%
Materials and contracts					
Chief Executive Officer	(148,834)	(102,067)	(58,334)	(43,733)	42.85%
People & Culture	(242,948)	(185,359)	(148,071)	(37,288)	20.12%
Work Health & Safety	(92,750)	(71,313)	(39,778)	(31,534)	44.22%
Governance, Strategy & Risk	(663,713)	(381,298)	(325,479)	(55,819)	14.64% M
Finance	(1,010,308)	(520,573)	(412,769)	(107,804)	20.71% M
Information Technology	(1,816,356)	(1,407,473)	(1,716,826)	309,354	(21.98%) M
Public Relations & Stakeholder Engagement	(1,083,747)	(828,256)	(641,812)	(186,444)	22.51% M
Works	(7,169,939)	(4,902,841)	(4,966,747)	63,905	(1.30%) M
Design, Assets & Development	(588,709)	(328,662)	(196,909)	(131,753)	40.09% M
City Projects	(813,928)	(200,193)	(29,231)	(170,962)	85.40% M
Parks, Leisure & Environment	(5,809,946)	(4,155,178)	(3,701,997)	(453,181)	10.91% M
City Facilities & Property	(2,783,533)	(1,855,440)	(1,750,382)	(105,058)	5.66% M
Planning Services	(392,946)	(298,311)	(154,142)	(144,169)	48.33% M
Safer Communities	(2,658,590)	(2,010,322)	(1,745,187)	(265,135)	13.19% M
Economic & Community Development	(1,934,302)	(1,433,833)	(1,245,493)	(188,340)	13.14% M
Library, Culture & Place	(1,861,254)	(1,454,459)	(1,013,431)	(441,028)	30.32% M
Total Materials and contracts	(29,071,803)	(20,135,576)	(18,146,588)	(1,988,988)	9.88%
Utility charges					
Chief Executive Officer	(4,153)	(2,769)	(5,069)	2,300	(83.09%)
People & Culture	(5,348)	(3,565)	(6,440)	2,874	(80.62%)
Work Health & Safety	(720)	(540)	(280)	(260)	48.15%
Governance, Strategy & Risk	(16,225)	(10,817)	(13,715)	2,899	(26.80%)
Finance	(10,521)	(7,014)	(9,392)	2,378	(33.91%)
Information Technology	(150,506)	(113,781)	(106,406)	(7,374)	6.48%
Public Relations & Stakeholder Engagement	(9,717)	(6,478)	(7,684)	1,206	(18.61%)
Works	(135,725)	(89,901)	(96,435)	6,534	(7.27%)
Design, Assets & Development	(10,183)	(6,789)	(8,938)	2,150	(31.67%)
City Projects	(1,740)	(1,305)	(1,317)	12	(0.93%)
Parks, Leisure & Environment	(239,791)	(161,380)	(187,751)	26,371	(16.34%)
City Facilities & Property	(717,684)	(517,286)	(526,840)	9,554	(1.85%)
Planning Services	(7,627)	(5,085)	(7,714)	2,630	(51.72%)
Safer Communities	(41,961)	(27,974)	(35,055)	7,081	(25.31%)
Economic & Community Development	(54,072)	(36,048)	(36,957)	909	(2.52%)
Library, Culture & Place	(15,983)	(10,655)	(16,609)	5,954	(55.87%)

Attachment 12.6.1 Financial Activity Report March 2023

	Budget	Budget YTD	Actual YTD	YTD Variance	YTD Var %
Total Utility charges	(1,421,956)	(1,001,386)	(1,066,603)	65,217	(6.51%)
Depreciation on non-current assets	(8,959,935)	(6,719,951)	(7,901,112)	1,181,161	(17.58%) M
Interest expenses					
Finance	(571,292)	(290,465)	(289,382)	(1,083)	0.37%
Total Interest expenses	(571,292)	(290,465)	(289,382)	(1,083)	0.37%
Insurance expenses					
Chief Executive Officer	(400)	(400)	(1,399)	999	(249.66%)
People & Culture	(4,454)	(4,454)	(4,417)	(37)	0.83%
Governance, Strategy & Risk	(74,642)	(74,142)	(164,445)	90,303	(121.80%) M
Finance	(6,892)	(6,892)	(8,008)	1,116	(16.19%)
Information Technology	(11,281)	(11,281)	(11,681)	400	(3.55%)
Public Relations & Stakeholder Engagement	(14,502)	(14,502)	(15,046)	544	(3.75%)
Works	(169,586)	(169,586)	(170,141)	555	(0.33%)
Design, Assets & Development	(2,758)	(2,758)	(2,850)	92	(3.35%)
City Projects	Nil	Nil	(375)	375	0.00%
Parks, Leisure & Environment	(117,201)	(117,201)	(116,804)	(397)	0.34%
City Facilities & Property	(250,798)	(250,798)	(250,898)	100	(0.04%)
Planning Services	(1,278)	(1,278)	(1,556)	278	(21.76%)
Safer Communities	(36,929)	(36,829)	(35,336)	(1,493)	4.05%
Economic & Community Development	(24,684)	(24,684)	(23,908)	(776)	3.15%
Library, Culture & Place	(873)	(873)	(829)	(44)	5.07%
Total Insurance expenses	(716,278)	(715,678)	(807,693)	92,015	(12.86%)
Other expenditure					
Chief Executive Officer	(215,104)	(164,126)	(163,709)	(417)	0.25%
People & Culture	1,392,284	1,069,068	866,733	202,335	18.93% M
Work Health & Safety	382,071	292,616	183,593	109,022	37.26% M
Governance, Strategy & Risk	(2,596,702)	(1,989,834)	(1,762,198)	(227,636)	11.44% M
Finance	1,207,571	973,200	965,987	7,213	0.74%
Information Technology	3,173,169	2,452,977	2,648,230	(195,253)	(7.96%) M
Public Relations & Stakeholder Engagement	(475,758)	(374,444)	(308,783)	(65,660)	17.54% M
Works	(898,451)	(760,431)	(740,311)	(20,119)	2.65%
Design, Assets & Development	(352,502)	(255,640)	(269,907)	14,267	(5.58%)
City Projects	(91,333)	(69,609)	(67,019)	(2,589)	3.72%
Parks, Leisure & Environment	(1,040,519)	(799,856)	(741,680)	(58,176)	7.27% M
City Facilities & Property	37,633	(19,199)	(166,437)	147,238	(766.91%) M
Planning Services	32,462	30,400	(123,651)	154,050	506.75% M
Safer Communities	(687,412)	(527,952)	(507,366)	(20,586)	3.90%
Economic & Community Development	(624,894)	(488,385)	(375,886)	(112,499)	23.03% M
Library, Culture & Place	(760,786)	(588,693)	(557,122)	(31,571)	5.36%
Total Other expenditure	(1,518,272)	(1,219,908)	(1,119,527)	(100,381)	8.23%
Loss on asset disposals	(3,548)	(3,548)	(35,854)	32,306	(910.54%)
	(66,521,552)	(49,045,806)	(46,797,756)	(2,248,050)	4.58%
Non-cash amounts excluded from operating activities	8,192,883	6,617,912	6,374,565	243,347	3.68% M
Amount attributable to operating activities	(44,717,687)	(32,184,303)	(28,358,430)	(183,533)	
INVESTING ACTIVITIES					
Non-operating grants, subsidies and contributions					
Works	1,590,129	1,377,136	1,372,136	5,000	0.36%
Design, Assets & Development	10,000	10,000	10,000	Nil	NIL
City Projects	1,033,122	219,164	603,914	(384,750)	(175.55%) M
Parks, Leisure & Environment	Nil	Nil	602,735	(602,735)	0.00% M
City Facilities & Property	490,731	240,731	172,000	68,731	28.55% M
Planning Services	50,000	37,500	Nil	37,500	100.00%
Safer Communities	Nil	Nil	139,096	(139,096)	0.00% M

Attachment 12.6.1 Financial Activity Report March 2023

	Budget	Budget YTD	Actual YTD	YTD Variance	YTD Var %
Total Non-operating grants, subsidies and contributions	3,173,982	1,884,531	2,899,881	(1,015,350)	(53.88%)
Payments for property, plant and equipment					
Chief Executive Officer	(67,980)	(67,980)	Nil	(67,980)	100.00% M
People & Culture	(44,875)	Nil	Nil	Nil	0.00%
Information Technology	(854,875)	(290,000)	(142,135)	(147,865)	50.99% M
Works	(672,240)	(96,732)	(91,446)	(5,286)	5.46%
City Projects	(44,875)	Nil	Nil	Nil	0.00%
Parks, Leisure & Environment	(23,001)	(23,001)	(23,001)	0	(0.00%)
City Facilities & Property	(1,341,812)	(693,437)	(235,990)	(457,447)	65.97% M
Planning Services	(100,925)	(37,500)	Nil	(37,500)	100.00%
Safer Communities	(796,934)	(365,632)	(315,950)	(49,682)	13.59%
Economic & Community Development	(44,875)	Nil	Nil	Nil	0.00%
Library, Culture & Place	(99,782)	(19,500)	(46,978)	27,478	(140.91%)
Total Payments for property, plant and equipment	(4,092,174)	(1,593,782)	(855,500)	(738,282)	46.32%
Payments for construction of infrastructure					
Works	(5,145,818)	(3,120,905)	(2,419,345)	(701,560)	22.48% M
City Projects	(2,958,174)	(2,645,071)	(2,428,938)	(216,133)	8.17% M
Parks, Leisure & Environment	(4,350,874)	(2,487,298)	(1,402,509)	(1,084,790)	43.61% M
Total Payments for construction of infrastructure	(12,454,867)	(8,253,275)	(6,250,792)	(2,002,483)	24.26%
Proceeds from disposal of assets					
Chief Executive Officer	46,350	Nil	Nil	Nil	0.00%
People & Culture	30,597	Nil	Nil	Nil	0.00%
Governance, Strategy & Risk	28,727	28,727	28,727	(0)	(0.00%)
Information Technology	28,694	Nil	Nil	Nil	0.00%
Public Relations & Stakeholder Engagement	17,723	17,723	17,273	450	2.54%
Works	248,091	49,091	53,500	(4,409)	(8.98%)
Design, Assets & Development	69,364	69,364	69,364	0	0.00%
City Projects	29,878	Nil	Nil	Nil	0.00%
City Facilities & Property	578,121	Nil	Nil	Nil	0.00%
Planning Services	31,801	Nil	Nil	Nil	0.00%
Safer Communities	182,534	73,383	27,455	45,928	62.59%
Economic & Community Development	28,121	Nil	Nil	Nil	0.00%
Library, Culture & Place	30,392	Nil	Nil	Nil	0.00%
Total Proceeds from disposal of assets	1,350,393	238,288	196,318	41,970	17.61%
Amount attributable to investing activities	(12,022,666)	(7,724,238)	(4,010,093)	(3,714,145)	48.08%
FINANCING ACTIVITIES					
Repayment of borrowings	(595,216)	(294,800)	(294,800)	0	(0.00%)
Transfers to cash backed reserves (restricted assets)	(10,674,053)	Nil	Nil	Nil	0.00%
Transfers from cash backed reserves (restricted assets)	3,232,772	131,262	Nil	131,262	100.00% M
Amount attributable to financing activities	(8,036,497)	(163,538)	(294,800)	131,262	(80.26%)
Net current assets (budgeted) at start of fin. year - surplus/(deficit)	12,151,298	12,151,298	12,151,298		
Budgeted deficiency before general rates	(52,625,552)	(27,920,781)	(20,512,025)		
Amount raised from general rates	53,115,552	53,100,627	52,959,567	(141,060)	M
Net current assets at end of financial period - surplus/(deficit)	490,000	25,179,846	32,447,542		

13 Reports by the Chief Executive Officer

13.1 Request for leave of absence

Nil.

13.2 Notice of motion

Nil.

14 Matters for which the meeting may be closed

Nil.

15 Closure

There being no further business, the Presiding Member thanked everyone for their attendance and closed the meeting at 8.17pm.

Minutes confirmation certification

The undersigned certifies that these Minutes of the Ordinary Council Meeting held on 26 April 2023 were confirmed as a true and accurate record at the Ordinary Council Meeting held 23 May 2023:

Signed by the Person Presiding: _____



PRINT name of the Person Presiding:

PHILIP MARKS