



City of
Melville

MINUTES

SPECIAL COUNCIL MEETING

6:00pm Wednesday, 25 June 2025

Held in the Council Chambers, Melville Civic Centre,
10 Almondbury Road, Booragoon

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<https://www.youtube.com/live/gNFcrxNjgRk?si=tm8lUkkbP5ZilbFX>

The City of Melville acknowledges the Bibbulmun people as the Traditional Owners and custodians of the lands on which the City stands today and pays its respect to the Whadjuk people, and Elders both past, present and emerging.

Minutes to be confirmed at the next Ordinary Council Meeting

These minutes are hereby confirmed as true and accurate

Presiding Member

Date 15.07.25



Vision

Vibrant, Sustainable, Inclusive Melville

Mission

To provide good governance and quality services for the City of Melville community.

Values

In everything we do, we seek to adhere to our values that guide our behaviour.

- **Excellence** - Striving for the best possible outcomes.
- **Participation** – Involving, collaborating and partnering.
- **Integrity** - Acting with honesty, openness and with good intent.
- **Caring** – Demonstrating empathy, kindness and genuine concern.

Our Approach

To put our customer at the centre of everything we do.



Social / Community	Environment	Built Environment	Economic	Governance
Healthy, Safe and Inclusive	Clean and Green	Sustainable and Connected Development	Vibrant and Prosperous	Good Governance and Leadership
Healthy, safe and inclusive communities with a sense of belonging and wellbeing.	A clean, green and sustainable City for current and future generations.	Sustainable, connected development and transport infrastructure across our City.	Economic prosperity and vibrant resilient communities and businesses.	Leadership and good governance for the benefit of the whole community.

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CONFIRMED

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The nature of the Council's decision making role in the matter:

Advocacy	<i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
Executive	<i>The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
Legislative	<i>Includes adopting local laws, town planning schemes & policies.</i>
Review	<i>When the Council operates as a review authority on decisions made by Officers for appeal purposes.</i>
Quasi-Judicial	<i>When the Council determines an application/matter that directly affects 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 town 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.</i>

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1 OFFICIAL OPENING

The Presiding Member welcomed those in attendance to the meeting, officially declared the meeting open at 6:00pm and invited Cr S Green to read the Acknowledgement of Country and advised those present of the Disclaimer, the Affirmation of Civic Duty and Responsibility and the Audio Recording Advice.

2 ATTENDANCE AND APOLOGIES

In Attendance

Mayor K Mair

Mayor

Councillors

Cr K Wheatland, *(from 6:31pm)*
Deputy Mayor

Cr G Barber

Cr J Edinger

Cr N Robins

Cr J Spanbroek

Cr M Woodall

Cr D Lim

Cr S Green

Cr T Lee

Ward

Palmyra - Melville - Willagee Ward *(electronic attendance)*

Bicton - Attadale - Alfred Cove Ward

Bicton - Attadale - Alfred Cove Ward

Bateman - Kardinya - Murdoch Ward

Bull Creek - Leeming Ward *(electronic attendance)*

Bull Creek - Leeming Ward

Applecross - Mount Pleasant Ward

Central Ward

Central Ward

Officers

Ms G Bowman

Chief Executive Officer

Mr M McCarthy *(from 6:23pm)*

Director Environment & Infrastructure

Ms M Pickering *(from 6:23pm)*

Director Community Development

Mr G Tuffin *(from 6:23pm)*

Director Corporate Services

Mr A Melville *(from 6:23pm)*

Acting Director Planning

Mr R De Nobrega *(until 6:20pm)*

Lead – Human Resources

Ms D Heera *(until 6:51pm)*

Chief Information Officer

Kalana Maldeniya *(until 6:51pm)*

Enterprise Solutions Manager

Ms C Newman

Head of Governance

Ms M Smith Poulton

Acting Senior Governance Officer

External Consultant

Ms E Bulloch *(until 6:15pm)*

External Consultant (Beilby Downing Teal)

At the commencement of the meeting:

Public Gallery 0

Apologies

Cr T Fitzgerald

Palmyra - Melville - Willagee Ward

Cr S Hong

Bateman - Kardinya - Murdoch Ward

On Approved Leave of Absence

Cr C Ross

Applecross - Mount Pleasant Ward

CONFIRMED

3 DECLARATIONS BY MEMBERS**3.1 Declarations by Members who have not read and given due consideration to all matters contained in the business papers presented before the Meeting**

Nil.

3.2 Declarations by Members who have received and not read the Elected Members Bulletin

Nil.

4 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)**Approved Deputations**

Nil.

Approved Written Submissions

Nil.

5 DISCLOSURE OF INTEREST**5.1 Financial or Proximity Interests**

Under sections 5.60A and/or 5.60B of the *Local Government Act 1995*

Nil.

5.2 Disclosure of Interest that may cause a Conflict

Under *22 Local Government (Model Code of Conduct) Regulations 2021* or a City of Melville Code of Conduct)

Nil.

6 PUBLIC QUESTION TIME

At 6:03pm the Presiding Member opened Public Question Time.

6.1 Questions Received with Notice

Nil.

6.2 Questions Received at the Meeting

Nil.

At 6:03pm the Presiding Member closed Public Question Time.

7 CONFIRMATION OF MINUTES

Nil.

8 NEW BUSINESS OF AN URGENT NATURE

Nil.

9 IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED

That the meeting may close to members of the public, if required, to allow for items with attachments deemed confidential in accordance with Section 5.23(c) of the *Local Government Act 1995* to be discussed behind closed doors.

At 6:03pm the Presiding Member advised the Council that the following items had been identified as confidential and to be discussed behind closed doors:

- M25/53 Confidential Staffing Matter
- M25/54 Confidential Staffing Matter
- C25/291 Confidential Employee Matter
- C25/289 Financial Management Review Report 2025
- C25/290 Office of the Auditor General – Purchase Card Audit

At 6:04pm the Presiding Member advised the Council that item C25/288 RFT242512 Restricted Tender Supply & Implementation of a Customer Experience, Relationship & Request Management Platform had been identified as containing confidential attachments with the Council indicating they wished to discuss the matter behind closed doors.

10 ADOPTION OF RECOMMENDATIONS EN BLOC (DEFERRED TO LATER IN MEETING)

This item was deferred to later in the meeting for the convenience of those in attendance. Please see page 40.

11 MATTERS FOR WHICH MEETING WAS CLOSED TO THE PUBLIC (BROUGHT FORWARD)

At 6:05pm, the Presiding Member brought forward this section and associated reports for the convenience of those in attendance.

COUNCIL RESOLUTION

At 6:05pm Cr J Edinger moved, seconded Cr D Lim

That the meeting be closed be closed to members of the public.

At 6:05pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY (9/0)

M25/53 Confidential Staffing Matter

The Council is satisfied that, pursuant to Section 5.23(2) of the *Local Government Act 1995*, the information to be received, discussed or considered in relation to this agenda item is:

- (b) the personal affairs of any person
- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting
- (e) a matter that if disclosed, would reveal –
 - (i) a trade secret; or
 - (ii) information that has a commercial value; or
 - (iii) information about the business, professional, commercial or financial affairs of a person.

M25/54 Confidential Staffing Matter

The Council is satisfied that, pursuant to Section 5.23(2) of the *Local Government Act 1995*, the information to be received, discussed or considered in relation to this agenda item is:

- (b) the personal affairs of any person
- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting
- (e) a matter that if disclosed, would reveal –
 - (i) a trade secret; or
 - (ii) information that has a commercial value; or
 - (iii) information about the business, professional, commercial or financial affairs of a person.

C25/291 Confidential Employee Matter

The Council is satisfied that, pursuant to Section 5.23(2) of the *Local Government Act 1995*, the information to be received, discussed or considered in relation to this agenda item is:

- (a) a matter affecting an employee or employees
- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

C25/289 Financial Management Review Report 2025

The Council is satisfied that, pursuant to Section 5.23(2) of the *Local Government Act 1995*, the information to be received, discussed or considered in relation to this agenda item is:

- (e) a matter that if disclosed, would reveal –
 - (i) a trade secret; or
 - (ii) information that has a commercial value; or
 - (iii) information about the business, professional, commercial or financial affairs of a person.

C25/290 Office of the Auditor General - Purchase Card Audit

The Council is satisfied that, pursuant to Section 5.23(2) of the *Local Government Act 1995*, the information to be received, discussed or considered in relation to this agenda item is:

- (e) a matter that if disclosed, would reveal –
 - (i) a trade secret; or
 - (ii) information that has a commercial value; or
 - (iii) information about the business, professional, commercial or financial affairs of a person.

At 6:15pm, Ms E Bulloch left the meeting and did not return.

At 6:20pm, Mr R De Nobrega left the meeting and did not return.

At 6:23pm, Mr G Tuffin entered the meeting.

At 6:23pm, Mr M McCarthy entered the meeting.

At 6:23pm, Mr M Pickering entered the meeting.

At 6:23pm, Mr A Melville entered the meeting.

At 6:24pm, Ms D Heera entered the meeting.

At 6:24pm, Mr K Maldeniya entered the meeting.

At 6:27pm, the Presiding Member brought forward item C25/288 RFT242512 Restricted Tender Supply & Implementation of a Customer Experience, Relationship & Request Management Platform.

C25/288 RFT242512 - Restricted Tender Supply & Implementation of a Customer Experience, Relationship & Request Management Platform

File Number:	
Responsible Officer:	Director Community Development
Voting Requirements:	Absolute Majority
Officer Disclosure of Interest:	Nil
Attachments:	1. Minutes - 20 May 2025 - CTAU (confidential)

COUNCIL'S ROLE

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

SUMMARY

- This report is presented to Council to recommend the acceptance of a request submitted for Supply & Implementation of a Customer Experience, Relationship & Request Management Platform.

CTAU RECOMMENDATION

At 67:27pm Cr J Edinger moved, seconded Cr S Green

That the Council by Absolute Majority Decision:

1. **Accepts the recommendations as contained in the confidential attachment to this report, RFT242512 Contract and Tender Advisory Unit Minutes; and**
2. **Upon resolution of the recommendation, directs that the successful respondents' names be inserted below this point 2, awarded;**
3. **Noting award of this Contract is subject to reaching an agreement on the final Contract Terms.**

Amendment

COUNCIL RESOLUTION

At 6:28pm Cr D Lim moved, seconded Cr N Robins

That the officer recommendation be amended by adding a new point 4, to read:

"4. That the Council request the CEO provide quarterly updates on the project at an Elected Members Engagement Session."

At 6:43pm the Presiding Member declared the motion.

CARRIED BY ABSOLUTE MAJORITY (10/0)

At 6:31pm, Cr K Wheatland electronically connected to the meeting.

Substantive Motion As Amended**COUNCIL RECOMMENDATION**

At 67:27pm Cr J Edinger moved, seconded Cr S Green

That the Council by Absolute Majority Decision:

1. **Accepts the recommendations as contained in the confidential attachment to this report, RFT242512 Contract and Tender Advisory Unit Minutes; and**
2. **Upon resolution of the recommendation, directs that the successful respondents' names be inserted below this point 2, awarded;**
3. **Noting award of this Contract is subject to reaching an agreement on the final Contract Terms.**
4. **That the Council request the CEO provide quarterly updates on the project at an Elected Members Engagement Session.**

COUNCIL RESOLUTION

At 6:50pm Cr M Woodall moved, seconded Cr D Lim

That the motion be amended by adding the words “including updates on contract negotiations” to point 4, to read:

4. ***That the Council request the CEO provide quarterly updates on the project, including updates on contract negotiations, at an Elected Members Engagement Session.***

At 6:50pm the Presiding Member declared the motion.

CARRIED BY ABSOLUTE MAJORITY (10/0)

Substantive Motion As Amended**COUNCIL RESOLUTION (C25/288)**

At 6:27pm Cr J Edinger moved, seconded Cr S Green

That the Council by Absolute Majority Decision:

1. **Accepts the recommendations as contained in the confidential attachment to this report, RFT242512 Contract and Tender Advisory Unit Minutes; and**
2. **Upon resolution of the recommendation, directs that the successful respondents' names be inserted below this point 2, awarded;**
3. **Noting award of this Contract is subject to reaching an agreement on the final Contract Terms.**
4. **That the Council request the CEO provide quarterly updates on the project, including updates on contract negotiations, at an Elected Members Engagement Session.**

At 6:50pm the Presiding Member declared the motion.

CARRIED BY ABSOLUTE MAJORITY (10/0)

PURPOSE

The Contract and Tender Advisory Unit (CTAU) is satisfied that the recommended supplier meets the City's qualitative requirements and represents value for money. The City of Melville went to market seeking Expressions of Interest (EOI) for the Supply & Implementation of a Customer Experience, Relationship & Request Management Platform. The outcome of the EOI evaluation process identified a shortlist of Vendors, who were invited to make a formal submission via Restricted Tender.

The CTAU's recommendation for the Restricted Tender is now being presented to Council for their approval.

STRATEGIC ALIGNMENT

Outcome	5	Leadership and good governance for the benefit of the whole community.
Objective	5	Good Governance and Leadership
	5.4	Strengthen active citizen engagement, participation, and access to information.
	5.5	Provide excellent customer experiences and ease of access.

BACKGROUND

The City is seeking to procure the supply, configure and implement a Customer Experience, Relationship and Request Management (CXR) platform. Following an Expression of Interest (EOI) process in 2024, the City invited three of the nine Vendors to provide a formal submission via Restricted Tender. The CTAU Meeting Minutes included as a confidential attachment to this report is additionally available to Elected Members on the Elected Members Portal.

CONSIDERATION

Restricted Tender was requested and received from the following organisations:

- 8Squad Pty Ltd
- Ennovative Pty Ltd
- HCL Australia Services Pty Ltd

All Respondents addressed the Compliance and Disclosure Requirements appropriately and were processed through to Qualitative Assessment.

The City set the following qualitative criteria and weightings:

Demonstrated Experience	15%
Capacity to Deliver	25%
Methodology	30%

Suitability of Products – Functional Requirements	30%
Total	100%
Suitability of Products – Technical Requirements	Risk Based Non-weighted
Price	Non-weighted

The recommended Respondent achieved a qualitative score of 69% against the following criteria:

I. Demonstrated Experience

The Respondent provided the required information against this criterion. Examples provided were relevant to the services that will be delivered under this Contract. The Respondent also had the strongest Local Government experience out of all Vendors.

II. Capacity to Deliver

The Respondent provided the required information against this criterion.

The key personnel have relevant qualifications and a good level of experience in similar projects.

III. Methodology

The Respondent provided the required information against this criterion.

The methodology meets the City's expectations, with the ability to accelerate the implementation process.

IV. Suitability of Products – Functional Requirements

The Respondent provided the required information against this criterion.

The solution proposed by the Respondent clearly meets the City's requirements.

V. Suitability of Products – Technical Requirements

This criterion is risk based, please refer to attached CTAU Attachment for full details.

The Evaluation Panel reviewed all Respondents' offers and prepared an Evaluation Report, identifying the recommended Respondent.

The recommendation was supported by the CTAU and is put forward as part of the recommendation to the Council.

The Evaluation Report and associated confidential attachments were distributed to Elected Members under confidential cover.

ENGAGEMENT

No community or external engagement has been required or undertaken as part of this request.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications presented as part of this report.

LEGISLATIVE AND POLICY ALIGNMENT

This request has been considered with regards to the following policies and legislative requirements:

- CP-023 Procurement of Products and Services
- *Local Government (Functions and General) Regulations 1996 Section 3.57 11 (1)*
“A Local Government is required to invite tenders before it enters into a contract for another person to supply goods or services”.

FINANCIAL IMPLICATIONS

Any relevant financial implications are detailed in the confidential attachment to this report.

In addition to the contract costs, there will be additional budget required in the next Financial Year for external resources to assist with the project implementation. Please refer to page 17 of the confidential attachment “Project Financial Summary”.

It is important to note that the City has reduced the financial risk associated with this project by developing a contract which provides the City an option to not continue with either the vendor or the platform if the not fully satisfied with the performance of each during the ‘Proof of Concept’ phase. It is envisioned that the ‘Proof of Concept’ phase will be undertaken over a three-month period starting in July 2025. City Officers will provide Elected Members with an update via an Elected Member Engagement Session regarding the status of the ongoing contract following this phase.

CONSEQUENCE

No alternative options or consequences are presented as part of this report

BRIEFING FORUM – FURTHER INFORMATION

At the Agenda Briefing Forum held on Tuesday, 10 June 2025, the following questions and/or requests for information were raised by Elected Members and now form part of the Final Ordinary Meeting of Council Business Papers:

Question 1:

Can we get further information or a breakdown of the staff costs / resourcing regarding the contract?

Response 1:

This question was taken on notice, and a response will be provided on the Elected Members Portal on Friday, 13 June 2025.

COUNCIL RESOLUTION

At 6:50pm Cr M Woodall moved, seconded Cr S Green

That the meeting be re-opened to members of the public.

At 6:50pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY (10/0)

At 6:51pm Ms D Heera left the meeting and did not return

At 6:51pm Mr K Maldeniya left the meeting and did not return.

At 6:51pm Cr G Barber left the meeting.

112 DECISION MADE WHILE MEETING WAS CLOSED TO THE PUBLIC (BROUGHT FORWARD)

At 6:51pm, the Presiding Member brought forward this item.

At 6:51pm, the Presiding Member advised that the following items were discussed behind closed doors:

- M25/53 Confidential Staffing Matter (officer recommendation was carried); and
- M25/54 Confidential Staffing Matter (officer recommendation was carried); and
- C25/291 Confidential Employee Matter (officer recommendation was carried); and
- C25/289 Financial Management Review Report 2025 (officer recommendation was carried); and
- C25/290 Office of the Auditor General – Purchase Card Audit (officer recommendation was carried); and
- C25/288 RFT242512 Restricted Tender Supply & Implementation of a Customer Experience, Relationship & Request Management Platform (officer recommendation was carried)

At 6:52pm Cr G Barber returned to the meeting.

123 REPORTS

Items Brought Forward

At 6:52pm the Presiding Member brought forward item M25/52 City of Melville Corporate Business Plan 2025-2029 – Annual Review.

M25/52 City of Melville Corporate Business Plan 2025-2029 - Annual Review

File Number:	
Responsible Officer:	Chief Executive Officer
Voting Requirements:	Absolute Majority
Officer Disclosure of Interest:	No officer involved in the preparation of this report has a declarable interest in the matter.
Attachments:	1. 2024-25 Corporate Business Plan - End of Year Projections Report (Summary) ↓ 2. Updated City of Melville Corporate Business Plan 2025-2029

COUNCIL'S ROLE

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

SUMMARY

- This report presents the Annual Review of the City of Melville Corporate Business Plan in accordance with Regulation 19DA(4) of *the Local Government (Administration) Regulations 1996*.
- Annual review activities have informed the development of the City of Melville's updated Corporate Business Plan 2025-2029, which guides the 2025-26 Annual Budget and associated service and project plans, ensuring a clear alignment with the outcomes and objectives of the Strategic Community Plan.
- Note: The City of Melville's Strategic Community Plan (Part A) and Corporate Business Plan (Part B) are consolidated into one document: the City of Melville Council Plan for the Future 2024-2034.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (M25/52)

At 6:53pm Cr J Spanbroek moved, seconded Cr M Woodall

That the Council by absolute majority decision:

- 1. Approves the Annual Review of City of Melville Corporate Business Plan 2024-2028, inclusive of the 2024-25 End-of-Year Report (Attachments 1); and**
- 2. Adopts the updated City of Melville Corporate Business Plan 2025-2029 (Attachment 2).**

At 6:53pm the Presiding Member declared the motion.

CARRIED BY ABSOLUTE MAJORITY (10/0)

PURPOSE

The purpose of this report is to seek Council's approval of the Annual Review of the City of Melville's Corporate Business Plan 2024-2028 and to adopt the updated Corporate Business Plan 2025-2029.

STRATEGIC ALIGNMENT

Outcome	5	Leadership and good governance for the benefit of the whole community.
Objective	5	Good Governance and Leadership
	5.1	Provide transparent and accountable good governance.
	5.2	Ensure long term financial sustainability, strategic advocacy and partnerships, and diverse revenue streams.
	5.3	Ensure efficient and effective use of assets, resources and technology.
	5.4	Strengthen active citizen engagement, participation, and access to information.
	5.5	Provide excellent customer experiences and ease of access.
	5.6	Provide an inclusive, safe, healthy, equitable and engaging workplace.

BACKGROUND**Integrated Planning and Reporting Framework**

In accordance with Section 5.56 of the *Local Government Act 1995*, all local governments are required to plan for the future of their district.

Regulations 19C and 19DA of the *Local Government (Administration) Regulations 1996* details how local governments must plan for the future, through the making of a Strategic Community Plan and Corporate Business Plan.

The Strategic Community Plan sets out the vision, aspirations and objectives of the community over a 10-year horizon (long-term) and the Corporate Business Plan translates the Strategic Community Plan into services, projects and programs delivered to the community over a four-year horizon (short-medium term).

Year 1 of the Corporate Business Plan informs the development of the annual budget, service plans, and capital and operating project programs.



Figure 1. Elements of the Integrated Planning Framework

The Integrated Planning and Reporting Framework (IPRF) provides a structured approach to help local governments plan, resource (through finances, workforce and assets), deliver, and review their Strategic Community Plan and Corporate Business Plan, supporting continuous improvement in service and project delivery to the community.

Review Requirements

In accordance with Regulations 19C(4) and 19DA(4) *Local Government (Administration) Regulations 1996* and the IPR Framework, local governments are required to review their Strategic Community Plan at least once every four years (including community engagement) and the Corporate Business Plan annually (internal only).

This report applies to the Annual Review of the City of Melville's Corporate Business Plan 2024-2028.

Note: The City of Melville's Council Plan for the Future 2024-2034, adopted by Council at the Ordinary Meeting of Council held 20 August 2024, incorporates both the Strategic Community Plan (Part A) and Corporate Business Plan (Part B) into one document, in-line with current legislative requirements and future anticipated Local Government Reforms.

CONSIDERATION

During the period of February to June 2025, a review of the City of Melville's Corporate Business Plan 2024-2028 was undertaken in-line with the City's annual integrated business planning and budget process.

The review process included significant input and consultation with Elected Members, the Executive Leadership Team and Management Leadership Team, capturing and incorporating decisions made regarding service changes, project prioritisation and budget allocations.

The projected status of projects in the Corporate Business Plan 2024-2028, were also incorporated into the Annual review, as detailed in the 2024-25 End-of-Year Report (Attachments 1).

The outcome of all these activities is development of the City of Melville Corporate Business Plan 2025-2029 (Attachment 1), which updates Part B of the Council Plan for the Future 2024-2034.

Corporate Business Plan 2024-2028

- 2024-25 End-of-Year Report Summary

Out of the 91 projects and programs in the Corporate Business Plan 2024-28 for 2024-25:

As at 30 June 2025:

- 76 (or 84%) are projected as either 'Complete', 'On-Track' or 'Monitor'
- 15 (or 16%) are projected as 'Off-Track'.

The projected end of year projects status has informed carried forward budgeting estimations and project milestones in the updated City of Melville Corporate Business Plan 2025-2029 (Attachment 2).

The full end of year report for the 2024-2025 financial year will also be provided in the first quarter of the new financial year to the Governance Committee.

Corporate Business Plan 2025-2029

- Updated

The updated City of Melville Corporate Business Plan 2025-2029 outlines how the City will allocate and manage its resources over the next four years in alignment with the direction set by the Long-Term Financial Plan (LTFP).

The LTFP informs the development of the 2025-26 Annual Budget, service plans, and capital and operating project programs, and provides a clear line of sight from these services, projects and programs to the outcomes identified in the Strategic Community Plan.

The Corporate Business Plan meets all regulatory requirements and is underpinned by a continually evolving integrated business planning and budgeting process that defines baseline service levels, enhances transparency and accountability, and strengthens reporting capabilities – collectively supporting ongoing improvements in service delivery and project performance, and contributing to the achievement of the City's community vision: Vibrant, Sustainable, Inclusive Melville.

ENGAGEMENT

The Annual Review and development of the Corporate Business Plan 2025-2029 has been in consultation with Elected Members and the Executive and Management Leadership Teams at a number of workshops and via email from February 2025 to June 2025.

Workshops and briefings with Elected Members were held on the following dates:

5 February 2025	Kick Off and Elected Member Priorities.
17 March 2025	Asset Management and Capital Program Overview.
1 April 2025	Draft Capital (Capital Plans and Capital Works Program).
6 May 2025	Draft Operational (Service Plans and Operational Projects) and Capital (Capital Plans and Capital Works Program) and Rates (Part 1).
12 May 2025	Draft Operational (Service Plans and Operational Projects) and Capital (Capital Plans and Capital Works Program) and Rates (Part 2).
27 May 2025	Draft Budget and Long-Term Financial Plan.
3 June 2025	Draft Budget (including Carry Forward Estimates).

SUSTAINABILITY IMPLICATIONS

The Annual Review, inclusive of the development of the updated Corporate Business Plan 2025-2029, has been guided by the Integrated Planning and Reporting Framework, which supports all dimensions of sustainability – social, environmental, economic, and governance – as reflected in the modern adaptation of the Quadruple Bottom Line used in local government and public sector contexts. As such, it embeds long-term thinking, community engagement, and resource alignment into the City's planning and decision-making processes.

LEGISLATIVE AND POLICY ALIGNMENT

The following legislation and guidelines are relevant to this report:

- Section 5.56 of the *Local Government Act 1995 – Planning for the future*
- Section 19C and 19DA of the *Local Government (Administration) Regulations 1996 – Strategic Community Plan, requirements for and Corporate Business Plan, requirements for*
- Integrated Planning and Reporting Framework and Guidelines – September 2016

FINANCIAL IMPLICATIONS

The City of Melville updated Corporate Business Plan 2025-26 outlines the financial implications of delivering services and projects over the next four years, aligned with the Long-Term Financial Plan and informing the development of the 2025-26 Annual Budget.

CONSEQUENCE

If Council does not approve the Annual Review, including the updated Corporate Business Plan 2025-2029, the City of Melville will not meet its legislative obligations or its commitment to deliver strategically aligned and contemporary services and projects to the community.

BRIEFING FORUM – FURTHER INFORMATION

This section is not applicable.

At 6:53pm Cr M Woodall left the meeting.

At 6:53pm the Presiding Member brought forward item C25/282 2025 Annual Review of Delegations, Authorisations and Appointments.

C25/282 2025 Annual Review of Delegations, Authorisations and Appointments

File Number:	
Responsible Officer:	Head of Governance
Voting Requirements:	Absolute Majority
Officer Disclosure of Interest:	No officer involved in the preparation of this report has a declarable interest in the matter.
Attachments:	1. City of Melville Statutory Delegations and Authorisations Manual 2025-2026 Marked Up

COUNCIL'S ROLE

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

SUMMARY

- Delegations made under the *Local Government Act 1995* and various other legislation must, by law, be reviewed by the delegator at least once every financial year and listed in a register kept by the CEO.
- A review of all delegations, authorisations and appointments has been completed and it is recommended that the outcome of this review be adopted by the Council.
- Following the Council's resolution, the updated Delegations Manual will be uploaded to the website and provided to Elected Members for information.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (C25/282)

At 6:53pm Cr N Robins moved, seconded Cr S Green

That the Council resolves by Absolute Majority Decision to:

1. **Endorse the 2025 review of statutory delegations, authorisations and appointments; and**
2. **Confirm the changes and edits to the instruments of delegation, authorisation and appointment, as contained in Attachment 1 - City of Melville Statutory Delegation and Authorisation Manual 2025-2026 MARKED UP.**

At 6:53pm the Presiding Member declared the motion.

CARRIED BY ABSOLUTE MAJORITY (9/0)

PURPOSE

To present the annual review of the Council and CEO's delegations, authorisations and appointments to Council.

STRATEGIC ALIGNMENT

Outcome	5	Leadership and good governance for the benefit of the whole community.
Objective	5	Good Governance and Leadership
	5.1	Provide transparent and accountable good governance.

BACKGROUND

The functions and powers allocated to local governments by legislation are so many and so diverse that it would be unrealistic to expect the Council to make every discretionary decision itself. The business of local government could not be carried out in a timely manner if that were the case.

Delegation of local government powers, duties and functions to the CEO and appropriate officers is an effective way to reduce red tape and expedite operational decision-making processes. Efficient use of the power of delegation assists local governments to effectively deal with a wide range of procedural matters that require the exercise of some discretion but are inherently administrative rather than strategic in nature.

Delegation is only permitted when an Act or regulations specify that the local government has this power, and the delegated powers may only be exercised in relation to the statutory powers, duties or functions conferred or imposed on the local government by that legislation unless otherwise specified. A delegator may specify limitations or conditions, such as a financial limit, on the exercise of a delegation. Sub-delegation is generally only permitted where specifically provided for in the relevant legislation.

Delegates are not obliged to exercise a delegation granted to them, even if it is primarily procedural. Where a matter is highly contentious, decisions relating to it may be referred, at the discretion of the CEO or the request of the Council, to the Council to make the decision by resolution despite the presence of a relevant delegation.

Delegations made under the *Local Government Act 1995*, *Cat Act 2011*, *Dog Act 1976* and the deemed provisions of Local Planning Schemes identified in the *Planning and Development (Local Planning Scheme) Regulations 2015*, must be reviewed by the delegator at least once every financial year, and the CEO must maintain a register of current delegations made under this legislation.

Delegations under other legislation, as well as authorisations or appointments, do not need to be reviewed each year however the City of Melville, like most local governments, does review these on an annual basis, as it is considered good practice to do so.

This report deals only with the Council delegations and appointments/authorisations. The CEO is responsible for reviewing delegation or sub-delegation of powers and duties held by the CEO either directly under statute or under delegation from the Council.

CONSIDERATION

A review of all delegations, authorisations and appointments has been completed, and the following changes have been made:

Amendments

Title	Amendment
All	Minor typographical and format corrections made.
All	Review date for each delegation to be updated.
All	Updates to position titles to reflect current organisational structure
All	The revision history for each delegation has been moved to a standalone section at the end of the document. This is to keep the instrument itself as short as possible.
2.1.2	Point 1(a) amended to reflect changes to the <i>Local Government Act 1995</i>
DA-007	- An additional point has been added to clarify that financial and lease term limits extend to lease renewals and extensions. - Sub-delegation to CEO amended to clarify conditions of delegation/sub-delegation apply to renewals and lease extensions.
DA-016	- Amended sub-delegation for the Street Numbering, Health, Fencing and Thoroughfares local law in accordance with operational responsibilities in the Planning directorate. - Amended sub-delegation for the Parking Local Law so Manager Healthy Melville and Healthy Melville Coordinator (Recreation Development) can exercise the powers of the local government under clauses 5.4 and 5.8(b).
DA-028	Addition of Executive Manager and Chiefs and Heads reporting to a director to list of sub-delegates.
DA-031	Addition of Executive Manager and Chiefs and Heads reporting to a director, and addition of all Directors, to list of sub-delegates.
DA-032	- Addition of Manager Health Melville to list of sub-delegates. - Addition of Revenue Coordinator to list of sub-delegates.
DA-050	- The title has been updated to better reflect its purpose. - Amended sub-delegation to extend to Manager Health and Compliance, Coordinator Compliance Services and Coordinator Environmental Health. Update to delegation title, description and statutory powers / duty delegated.
DA-053	- The title and description have been updated to better reflect its purpose. - Addition of Service Lead – Community Safety Investigations to sub-delegates.
DA-054	- The title has been updated to better reflect its purpose. - Further, the power to arrange to humanely destroy an impounded animal has been moved to its own separate delegation (see 'DA-130' commentary below).

Title	Amendment
	Extended sub-delegation to extend to Manager Health and Compliance, Coordinator Compliance Services and Coordinator Environmental Health.
DA-062	- The title has been updated to better reflect its purpose. - Amended sub-delegation to extend to Manager Development Approvals, Principal Building Surveyor and Senior Building Surveyor, who issue Materials of Verges permits under these regulations. - Added Manager Health and Compliance, Coordinator Compliance Services and Senior Development Compliance Officer to enable compliance activities.
DA-088	The title has been updated to better reflect its purpose and align with supporting policy.
DA-115	Sub-delegates updated to revoke Manager Customer and Community Participation and replace with Manager Healthy Melville.
DA-103	- Amended sub-delegation to extend to Coordinator Compliance Services and Senior Development Compliance Officer, and Principal Building Surveyor in accordance with operational responsibilities. - Added Manager Development Approvals.
DA-105	- Sub-delegation to Director Corporate Services revoked. - Extended sub-delegation to Manager Development Approvals.
DA-126	- Sub-delegation to Manager Environmental Health and Compliance revoked as position is not involved in the issuing of building and demolition permits. - Manager Development Approvals added as manager responsible for the team issuing building and demolition permits.
DA-127	Sub-delegation to Manager Environmental Health and Compliance revoked as position is not involved in the issuing of occupancy and building approval certificates
DA-125	Addition of Service Lead – Community Safety Investigations to sub-delegates
DA-122	Addition of Service Lead – Community Safety Investigations to sub-delegates
DA-073	Statutory power to sub delegate updated to note that no sub-delegation power is provided for in the <i>Food Act 2008</i>.
DA-020	- New WAPC delegation (WAPC2025/04) in effect from 1 May 2025 added, therefore conditions on delegations updated to revoke point 4 (Call up by Council) as no longer able to be implemented. - This new instrument of delegation has been added to the manual – “5.2.4 Powers of Local Governments – Metropolitan Region Scheme” - Compliance links also updated to reflect these changes and removed some delegations resolved by the WAPC to be revoked. - Sub-delegation matrix updated.
DA-061	The title has been updated to better reflect its purpose.

Title	Amendment
	Revoked sub-delegation to Senior Statutory Planner. Granted sub-delegation Coordinator Compliance Services, Senior Development Compliance Officer and Principal Statutory Planner.
DA-007C	Amended to include Regulations 29A and 29B and new delegate, Head of Governance.
DA-008C	- Revoked sub-delegation to Manager Development Approvals. - Added delegation to Service Lead – Community Safety Investigations
DA-009C	Revoked sub-delegation to Head of Community Safety and Service Lead – Community Safety Investigations.
CSA-Local-01	- An additional point has been added to limit the CEO and Directors' powers to enter into goods and services contracts which are exempt from tender requirements. - The CEO may now only enter into contracts with a value less than \$550,000 per contract, per financial year, and Directors may only enter into contracts with a value less than \$250,000 per contract, per financial year. - Consolidated authorised officers into one bullet point for Directors. - Updates to compliance references.
External Delegations	- Three new external delegations added to part 5. '5.2.4 Powers of Local Governments – Metropolitan Region Scheme' '5.4.1 – Approval under Regulation 327(4) for Certain Local Government Vehicles as Special Use Vehicles' and '5.4.2 – Approval under Regulation 289(1)(a)(ii) to Display Flashing Warning Lights on Ranger Vehicles'

New Delegations

Title	Comment
DA-130	- This power is currently part of 'DA-054', but it is considered to be more appropriate for it to be a separate delegation given the subject matter. - Initial sub-delegates are the Director Community Development, Head of Community Safety and Service Lead – Community Safety Investigations.

Revoked Delegations

Title	Officer Comment
DA-046	Notice to Owner or Occupier Requiring Certain Actions to be Undertaken' – section 3.24 of the <i>Local Government Act 1995</i> requires that this be an authorisation, not a delegation. A new delegation, 'DA-131 – Appoint Officers to Exercise Powers of Entry under Sections 3.25-3.27 of the Local Government Act 1995' has been created so that the CEO may appoint persons (see 'DA-131' commentary).
DA-049	Power to Carry Out Works on Private Land' – for the same reason as given above for DA-046.

Title	Officer Comment
DA-131	- This delegation is proposed to allow the CEO to appoint persons to exercise the powers of entry under sections 3.25 to 3.27. - If this delegation is not approved, then a Council report will be required each time the City needs to appoint a new officer to exercise these powers. This is not efficient or a good use of the Council's time.
DA-010C	- New delegation in relation to receiving, determining and processing electoral eligibility and maintaining owner / occupier register. - Initial delegation to Head of Governance and Chief Financial Officer

As part of the CEO's review of their own delegations to other employees, some instruments of delegation by the Council have been amended at the sub-delegation level to reflect changes to organisational structure and functional responsibilities, as well as changes to titles. Sub-delegations by the CEO of delegated powers are provided for under section 5.44(3) of the *Local Government Act 1995* and are not the subject of this report.

These changes are shown marked-up in Attachment 1 - City of Melville Statutory Delegation and Authorisation Manual 2025-2026 MARKED UP.

ENGAGEMENT

Directors and managers were consulted regarding the delegations, appointments and authorisations relevant to their operations.

Public consultation was not undertaken as delegations, authorisations and appointments are an internal matter related to the operational management and administration of the local government's statutory powers, duties and functions.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications presented as part of this report.

LEGISLATIVE AND POLICY ALIGNMENT

The City of Melville must comply with section 5.46 of the *Local Government Act 1995* which requires the Council to review, at least once every financial year, its delegations made under that Act and the deemed provisions in the *Planning and Development (Local Planning Schemes) Regulations*. The City must also comply with section 47(2) of the *Cat Act 2011* and section 10AB(2) of the *Dog Act 1976*, which impose similar annual review requirements for delegations made under those Acts.

Of the 51 current delegations made by the Council, 35 have been made under the [Local Government Act 1995](#). The following provisions in the *Local Government Act 1995* relate to the delegation of local government powers and duties by the Council under that Act.

- Delegations (to Committees and the Chief Executive Officer) must be made by an absolute majority decision [s.5.16(1) and s.5.42(1)].

- Delegations (whether to Committees or the Chief Executive Officer) must be in writing, and may be general or as otherwise provided in the instrument of delegation [s.5.16(2), s.5.42(2)].
- All delegations will have effect for the period of time specified in the delegation, or if not specified, indefinitely [s.5.16(3)(a), s.5.45(1)(a)].
- Any decision to amend or revoke a delegation must be by absolute majority [s.5.16 (3)(b), s.5.45(1)(b)].
- Section 5.17 limits the delegation of powers and duties to certain committees.
- Section 5.45(2)(a) permits a local government to perform any of its functions by acting through a person other than the CEO (but it may not delegate its functions other than to the CEO).
- An employee to whom a power or duty has been delegated under Part 5 Division 4 is a designated employee (s.5.74) who must lodge primary and annual returns (s. 5.75, s.5.76).

Section 5.43 prohibits the local government from delegating to the CEO any of the following powers or duties:

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

Regulation 18G of the *Local Government (Administration) Regulations 1996* prescribe that the following powers and duties of a local government cannot be delegated to the CEO:

- (a) Section 7.12A(2), (3)(a) or (4) (duties related to audit reports); and
- (b) Regulations 18C (approve process for selection and appointment of CEO) and 18D (consider a review on the performance of the CEO carried out under s.5.38).

In addition to the above, the following provisions are also relevant to Council delegations:

- Section 127 of the [Building Act 2011](#)
- Regulation 70 of the [Building Regulations 2012](#)
- Sections 48 and 59 of the [Bush Fires Act 1954](#)
- Sections 44, 45, 46 and 47 of the [Cat Act 2011](#)
- Sections 10AA and 10AB of the [Dog Act 1976](#)
- Section 118 of the [Food Act 2008](#)
- Section 16 and 17 of the [Graffiti Vandalism Act 2016](#)
- Section 26 and 344 of the [Health \(Miscellaneous Provisions\) Act 1911](#)
- Regulation 15D of the [Health \(Asbestos\) Regulations 1992](#)
- Sections 50, 53, 58 and 59 of the [Interpretation Act 1984](#)
- Section 21 of the [Public Health Act 2016](#)

- Schedule 2 clauses 82, 83 and 84 of the [Planning and Development \(Local Planning Schemes\) Regulations 2015](#)

New delegations, amendment and revocation of delegations under the *Local Government Act 1995*, *Cat Act 2011*, *Dog Act 1976*, *Graffiti Vandalism Act 2016* and the *Planning and Development (Local Planning Schemes) Regulations 2015* must be made by absolute majority decision of Council.

Delegations under other legislation, and appointments and authorisations, do not require an absolute majority.

From time to time, between reviews, a new delegation may be required or an existing delegation requires amendment. This will be presented to the Council as a separate report and the City of Melville Statutory Delegation and Authorisation Manual 2025-2026 will be updated to reflect the approved changes.

FINANCIAL IMPLICATIONS

There are no financial implications arising from the recommendations of this report.

CONSEQUENCE

If the Council do not review its delegations under the *Local Government Act 1995*, *Cat Act 2011*, *Dog Act 1976*, and the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations*, it will be in breach of that relevant legislation. This may lead to intervention by the Department of Local Government, Sports and Cultural Industries and would reflect poorly on the City and the Council.

BRIEFING FORUM – FURTHER INFORMATION

This section may be updated following the Agenda Briefing At the Agenda Briefing Forum held on Tuesday, 10 June 2025, the following questions and/or requests for information were raised by Elected Members and now form part of the Final Ordinary Meeting of Council Business Papers:

Question 1:

Why have most of the delegations have the “substantive amendments” section removed?

Response 1:

Yes, there is now a dedicated section with all of the substantive amendments listed at the end of the manual.

Question 2:

Can you elaborate on DA-007, and provide more detail on the sub delegation to apply to renewals and lease extensions?

Response 2:

There hasn't been any significant change with this delegation, but it provides the CEO the ability to negotiate leases and license agreements within certain parameters. Under section 3.58 of the *Local Government Act 1995*, there are requirements to advertise disposal of property to

commercial entities but there are exemptions for not for profit entities, such as sporting clubs, community groups and arts and culture groups. So the delegation just allows for renewals and extensions to be negotiated with those types of organisations.

Question3:

Would that be for preliminary negotiations and then it would come before Council?

Response 3:

This is for terms up to 10 years, so anything over that will be presented to the Council for approval.

Question 4:

Regarding DA-131 Appoint Officers to Exercise Powers of Entry Under Sections 3.25-3.27 of the Local Government Act 1995, how many times has this been exercised and could you provide some examples of when it would be exercised?

Response 4:

DA-131 is a new delegation, which combines and tidies up previous delegations. The City may use this delegation to access properties for example where a property is not being maintained in the manner it should be or where works are required to be undertaken following a prosecution. This is only used in extenuating circumstances and is usually a very low number each year.

At 6:54pm, the Presiding Member brought forward item C25/286 Statements of Financial Activity for April 2025.

C25/286 Statements of Financial Activity for April 2025

File Number:	
Responsible Officer:	Director Corporate Services
Voting Requirements:	Absolute Majority
Officer Disclosure of Interest:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Attachments:	1. Statement of Financial Activity April 2025 ↓ 2. Statement of Comprehensive Income April 2025 ↓ 3. Net Working Capital April 2025 ↓ 4. Reconciliation Net Working Capital April 2025 ↓ 5. Notes to Statement of Financial Activity April 2025 ↓ 6. Statement of Financial Position as of 30 April 2025 ↓ 7. Summary Rate Debtors April 2025 ↓ 8. Rates Collection Graph April 2025 ↓ 9. General Debtors Aged 90 Days April 2025 ↓ 10. Budget Amendments April 2025

COUNCIL'S ROLE

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

SUMMARY

- This report presents the Statements of Financial Activity, Statement of Comprehensive Income and Statement of Financial Position for the period ending 30 April 2025; and
- Presents the variances for the month of April 2025 and recommends that they be noted by the Council; and
- Presents the budget amendments required for the month of April 2025 and recommends that they be adopted by the Council by Absolute Majority decision.
- The KPMG/OAG audit plan was presented to the Audit, Risk and Improvement Committee (ARIC) on 12 May. Both the interim and final audits of the annual financial statements are scheduled, with the final audit to be conducted in October. The final audit report will be presented to Council and the Minister for Local Government by 31 December.
- The Budget amendments required for the month of April 2025 and recommends that they be adopted by Absolute Majority decision of the Council.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (C25/286)

At 6:54pm Cr J Edinger moved, seconded Cr T Lee

That the Council:

1. **Notes the Rate Setting Statement and Statements of Financial Activity for the month ending April 2025 as detailed in the following attachments:**
 - **Statement of Financial Activity April 2025 (Attachment 1); and**
 - **Statement of Comprehensive Income April 2025 (Attachment 2); and**
 - **Net Working Capital April 2025 (Attachment 3); and**
 - **Reconciliation Net Working Capital April 2025 (Attachment 4); and**
 - **Notes to Statement of Financial Activity April 2025 (Attachment 5); and**
 - **Statement of Financial Position as of 30 April 2025 (Attachment 6); and**
 - **Summary Rate Debtors April 2025 (Attachment 7); and**
 - **Rates Collections Graph April 2025 (Attachment 8); and**
 - **General Debtors Aged 90 Days April 2025 (Attachment 9).**
 - **Budget Amendments April 2025 (Attachment 10); and**
2. **By Absolute Majority Decision adopts the budget amendments, as detailed in the Budget Amendments April 2025 (Attachment 10).**

At 6:54pm the Presiding Member declared the motion.

CARRIED BY ABSOLUTE MAJORITY (9/0)

PURPOSE

The attached financial reports reflect a positive financial position of the City of Melville as at 30 April 2025.

STRATEGIC ALIGNMENT

Outcome	5	Leadership and good governance for the benefit of the whole community.
Objective	5	Good Governance and Leadership
	5.1	Provide transparent and accountable good governance.
	5.2	Ensure long term financial sustainability, strategic advocacy and partnerships, and diverse revenue streams.
	5.3	Ensure efficient and effective use of assets, resources and technology.

BACKGROUND

The Statements of Financial Activity for the period ending 30 April 2025 have been prepared and tabled in accordance with the *Local Government (Financial Management) Regulations 1996*.

Overall Summary of the City's Financial Position

- The City's total investments holding for April 2025 were \$ 174.06m of which the Municipal cash balance at the end of the month was \$27.16m and \$146.65m was held in reserve accounts, which are restricted to the defined purpose for which the reserve account was established.
- The investment in green/ethical term deposits as at 30 April 2025 was \$47m or 27% of total investment holdings, compared to \$42m (23%) in March 2025. Green/Ethical investments are invested, in accordance with the CP-009 Investment of Funds Policy.
- Rates raised as at April were \$109.56m compared to a year-to-date budget of \$108.59m.
- Total debtor collections for April 2025 equalled \$2.04m. Rates collection progress for the month of April is equal to target at 94.7%, compared to 94.5% for the same period in 2023-2024. The total outstanding debtors (including all rates and sundry debtors) is \$7.94m as of 30 April 2025.
- The KPMG/OAG audit plan was presented to the Audit, Risk and Improvement Committee (ARIC) on 12 May. Both the interim and final audits of the annual financial statements are scheduled, with the final audit to be conducted in October. The final audit report will be presented to Council and the Minister for Local Government by 31 December

CONSIDERATION

The attached reports have been prepared in compliance with the requirements of the legislation and Council policy. The three-monthly reports that are presented are the:

1. Statement of Financial Activity
Provides details on the various categories of income and expenditure.
2. Statement of Comprehensive Income
Provides details on the Nature classifications.
3. Statement of Financial Position
Provides details on the Financial Position.

Variances

A detailed summary of variances and comments based on the Statement of Financial Activity for April 2025 by Nature or Type is provided in attachments:

- Statement of Financial Activity April 2025 (Attachment 1); and
- Statement of Financial Position as of 30 April 2025 (Attachment 6): Statement of Variances in Excess of \$100,000.

Revenue

Rates raised as at April were \$109,560,096, compared to a year-to-date budget of \$108,594,065.

Rates Collection

SUMMARY OF RATE DEBTOR MOVEMENT					
Detail	Actuals Current Month YTD	Actuals Previous Month YTD	% Diff Current Mth to Previous Mth	Actuals This Month Last Year YTD	% Diff Current Mth to Current Mth Last Yr
Opening Balance - 1 July	5,425,866	5,425,866	0%	4,487,816	21%
Debtors Raised	134,563,135	134,149,038	0%	126,334,303	7%
Payments Received	(132,512,720)	(130,885,919)	1%	(123,388,732)	7%
Closing Balance	7,476,281	8,688,985	-14%	7,433,388	1%

Total rate debtor collections for the month equalled \$1,626,801.

Sundry Debtor Movement

SUMMARY OF SUNDRY DEBTOR MOVEMENT					
Detail	Actuals Current Month YTD	Actuals Previous Month YTD	% Diff Current Mth to Previous Mth	Actuals This Month Last Year YTD	% Diff Current Mth to Current Mth Last Yr
Opening Balance - 1 July	565,184	565,184	0%	901,439	-37%
Invoices Raised	3,515,281	3,121,148	13%	5,128,231	-31%
Receipts	(3,600,022)	(3,185,913)	13%	(5,095,370)	-29%
Prepayments	(16,181)	(14,978)	8%	(9,868)	64%
Closing Balance	464,261	485,441	-4%	924,433	-50%

Sundry debtor balances decreased by \$21,180 over the course of April from \$485,441 to \$464,261 of which total 90-day sundry debtors for the month is \$372,549, representing 80% of total sundry debtors.

Corporate Climate Action Plan

A summary of the expenditure associated with the City's climate action plan initiatives, compared to a year-to-date budget, is provided below. These costs encompass various activities aimed at reducing our carbon footprint and promoting sustainable practices across the City.

Description	YTD Actuals 2024-2025	YTD Revised Budget 2024-2025	Total Revised Budget 2024-2025	Actual 2023-2024
Sustainability & Climate Action Salaries	426,717	393,123	478,304	465,621
Electric Vehicles	175,540	162,602	162,602	36,192
Corporate Emissions Monitoring & Management	59,139	60,000	70,000	0
Micro Grid Project	12,000	12,000	40,000	26,795
Sustainability Initiatives	102,201	107,000	300,000	121,125
Piney Lakes Environmental Education Centre Refurb (new)	59,139	50,000	1,280,009	0
Total	830,096	784,725	2,330,915	649,733

Money Expended in an Emergency and Unbudgeted Expenditure

There was no money expended in an emergency or unbudgeted expenditure for the month of April 2025.

Budget Amendments

Details of Budget Amendments requested for the month of April 2025 that reflect effective changes to budgets are shown in attachment Budget Amendments April 2025.

Budget amendments that are purely administrative and detail movements between budget responsible officers are not included in the attachment. This reporting is aligned with legislative requirements.

Granting of concession or writing off debts owed to the City

Delegation DA-032 empowers the Chief Executive Officer (CEO) to grant concessions and write off monies owing to the City to a limit of \$10,000 for any one item. The CEO has partially on-delegated this to the Directors to write off debts or grant concessions to a value of \$5,000 and the Manager Financial Services to a value of \$1,000.

Sundry Debtors

There were no debts written off for the month of April 2025.

Rate Debtors

There were no rate debts written off for the month of April 2025.

ENGAGEMENT

There are no applicable engagement considerations presented as part of this report.

SUSTAINABILITY IMPLICATIONS

The City of Melville (the City) has well developed business continuity plans in place and an Incident Response Team (IRT) to coordinate and plan the City's response to the significant situations.

LEGISLATIVE AND POLICY ALIGNMENT

Local Government Act 1995 Division 3 – Reporting on Activities and Finance Section 6.4 – Financial Report.

Local Government (Financial Management) Regulation 1996 Part 4 – Financial Reports Regulation 34 requires that:

34. Financial activity statement report — s. 6.4

(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —

- (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);*
- (b) budget estimates to the end of the month to which the statement relates;*
- (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;*
- (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
- (e) the net current assets at the end of the month to which the statement relates.*

(2) Each statement of financial activity is to be accompanied by documents containing —

- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;*
- (b) an explanation of each of the material variances referred to in subregulation (1)(d); and*
- (c) such other supporting information as is considered relevant by the local government.*

(3) The information in a statement of financial activity may be shown —

- (a) according to nature and type classification; or*
- (b) by program; or*
- (c) by business unit.*

(4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —

- (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*
- (b) recorded in the minutes of the meeting at which it is presented.*

(5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

The variance adopted by the Council is 10% or \$100,000 whichever is greater.

Local Government Act 1995 Division 4 – General Financial Provisions Section 6.12; Power to defer, grant discounts, waive or write off debts.

The format of the Statements of Financial Activity as presented to the Council and the reporting of significant variances is undertaken in accordance with the Council's Accounting Policy CP-025.

FINANCIAL IMPLICATIONS

Variances

Variances are detailed and explained in the attachment Notes to Statement of Financial Activity April 2025 (Attachment 5): Notes on Statement of Variances in excess of \$100,000.

CONSEQUENCE

There are no consequences or alternative options presented as part of this report.

BRIEFING FORUM – FURTHER INFORMATION

At the Agenda Briefing Forum held on Tuesday, 10 June 2025, there were no questions or request for information in relation to this item.

14 ADOPTION OF RECOMMENDATIONS EN BLOC**COUNCIL RESOLUTION**

AT 6:54PM CR S GREEN MOVED, SECONDED CR N ROBINS

THAT THE RECOMMENDATIONS FOR:

- **C25/280 - NEW COUNCIL POLICY - EXTERNAL COMMITTEE MEMBERS**
- **C25/281 - POLICY REVIEW - CP-023 PROCUREMENT POLICY**
- **C25/284 - INVESTMENT STATEMENTS FOR APRIL 2025**
- **CD25/46 - PROPOSED PARKING STATION - FORMER BRIDGE CLUB LOCATION (788, 790, 792 & 794 CANNING HIGHWAY APPECROSS)**

BE CARRIED EN BLOC

AT 7:00PM THE PRESIDING MEMBER DECLARED THE MOTION.

CARRIED UNANIMOUSLY EN BLOC (10/0)

At 6:56pm Cr M Woodall returned to the meeting.

15 REPORTS

15.1 Reports from Committees

Policy and Legislation Committee Meeting held on 26 May 2025

C25/280 New Council Policy - External Committee Members

File Number:	
Responsible Officer:	Director Corporate Services
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	Nil.
Attachments:	1. DRAFT Council Policy CP-130 External Committee Members

COUNCIL'S ROLE

Legislative: Includes adopting local laws, town planning schemes & policies.

SUMMARY

- The *Local Government Amendment Bill 2024* makes provision that each local government must establish an Audit, Risk and Improvement Committee, and that this Committee is to be Chaired by an independent member.
- These provisions have not yet come into effect, however, the Council as part of its review of its Committee Structure has established an Audit, Risk and Improvement Committee in anticipation of the change to legislation and appointed two external members to take the roles of Presiding Member and Deputy Presiding Member.
- The *Local Government Act 1995* provides local governments with the ability to pay external committee members and meeting attendance fee and to reimburse expenses associated with their role on the Committee.
- In order to provide clarity and guidance on this matter, a proposed new Council Policy – External Committee Members is recommended for endorsement by the Council.

COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION (C25/280)

At 6:54pm Cr S Green moved, seconded Cr N Robins

That the Council endorse the new Council Policy CP-130 External Committee Members (Attachment 1).

At 7:00pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY EN BLOC (10/0)

PURPOSE

To present to the Council a proposed new Council Policy – External Committee Members to provide clarity and guidance on the external members to Committees established in accordance with s5.8 of the *Local Government Act 1995*.

STRATEGIC ALIGNMENT

Outcome	5	Leadership and good governance for the benefit of the whole community.
Objective	5	Good Governance and Leadership
	5.4	Strengthen active citizen engagement, participation, and access to information.

BACKGROUND

At the November 2024 and December 2024 Ordinary Meetings of Council, the Council resolved to refresh its Committee Structure to better align the responsibilities of each Committee with the legislative roles of the Council and the Council's decision-making process, and to consider the legislative changes being made under the *Local Government Amendment Bill 2024*.

At the 18 March 2025 Ordinary Meeting of Council, the Council resolved to appoint external members to the Audit, Risk and Improvement Committee.

CONSIDERATION

Local Government Reform will require local governments to have an Audit, Risk and Improvement Committee, and for these Committees meetings to be Chaired by an independent presiding member. The intention behind this change is to ensure a level of neutrality and impartiality in the Chairing of these meetings.

For clarity, an independent member, also known as an external member, cannot be a council member of the local government or an employee of the local government.

In anticipation of the legislation, the City of Melville has established its Audit, Risk and Improvement Committee (ARIC) and at the meeting of the ARIC held 12 May 2025, the Committee appointed the two external members as the Presiding Member and Deputy Presiding Member.

The Salary and Allowances Tribunal's makes and annual determination to report on the remuneration for, amongst others, Local Government CEO's and Elected Members. To support the change in legislation to require independent committee members, the Salary and Allowance Tribunal determination for local government now includes the determination of fees payable to independent committee members. In accordance with section 5.100(4), (5) and (6) of the *Local Government Act 1995* (the Act). The current determination provides for each local government to set an amount between \$0 and \$432 per meeting, with this increasing to \$450 as from 1 July 2025. In addition to this, the Council can set any reimbursements that may be made to external members for costs incurred in their role.

A new policy is proposed, CP-130 External Committee Members copy attached. The new policy covers:

- Appointment of external members
- Meeting fees
- Reimbursable expenses
- Travel

- Reimbursement claims
- Payments
- Code of Conduct.

It is proposed that, as a Band 1 local government, the City pay the maximum meeting fee amount of \$432.00 to external committee members for committees established under 5.8 of the Act. It should be noted that this amount will increase to \$450.00 per meeting from 1 July 2025.

ENGAGEMENT

There has been no external engagement associated with this matter.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications associated with this matter

LEGISLATIVE AND POLICY ALIGNMENT

The Act makes provisions for the Council to establish committees under s5.8, with the types of committees, including those with external members, defined in s5.9. More specifically, the Audit committee is also established under 7.1A of the Act.

Section 5.100 of the Act provides for fees to be set within a range and reimbursements to be made to committee members who are not council members or employees.

The *Local Government Amendment Bill 2024* makes provision that:

- the local government must establish an Audit, Risk and Improvement Committee (ARIC);
- no member of the ARIC can be an employee of the local government;
- the presiding member of the ARIC cannot be a council member of the local government or any other local government

FINANCIAL IMPLICATIONS

The costs associated with Committees are adopted each year as part of the annual budget process.

CONSEQUENCE

The Council could choose not to adopt the proposed policy which would mean officers do not have guidance on payment of fees and guidance on items that may be reimbursed to external committee members.

BRIEFING FORUM – FURTHER INFORMATION

At the Agenda Briefing Forum held on Tuesday, 10 June 2025, the following questions and/or requests for information were raised by Elected Members and now form part of the Final Ordinary Meeting of Council Business Papers:

Question 1:

Number 3 in the policy statement states will they be paid the maximum meeting attendance fee for committee meetings and if the council requests they attend another type of meeting. Will this mean that they will be paid the meeting attendance fee for pre-briefing meetings?

Response 1:

No they would not. The meeting attendance fee is for meetings only. However, they may be reimbursed mileage if they come in on a different day or if they were required to pay parking. It is intended to cover those extra costs which may be incurred as a result of undertaking their role.

CONFIRMED

C25/281 Policy Review - CP-023 Procurement Policy

File Number:	
Responsible Officer:	Director Corporate Services
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	No officer involved in the preparation of this report has a declarable interest in the matter.
Attachments:	1. CP-023 - Procurement Policy (with track changes) Updated

COUNCIL'S ROLE

Legislative: Includes adopting local laws, town planning schemes & policies.

SUMMARY

- This report is provided to ensure the Policy is up-to-date, efficient, and compliant with Regulations, and that it is realistic in relation to expectations and market pressures.
- Assist with the implementation of the Council-approved Stretch Reconciliation Action Plan and uphold the Local Government (Functions and General) Regulation 1996 intent to support Aboriginal Businesses.

COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION (C25/281)

At 6:54pm Cr S Green moved, seconded Cr N Robins

That the Council adopt the revised CP-023 - Procurement Policy.

At 6:54pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY EN BLOC (10/0)

PURPOSE

This report is presented to the Council to seek the adoption of the revised CP-023 Procurement Policy. The Policy was last reviewed in December 2021 and some areas of improvements have been identified. It is necessary for the City of Melville (the City) to keep refining and improving its policies to remain current with efficient best practices.

STRATEGIC ALIGNMENT

Outcome	5	Leadership and good governance for the benefit of the whole community.
Objective	5	Good Governance and Leadership
	5.1	Provide transparent and accountable good governance.
	5.2	Ensure long term financial sustainability, strategic advocacy and partnerships, and diverse revenue streams.
	5.3	Ensure efficient and effective use of assets, resources and technology.

BACKGROUND

The City is committed to delivering efficient best practices in the procurement of goods, services and works that align with the principles of transparency, probity and good governance and complies with relevant legislation. The City's Procurement Policy prescribes how procurement activities are to be undertaken by the City. The Policy was last reviewed in December 2021.

CONSIDERATION

This report is presented to seek the adoption of the reviewed policy. Major changes to the policy include:

- **Up to \$1,000 allow verbal quotes.**

The proposed new purchase threshold of \$0 to \$1,000 previously did not exist in the policy.

Assist small businesses, sole traders and First Nation individuals who find it hard to produce written quotes. For instance, a \$100 order for an elderly individual who is speaking at an event in one of our libraries, however, doesn't have access to a computer or smartphone.

This category is also beneficial for Purchase and Bunnings card purchases, previous not included in the policy.

In practice, applying this requirement to low-value, low-risk purchases are proving to be inefficient. While we recognise the importance of adhering to policy, we want to ensure we are also enabling staff to work effectively.

The recommended changes are not about reducing diligence, but rather about streamlining processes for minor and other purchases while continuing to uphold key procurement principles.

- **Over \$1,000 and up to \$10,000.**

For purchases at this level, demonstrating value for money through multiple quotes can be impractical and resource-intensive, particularly when the cost and risk are low. This change aims to streamline the process and reduce administrative burden, while still expecting officers to act responsibly and seek competitive pricing where appropriate.

- **\$10,000 to \$50,000 instead of "obtaining 3 quotes" officers will take steps "towards obtaining 3 quotes" with one quote from a local, disability enterprise or aboriginal business we will get it, where possible.**

The current policy requires staff to obtain three quotes for purchases, with at least one quote from a Local, Disability Support Enterprise, or Aboriginal Business. In practice, this is not always feasible due to market limitations, such as the absence of suitable suppliers in certain categories, which can place staff in the difficult position of being unable to comply with policy requirements despite making reasonable efforts.

- **\$50,000 to \$250,000 – Formal Request for Quotation instead of “obtaining 3 quotes” we will use our “Taking Steps towards obtaining 3 quotes”.**

The proposed changes seeks to amend the wording of the policy to require staff to take reasonable steps to obtain three quotes, rather than mandating that three quotes must always be obtained.

This revision acknowledges real-world constraints, such as limited supplier availability, while still promoting competition and value for money. It ensures that staff remain compliant with policy expectations without being penalised for circumstances beyond their control.

- **Allow Officers to obtain only one quote from an Aboriginal Business up to \$50,000.**

This will better support the Stretch Reconciliation Action Plan approved by Council by encouraging Officers to buy from Aboriginal Businesses.

- **Allow gift cards to compensate First Nation individuals for advice or services rendered to the City.**

The Local Government (Financial Management) Regulations 1996 restrict the use of cash payments unless they are made from a petty cash system. To comply with these regulations, the City defines gift cards (e.g., Visa or Mastercard gift cards) up to a value of \$500 each as petty cash. These gift cards can be used to compensate First Nation individuals for advice or services rendered to the City

These changes are shown in the attached version (attachment 1).

ENGAGEMENT

The proposed changes to the Policy have been presented to the City's Executive Leadership Team and presented to Elected Members at the Elected Members Engagement Session held on Tuesday, 4 March 2025.

SUSTAINABILITY IMPLICATIONS

The changes continue to support the City's effort in regard to sustainability.

LEGISLATIVE AND POLICY ALIGNMENT

This Policy is consistent with the current *Local Government Act 1995* and relevant Regulations.

FINANCIAL IMPLICATIONS

There are no specific financial implications for the City as a result of the proposed changes to the Policy.

CONSEQUENCE

The Council could choose to not adopt the revised Policy. This would result in procurement at the City not adopting more efficient practices potentially causing frustration, unnecessary delays and gaps when we get audited.

BRIEFING FORUM – FURTHER INFORMATION

This section may be updated following the Agenda Briefing At the Agenda Briefing Forum held on Tuesday, 10 June 2025, the following questions and/or requests for information were raised by Elected Members and now form part of the Final Ordinary Meeting of Council Business Papers:

Question 1:

The changes to the policy appear to be relaxing some of the procurement controls. Is this appropriate given the recent OAG report and current climate?

Response 1:

These changes are intended to bring more practicality and efficiency for staff, so that they're able to comply with the policy. Looking at the first modification in relation to purchasing \$0 to \$1,000, this didn't exist previously and was up to \$10,000 meaning that any time staff were completing a transaction of \$100, they would be in breach of the policy. In regards to the OAG, this is a separate matter and there are a few other policies which relate to this issue. Any item over \$250,000 is still managed by legislation and we are not proposing any changes to this. Overall the policy is not intended to reduce any controls.

Question 2:

There appears to be an error in the OMC document, page 18 appears to repeat the same material presented on page 17.

Response 2:

This has been noted and will be updated in the Final Ordinary Meeting of Council agenda distributed on Friday, 13 June 2025.

Question 3:

Concerns around the language used within the policy regarding the section on \$10,000 to \$50,000 and \$50,000 to \$250,000 range, where we've proposed to change it to "taking steps towards obtaining 3 quotes". This could be read as taking some steps, such as only getting one quote. Could this language be changed to something else such as "obtaining 3 quotes where possible"?

Response 3:

The policy still intends for officers to obtain 3 quotes, which will require that staff provide evidence that they have made an attempt to obtain the 3 quotes. However, the updated language provides practicality to staff in that they do not always receive responses back, so this language means that projects are not held up by the lack of 3 quotes received.

Question 4:

The policy also states "allow officers to obtain only one quote from an aboriginal business up to \$50,000". Concerned around the lack of market testing where of there is an aboriginal business we're intending to use we would still need to market test to make sure the quote is competitive?

Response 4:

It is not the intention to blindly accept a quote, there would still be a competitive process. However it is intended to provide flexibility for staff in obtaining more than one quote.

Question 5:

Can you expand on the policy that the City is working on to address the OAG concerns?

Response 5:

In regards to the OAG credit card performance audit, the City currently has procurement authorisation limits in place which control how much expenditure staff are authorised to incur. Additionally, we have credit card guidelines which spells out card holder responsibilities and security when staff are on leave, and restrictions on use. Card holders are required to sign an agreement stating they acknowledge these conditions. Currently, we're also putting more information around the types of allowable expenditure.

It is noted that many of the findings did not relate to the City of Melville, particularly in relation to oysters and champagne, and there were six other local councils involved. The majority of the City's findings were in relation to improvements as to some of the controls we currently have in place. The OAG audit found there was no case of misuse of the City of Melville's credit cards by credit card holders, and all of our card holders have used their cards appropriately and in accordance with council policies and approved usage. Additionally, the Council receives monthly information on the card usage within the standard Finance council items.

Question 6:

You've stated there were no misuse cases within Melville, does this imply there were cases with other councils?

Response 6:

No, the City is not aware of any findings of misuse rather some relaxed conditions around the use of credit cards and whether some of the expenditure was appropriate in terms of the level of expenditure or type.

Question 7:

Regarding the section within the policy on \$10,000 to \$50,000 ends with "taking steps towards obtaining 3 quotes, outlining the specified requirements" – Does this need more information?

Response 7:

This would be the specifications of the service or good which we are looking for, which will vary for each occasion. The Policy is stating that we need to clearly outline what we're wanting to acquire in relation to the service or good, as part of the process to obtain quotes.

Question 8:

It also states that where possible, one quote should be obtained from a local disability enterprise or aboriginal business. The word "at least" has been taken out here, why?

Response 8:

This section is stating that If it's possible to gain a quote. There may be some products or services where there are not any providers available which meet this criteria.

Question 9:

The policy also states that only one written quote is required for purchases through WALGA, disability enterprises, aboriginal businesses, commonwealth or state government agencies below \$50,000. If only one quote is required, doesn't this unfairly exclude other companies?

Response 9:

This is in relation to social procurement, in terms of us supporting those particular types of agencies, in particular aboriginal or disability enterprise agencies, and making sure that we afford those agencies an opportunity. This does not necessarily mean that if they are not competitive that we would consider engaging their services.

Question 10:

Why then does it include commonwealth or state government agencies? Surely these agencies don't need more opportunities to grow their business?

Response 10:

No, this is not the intent. There are exemptions for commonwealth and state government purchasing agreements with local governments, and that's just providing a bit more flexibility to staff, that if it is one of these agencies that the option only requires one quote under \$50,000.

Question 11:

If we were looking to spend, for example, \$49,000 on a good or service by one of these agencies, ratepayers would still expect more than one quote for that amount of money, and at a minimum get a second quote to test the market. If there was a desire to change this section to require more than one quote, what would be the process for that?

Response 11:

The policy states that "obtaining more than one quote is recommended where possible, and the officer needs to be satisfied that value for money is achieved." So we are stating within the policy that they must be satisfied that that value for money is being achieved and it is not the case that getting one quote and accepting it is the intent.

Question 12:

Where are the supplies coming from? Does the supplier of the good provide evidence that those supplies are not coming from countries with slave labour etc.?

Response 12:

There is a section within the policy titled "6.2 Modern Slavery" which covers the issue raised and requires a declaration from the supplier, depending on the purchase being made. This section also outlines the City's commitment to ensuring, as best as we can, that we are addressing these issues.

Question 13:

The policy states "the best value for money", however often the best value for money may not always be the best product or service. What is the City's response to that?

Response 13:

As a general rule, any substantial tender will have assessment criteria which is applied in the assessment panel, and that recommendation is also vetted through the contract and tenders assessment unit. There is a process in place to ensure that we aren't just looking at value for money. In fact, generally, in the specifications value for money is just a consideration and not a weighted criteria.

Question 14:

If there is an interest in making changes to the policy, what is the way forward to do that?

Response 14:

The Governance team will consolidate the notes of the ABF meeting and assess the amount of work required to amend the policy. There may be an easy way to make the amendments, or it may be recommended that the policy is referred back to the Committee or Council meeting. Advice will be provided to Elected Members via distribution on Friday, 13 June 2025.

Additionally, in response to requests by Elected Members in relation the Policy, some additional amendments have been made and are highlighted in the policy (Attachment 1).

CONFIRMED

UP25/71 Policy Review - CP-114 Compliance and Enforcement Policy

File Number:	
Responsible Officer:	Manager Strategic Urban Planning
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	No officer involved in the preparation of this report has a declarable interest in the matter.
Attachments:	1. Draft Compliance and Enforcement Policy ↓ 2. Comparison of Compliance and Enforcement Policies ↓ 3. City of Melville Risk Matrix ↓ 4. Amendment - Cr G Barber (from June OMC)

COUNCIL'S ROLE

Legislative: Includes adopting local laws, town planning schemes & policies.

SUMMARY

- The City of Melville (the City) continuously reviews and updates policies to ensure that best practice is enacted in relation to decision making.
- The Compliance and Enforcement has been reviewed following Council resolution of 20 February 2024 UP24/31.
- The review aims to improve the City's compliance and enforcement outcomes following the deficiencies identified within the 2021 Weir Report.
- The previous Compliance and Enforcement Policy was adopted in June 2022.

COMMITTEE RECOMMENDATION

At 7:01pm Cr M Woodall moved, seconded Cr J Spanbroek

That the Council:

1. **Adopt the Amendments to Council Policy 114 – Compliance and Enforcement Policy for the purposes of public consultation for a period of not less than 21 calendar days; and**
2. **Where no submissions in objection are received in response to the consultation undertaken, that the final adoption of amended Council Policy – 114 Compliance and Enforcement Policy shall be authorised by the Chief Executive Officer.**

Amendment**COUNCIL RESOLUTION**

At 7:01pm Cr G Barber moved, seconded Cr J Edinger

That the officer recommendation be amended by changing point one from “21 calendar days” to read “35 calendar days”.

At 7:07pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY (10/0)

Substantive Motion As Amended**COUNCIL RESOLUTION (UP25/71)**

At 7:01pm Cr M Woodall moved, seconded Cr J Spanbroek

That the Council:

- 1. Adopt the Amendments to Council Policy 114 – Compliance and Enforcement Policy for the purposes of public consultation for a period of not less than 35 calendar days; and**
- 2. Where no submissions in objection are received in response to the consultation undertaken, that the final adoption of amended Council Policy – 114 Compliance and Enforcement Policy shall be authorised by the Chief Executive Officer.**

At 7:07pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY (10/0)

PURPOSE

The Purpose of this report is for Council to endorse the draft Council Policy 114 – Compliance and Enforcement Policy.

The draft Policy has been rewritten and is not a modified version of the previous Policy. The key changes are outlined in the document “Comparison of Compliance and Enforcement Policies” as attached.

The draft Policy will provide clarity to City Officers and the Community as to how the City will progress compliance and enforcement matters. The Policy will assist Officers to consider the operational tools that are available and appropriate for the identified matter.

STRATEGIC ALIGNMENT

Outcome	5	Leadership and good governance for the benefit of the whole community.
Objective	5	Good Governance and Leadership
	5.1	Provide transparent and accountable good governance.
	5.3	Ensure efficient and effective use of assets, resources and technology.
	5.4	Strengthen active citizen engagement, participation, and access to information.
	5.5	Provide excellent customer experiences and ease of access.

BACKGROUND

The draft compliance and Enforcement Policy has been developed following Council's Resolution UP24/31 at its meeting of 20 February 2024 which stated that:

"That the Council:

- 1. Request the Chief Executive Officer prepare Compliance Matrices to guide the operational implementation for all compliance related services; and***
- 2. Request a review of CP-114 - Compliance and Enforcement Policy be undertaken to incorporate the Compliance Matrices; and***
- 3. Request a briefing at an Elected Member Engagement Session and that the review be completed and presented for consideration no later than the November 2024 Ordinary Meeting of Council".***

Further to this, there was a report put to Council on 15 October 2024 (UP/24/51), requesting an alternative deadline for the Policy review where Council resolved:

"That the Council notes that CP-114 Compliance and Enforcement Policy will be presented by the June 2025 Ordinary Meeting of Council".

The draft Compliance and Enforcement Policy has been rewritten considering the Council Resolution of 20 February 2024. It is for this reason that the new Policy does not show tracked changes where there are changes made to the current Policy. The [existing Policy](#) can be accessed via the City of Melville website.

A Compliance and Enforcement Policy review was also a matter raised within the Weir Report (2021) where it recommended that this review aim to improve the elements as recommended which include the approach on escalation of enforcement action, and improved communication with residents.

CONSIDERATION

The draft Compliance and Enforcement Policy responds to the emerging challenges being faced by both the City and the community. These challenges are resulting from significant growth in residential and commercial development and land use changes as well as a shift in the community expectations of local government which are increasing the demands of City Officers responsible for compliance and enforcement activities. This includes the City's compliance in community safety, environmental health, animal control, parking control and private use of thoroughfares.

In recent years, the City has experienced a growing compliance workload and an increased complexity of compliance cases. For example, the increased density and land use changes are resulting in more requests from the community for the City to investigate potential compliance matters. The City is required to assist in resolving these enquiries and compliance matters resulting from investigations in a professional and considerate manner.

The primary objectives of the Compliance and Enforcement Policy (the draft Policy) are as follows:

1. To ensure the City has access to adequate and reliable information necessary for the effective investigation of concerns.
2. To identify instances of non-compliance in a timely and accurate manner.
3. To facilitate the prompt resolution of non-compliance by bringing all parties into compliance within a reasonable timeframe.
4. To guarantee that procedural fairness is afforded to all affected parties throughout the enforcement process.
5. To ensure that compliance and enforcement actions are proportionate to the scope and severity of the issues being investigated.
6. To maintain transparent communication by keeping affected parties and relevant stakeholders informed throughout the enforcement process.

The draft Policy sets out the City's high-level considerations to compliance and enforcement matters, whilst considering the individual facts and circumstances of each case. It has been drafted to apply across all compliance activities of the City including Building, Planning, Rangers, Parks, Environmental Health, Engineering etc.

The draft Policy is intended to provide Officers with a high-level framework for managing the diverse range of compliance matters that arise across the City. It outlines the circumstances in which enforcement action may be appropriate and serves as a guide for consistent decision-making.

Importantly, the Policy does not override existing legislation or professional judgment. Each case must be assessed on its own merits, with careful consideration given to its unique circumstances and facts, rather than drawing conclusions based on similarities to other cases.

By promoting consistency and transparency, the Policy supports a cooperative and collaborative approach to achieving compliance. It also encourages a culture of voluntary compliance and ensures stakeholders receive timely updates on matters that affect them.

This framework applies to all compliance and enforcement activities carried out by authorised City of Melville Officers. It provides direction on when and how to escalate matters, ensuring enforcement actions are proportionate to the severity and nature of the issue. The draft Policy adopts a risk based, graduated and proportional approach to compliance and enforcement, for matters that are within the remit of the City of Melville.

The draft Policy encapsulates the principles of natural justice and procedural fairness, including initial assumption that involved parties want to comply and cooperate with the City. It also references but does not completely describe legislated processes of enforcement in conjunction with the City of Melville Risk Matrix (Attachment 3).

ENGAGEMENT

Engagement activities that have been undertaken to this point include consultation with City of Melville managers who undertake compliance activities and the City's Governance team, whose advice has been incorporated into the draft Policy document.

Key advice from the City's Governance team regarding the Policy included:

- Decision-makers must provide genuine consideration to each cases' specifics and merits.
- Policy guides decisions, it cannot dictate outcomes.
- Separation of powers ensures that policies do not override statutory discretion.
- Legislative enforcement powers are discretionary; policies cannot restrict decision-makers from considering individual case merits.
- Enforcement action requires legislative support, policy is not enforceable

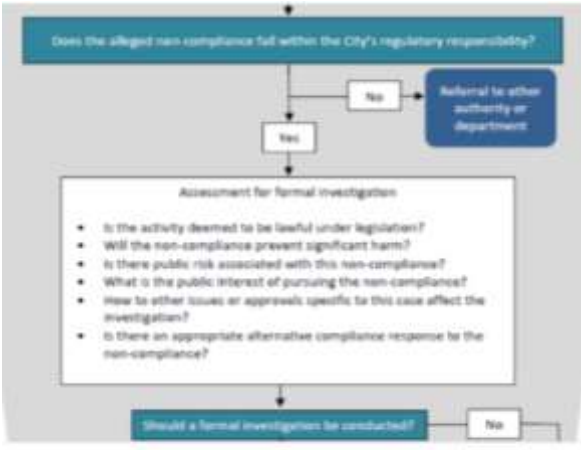
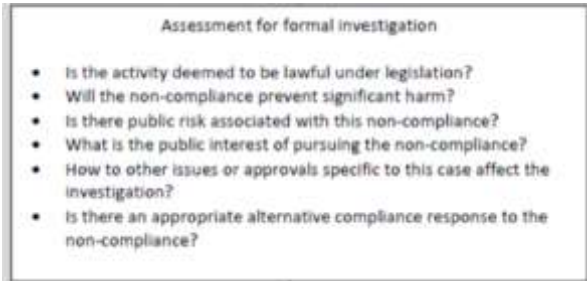
Elected members were briefed on the Policy during the Elected Members Briefing Session held on Tuesday 1 April 2025. Feedback was also sought from Elected members between 2 April and 5 May 2025 with two submissions being received.

A summary of the Feedback received, and Officer responses are listed in the table below.

	Feedback Summary	Officer Response
1	The objectives are all outward facing and that there is nothing in the policy objectives that addresses or seeks to identify, investigate and address internal non-compliance.	It is not the aim of the Policy to react to internal non-compliance matters. There are other avenues that are available to pursue these sorts of issues and they include escalation of matters to: • Supervisory staff, managers or the Executive team; • Elected Members to raise concerns with the CEO; • The Office of the Ombudsman; and/or State or Federal Elected Representatives or Ministers. Further to this, there are internal processes in place that City staff are required to abide by. These include internal Customer Service Standards and the City's Code of Practice.

2	Concerns that nothing will change (internal business as usual) while the concerns raised in the WEIR Report and DLGSC concerns have not been adequately addressed. Concern that this policy will be used as the reason for even more processes and delays for the community when dealing with the City. This is a one size fits all Policy however there are differences in compliance issues ranging from Planning, Building, Parking, Dogs, Trees etc.	This Policy is designed to provide clarification to Officers and enable them to understand the tools that they have to undertake compliance work whilst considering the facts and circumstances of each case. We believe that this Policy will not result in “business as usual” as the Policy is a <u>new</u> policy, drafted in accordance with Council’s request and incorporates best practice compliance methodology, with a focus on education, communication and reasonableness. Further to this, there has been significant staff turnover, with new staff employed by the City. This means that there is greater need to ensure alignment in approach and alignment with City Values and consequently, ensuring that the City Officers are held to account for the manner in which we undertake compliance activities. It is the aim of the Compliance and Enforcement Policy to bring identified non-compliances onto an appropriate compliance pathway as soon as reasonably possible. That is not to say that that people will be subject to enforcement action in the first instance – they may be, but the eventual pathway will depend on the individual circumstances and facts of the case. A compliance pathway may include voluntary compliance (as a party may not have known that they have done the wrong thing in some circumstances), guided towards an application and approval process or other methods as outlined in the draft Policy. The statement is correct in that the Policy has been written as a “one size fits all Policy”. The Policy has been written to cover all compliance activities that are under the remit of the City of Melville. The statement is also correct in that there are often differences in the compliance issues within the City’s remit which require different approaches to obtain a compliance outcome. The City’s Policy brings attention to the high-level compliance activities. The differences in these activities within departments will be addressed by those departments via other means and may include the development of more specific departmental procedures, guidelines or standard operating procedures that take into

		account specific legislative processes and the characteristics of the compliance and enforcement activities that they undertake. These procedures and guidelines will be prepared using the adopted Policy and will be operational in nature.
3	You note that the community expects the City to act fairly and respect the rights of the Community. They also expect that the City will act responsibly and will be accountable for any negligence or transgression of the principles of natural justice. There is nothing in the Policy that is anything more than lip service to these principles. As outlined below, the decision diagram itself shows that determination of non-compliance may be made without any contact with the respondent or opportunity to address the alleged non-compliance. Definitely not Customer First.	It is not the purpose of the draft Compliance and Enforcement Policy to address these matters. As stated in the response to Point 1., these matters of City and Officer accountability are addressed within other City documents and supervisory responsibilities. Concerns regarding the determination of a non-compliance can be made without any contact with the respondent or opportunity to address the alleged non-compliance will be correct in some circumstances. An example of this may be a parking infraction. The alleged vehicle owner/driver is not generally contacted prior to receiving an infringement notice. This not the case for a matter of higher complexity, seriousness or impact – such as the construction of an unapproved structure or a food poisoning incident. As stated earlier, this is a Policy that has been drafted to cater for all compliance activities, and the processes undertaken for the compliance work by the various will vary, based on their nature and activities.
4	You noted that you were comfortable with including procedural information within the policy document.	We note that excessive procedural information within a Council Policy may result in administrative issues due to more frequent policy updates to update our procedures as we improve our processes over time (such as implementing systems improvements).
5	You note that both the balance between process adherence and compliance decision making are equally important and closely interrelated. The community must follow the due process in conducting their activities and compliance decision making must also follow a due process. It is illegal to use illegal methods to catch illegal or non-compliant activity. The City in fact needs to maintain a higher standard, because it is entrusted with the use of community funds and there is no excuse for the City to not strictly comply with its duty of care and responsibilities towards both the community and employees.	Agreed. There are various corporate documents that outline the responsibilities and legislative requirements that must be met by the City and its Officers. There are also other independent bodies that provide oversight of the City's activities, including the Office of the Ombudsman, Elected Members of the City or Members of Parliament.

6	Additional Comments regarding the following draft Policy extract:  Proposed Compliance and Enforcement Policy  “Dot point 1. A complaint of non-compliance must require consideration of the alleged activity and then whether the activity itself is the alleged non-compliance or the activity is being conducted in a non-compliant manner. Building is an activity that falls within the authority of the City, Trespass or Assault is not. Building is lawful under the legislation provided that a Building Permit has been obtained and the conditions are being complied with. Consequently, the assessment diagram must first identify the activity and the conditions under which the activity would be compliant and whether the alleged non-compliance are activities that would make that compliant activity non-compliant.”	Sentence 1 response: Agreed, however this is not a process that would be incorporated into a Policy document, but something that should be considered as a standard operating procedure. This is an element of the Officer's investigation process. Sentence 2 response: Agreed. City Officers must always comply with investigative and legislative requirements. It is the aim of the Policy for City Officers to work cooperatively with stakeholders where appropriate / appropriate. Sentence 3 response: Agreed. Sentence 4 response: Agreed, on page 9 of the draft Policy it identifies Regulatory Assistance and states: <i>“Where a breach relates to use or works or activity undertaken without approval, the City may guide and assist the party to submit an application where such a development or activity is capable of approval, subject to a merits-based assessment.</i> <i>The City may allow the minor offence to continue (subject to ongoing cooperation) until the appropriate application is determined, dependent on the scale and impact.”</i> This statement highlights the need for assisted compliance in some cases, where the City is able to work with the stakeholder to achieve compliance without the need for punitive enforcement action. The draft Policy is stating that if a non-compliant activity was likely to cause harm, this information is important to understand the seriousness of the non-compliance, and that this will go some way to inform the City's compliance and enforcement response. There is no inference to seek activity to be conducted in manner which does not comply.
7	Dot point 2 “Will the non-compliance prevent significant harm?” Is that suggesting that a compliant activity if conducted compliantly would be likely to cause significant harm and that the activity must be conducted non-compliantly to prevent significant harm? Surely the compliant activity should not have been approved in the first place if it would have placed anyone at risk of significant harm? Also, how does the assessment	The draft Policy is stating that if a non-compliant activity was likely to cause harm, this information is important to understand the seriousness of the non-compliance, and that this will go some way to inform the City's compliance and enforcement response. There is no inference to seek activity to be conducted in manner which does not comply.

	procedure which has gone directly from a complaint of non-compliance to an assessment of whether to conduct a formal investigation make a decision on how the alleged non-compliance prevents significant harm?	The final sentence states: <i>“Also, how does the assessment procedure which has gone directly from a complaint of non-compliance to an assessment of whether to conduct a formal investigation make a decision on how the alleged non-compliance prevents significant harm?”</i> The diagram provided within the draft Policy is a guide as to the sorts of questions that investigative Officers ask themselves to determine the appropriate initial compliance path forward. It is not an exhaustive list and provides the reader with some insight and a high-level understanding of how an investigation might be considered to determine its individual circumstances and facts. It is also important to note that a compliance pathway may change as new information becomes evident.
8	Dot point 3 “Is there public risk ...” Essentially there is no or very limited public risk in building a properly constructed shed in your own backyard, but it is non-compliant if it has been built without a building permit, so I am unsure of the relevance of this criteria. The assessment needs to address relevant criteria.	There is an element of public risk in building without the necessary building approvals. A building built without an approval may result in the structure being structurally unsound or located partially on neighbouring land. Furthermore, if there was an incident with the building or its construction, in absence of having the necessary building approval, there may be insurance challenges or challenges in the sale of the property in the future. As outlined above, the assessment is not an exhaustive list and is a guide as to the sorts of questions that investigative Officers ask themselves to determine the most appropriate compliance path forward.
9	Dot point 4. “What is the public interest...” The City has pursued and prosecuted non-compliance with the R Codes requirement for 50% visibility in front fences when there has been widespread community support for the front fence and no public interest in having these walls being made “compliant”. At the same time there is widespread global and local community interest in protecting the foreshore and wildlife and yet a small number of dog owners allow their pets to roam freely without leashes on waterfront areas and the City refuses to take action other than to place small signs which are poorly located and easily ignored. Who makes the decision as to what is the public interest? Either an activity is being	As outlined above, the assessment is not an exhaustive list and is a guide as to the sorts of questions that investigative Officers ask themselves to determine a compliance path forward. The investigation Officer and supervisors will make a determination regarding public interest.

	conducted compliantly, or it is not. A decision to prosecute may require consideration of the public interest, but not a decision to assess whether the activity is being carried out and if the activity is compliant.	
10	This should be the first step of review in relation to complaints of non-compliance. In the past the City has made accusations of building without a building licence and the home owner has produced the building licence. Clearly, the City failed to check its own records before jumping to conclusions. An initial verification process involving examination of the City's records is vital to ensuring that the City does not waste resources or jump to conclusions and make false accusations.	The statement refers to a prior matter and asserts that the City, in the past, has made accusations about matters and failed to check records. This is a matter of appropriate record keeping and operational procedures having more robust record review processes. Whilst we cannot comment on individual matters without more context, we can restate that the City has internal standards of Officer conduct that must be adhered to. Where Officer errors or failings are identified, they are managed internally in accordance with the City's performance requirements, where affected parties will be appropriately informed as to the outcome of the investigation and informed of any internal process changes made as a result of their Officer complaint. The City welcomes feedback from the community and other stakeholders that can assist with improving the City's performance and processes. It is important to note that identified failings within the City's records systems are being addressed with upgrades to ensure appropriate support and access. The City looks forward to having more robust and reliable records management systems in place that will enable for improved customer service outcomes.
11	Dot point 6. "Is there an alternative.." This requires the decision maker to have already decided that there is non-compliance. This is premature and does not follow the principles of natural justice which require that before a decision is made, the respondent is entitled to be advised of the accusation and has been given the opportunity to respond.	As outlined above, the assessment is not an exhaustive list and is a guide as to the sorts of questions that investigative Officers ask themselves to determine a compliance path forward.
12	Separation of powers - the existing policy makes clear that Elected Members are not exercising functions in relation to prosecutions, which is appropriate. The new policy is less clear on this point, and the summary of changes indicate that Elected	Agreed. Within the Policy statement a change has been made to reflect this feedback. Changes made now include the following: "The City recognises the importance of the

	Members are now bound by the policy. For clarity it should be explained that Elected Members have no function in relation to the direct application of compliance and enforcement matters.	separation of powers between: - the adoption of Local Laws and Policy by Council, acknowledging that Elected Members have no direct role in the application of compliance or enforcement matters; and - the investigation function and the application of compliance and enforcement actions which are the responsibility of Authorised Officers acting under delegated authority, in accordance with applicable legislation and policies.”
13	The clear statement in the original policy at point 2 is now absent. This seems a significant omission; the point it makes that compliance is mandatory is and should be the starting point for compliance matters. Where compliance can be secured without enforcement action, including by education, this is usually to be preferred. But the starting point is that compliance is not optional. A similar statement should be reintroduced.	Agreed, an Objective has been included in the draft Policy at point number 1 which states that: “The primary purpose of the City of Melville’s compliance and enforcement functions are to achieve regulatory compliance and prevent offences through education and incentives, including formal action where necessary.” The Section stated in the existing Policy that is referenced in the feedback states that: “Compliance with the law is not an option: it is an obligation. The primary purpose of the City of Melville’s compliance and enforcement function is to achieve regulatory compliance and prevent offences through education and incentives, including formal action where necessary” The purpose of the minor edit from the current policy is to moderate the language, and that explicitly stating that compliance with the law is a requirement is redundant. Legal compliance is obligatory irrespective of whether it is stated in the Policy.
14	Unclear why we have a statement indicating that we will not proceed with prosecutions in absentia (that is where the offender cannot be found). In some circumstances that will be appropriate.	The statement within the draft Policy is introduced (policy page 13) with the following: “A prosecution may be discontinued where...” The statement is worded in this manner to outline circumstances where a prosecution may be discontinued. It is not an exhaustive or absolute statement and is intended to provide the reader with an understanding of the sorts of reasons why a prosecution may be discontinued by the City. Any decision to not proceed with a prosecution is made under

		delegation.
15	The statement that we will discontinue prosecutions on legal advice is slightly problematic. Where we outsource prosecution to a 3rd party (eg. by briefing an external lawyer) this would occur as a matter of course. Where we undertake the prosecution, it would be inappropriate for the policy to outsource part of our prosecutorial discretion to third party advice. That is, this should be a matter that goes with the determination to outsource a prosecution; either we retain the exercise of discretion or we do not.	Agreed. It is not the intention of the draft Policy statement to outsource decision making but explain that external advice may contribute to the City's decision making, It is not an exhaustive or absolute statement, and its intent is to outline the sorts of reasons that the City may decide to not proceed with a prosecution, based on all information available to the City at that time. The clause had been changed and now reads: "Where external guidance indicates that the discontinuation of a prosecution would be an appropriate pathway forward and in the interests of the City, based on information available."
16	The older policy makes clear that escalating a matter to prosecution will be appropriate where there is a financial advantage to non-compliance. That is, we do not want to encourage a situation where non-compliance becomes routine where it is financially advantageous to pay the penalty and continue with the con-compliance. The policy should be clear that escalation to prosecution is expected in those circumstances (10. i in the old policy).	The City agrees that encouraging financially advantageous non-compliance is undesirable and not an outcome that is consistent with the Policy's objectives. The draft Policy incorporates a pictorial on page 4 of the policy, which describes where a "Deliberate or serious non-compliance" occurs where "A small number of people decided not to comply" the pictorial describes, in this case, that the City's response would be to "Apply strong enforcement provisions of the legislation".
17	It is not clear to me why the assumption "that involved parties want to comply and cooperate with the City." is being incorporated. This is doubtless the case in many instances. However it is also going to not be the case in others. Starting with such an assumption in a blanket sense risks blunting effective enforcement responses in the cases where the presumption does not hold. Alongside the removal of the statement that compliance is mandatory, and taken together with the increased focus on 'proportionate' and 'cost-effective' action, the risk is that lower level enforcement actions will be preferred where they are not appropriate. I note the broader remarks made in relation to ASIC which arose out of the royal commission into banking - that a set of prosecution policies which focused on working with the industry being regulated led to weak compliance action. Especially as regards large commercial developers, a similar risk exists for the city.	This statement was included to provide the reader with an understanding that the City will commence an investigation in a cooperative and informing way. This statement informs the reader that the City assumes, in the first instance, that a party applicable to an investigation, has not made a decision to not comply with a legislative requirement. Often a party is not familiar with the legislative requirements of all matters that they become involved with, and as a result may make errors in judgement. This is a relatively common occurrence, particularly with matters that members of the community are not regularly involved with. The City agrees that this will not always be the case, especially with compliance matters that the community are expected to be more familiar with due to their frequency or topical nature.

		If Council is of the view that this clarifying statement is not required within the Policy, the sentence can be restated from the existing: “The Policy encapsulates the principles of natural justice and procedural fairness including initial assumption that involved parties want to comply and cooperate with the City.” to: “The Policy encapsulates the principles of natural justice and procedural fairness”.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications presented as part of this report.

LEGISLATIVE AND POLICY ALIGNMENT

- CP-114 Compliance and Enforcement Policy
- CP125 Neighbour Dispute Mediation Policy
- OP42 Managing Unreasonable Behaviour Policy
- City of Melville Codes of Conduct
- City of Melville Customer Service Charter
- City of Melville Risk Matrix
- Local Government Act 1995
- Local Government (Miscellaneous Provisions) Act 1960
- Building Act 2011
- Bush Fires Act 1954
- Caravan and Camping Grounds Act 1995
- Cat Act 2011
- Control of Vehicles (Off Road Areas) Act 1978
- Criminal Procedure Act 2004
- Dog Act 1976
- Environmental Protection Act 1986
- Fines, Penalties and Infringement Notices Enforcement Act 1994
- Food Act 2008
- Graffiti Vandalism Act 2016
- Health Miscellaneous Provisions Act) 1911
- Litter Act 1979
- Planning and Development Act 2005

- Public Health Act 2016
- All subsidiary legislation applicable to the Acts as listed above
- All City of Melville Local Laws

FINANCIAL IMPLICATIONS

There are no additional financial implications to the adoption of this recommendation. The recommendation, if adopted, will utilise existing budgeted resources to undertake compliance tasks based on existing levels of service.

CONSEQUENCE

If the recommendation is not adopted by Council, the draft Compliance and Enforcement Policy will not be adopted and the existing Policy will remain in place. Therefore, if Council does not support the draft Policy but does not wish to retain the existing Policy, then an alternate recommendation is required for further review, ideally with specific direction of the review.

BRIEFING FORUM – FURTHER INFORMATION

At the Agenda Briefing Forum held on Tuesday, 10 June 2025, the following questions and/or requests for information were raised by Elected Members and now form part of the Final Ordinary Meeting of Council Business Papers:

Question 1:

What is the City's view on having a community reference group to review the policy?

Response 1:

It is the City's view that compliance actions is an administrative function and is undertaken in accordance with legislative requirements. Therefore, community involvement with that may not be beneficial in progressing those sorts of issues. However, the Council has established a Policy & Legislation Committee to facilitate those robust discussions. The policy is also being proposed in the recommendation to go out for community feedback, which provides an opportunity for members of the community to provide submissions and the policy will only be authorised should there be no objection received in response to the consultation.

Question 2:

If there was potentially a community reference group set up would that then fall under the same payment and meeting attendance fees as previous groups?

Response 2:

Yes, if the Committee was established under the Local Government Act, they would be entitled to those payments.

15.2 Reports of the Chief Executive Officer

Management Services

M25/52 **City of Melville Corporate Business Plan 2025-2029 – Annual Review**

This item was brought forward in the agenda – please see page 19.

CONFIRMED

Corporate Services

C25/282 2025 Annual Review of Delegations, Authorisations and Appointments

This item was brought forward in the agenda – please see page 24.

CONFIRMED

C25/284 Investment Statements for April 2025

File Number:	
Responsible Officer:	Director Corporate Services
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	No officer involved in the preparation of this report has a declarable interest in this matter.
Attachments:	Nil

COUNCIL'S ROLE

Information: For the Council / Committee to note.

SUMMARY

- This report presents the investment statements for the period ending 30 April 2025 and recommends that it be noted by the Council.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (C25/284)

At 6:54pm Cr S Green moved, seconded Cr N Robins

That the Council notes the Investment Report for the period ending 30 April 2025.

At 7:00pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY EN BLOC (10/0)

PURPOSE

To report on the performance of the City's investment portfolio for the month of April 2025.

The City's investment portfolio is invested in highly secure investments with a low level of risk yielding a weighted average rate of return of 4.49% to 4.96% which exceeds the benchmark three month bank bill swap (BBSW) reference rate of 4.02%.

27% of the City's investment portfolio is invested in authorised deposit taking institutions that do not lend to industries engaged in the exploration for, or production of, fossil fuels. This compared to 23% in March 2024.

Future investment earnings will be determined by the cash flows of the City and movements in interest rates on term deposits.

STRATEGIC ALIGNMENT

Outcome	5	Leadership and good governance for the benefit of the whole community.
Objective	5	Good Governance and Leadership
	5.1	Provide transparent and accountable good governance.
	5.2	Ensure long term financial sustainability, strategic advocacy and partnerships, and diverse revenue streams.
	5.3	Ensure efficient and effective use of assets, resources and technology.

BACKGROUND

The City of Melville (the City) has cash holdings as a result of timing differences between the collection of revenue and its expenditure. Whilst these funds are held by the City they are invested in appropriately rated and liquid investments.

The investment of cash holdings is undertaken in accordance with Council Policy CP-009 - Investment of Funds, with the objective of maximising returns whilst maintaining low levels of credit risk exposure.

CONSIDERATION

The following statement details the investments held by the City of Melville as at 30 April 2025.

CITY OF MELVILLE STATEMENT OF INVESTMENTS FOR THE PERIOD ENDING 30 APRIL 2025		
SUMMARY BY FUND		
Municipal		\$27,164,643
Reserve		\$146,651,724
Citizen Relief		\$248,191
TOTAL		\$174,064,558
SUMMARY BY INVESTMENT TYPE		
11AM		\$15,223,904
60Days at Call		\$2,000,000
90Days at Call		\$16,600,000
Term Deposit		\$140,240,653
TOTAL		\$174,064,558
SUMMARY BY CREDIT RATING		
AAA Category	AAA	

AA Category (AA+ to AA-)	AA-	\$129,964,558
A Category (A+ to A-)	A+	
	A	
BBB+ Category	A-	\$44,100,000
	BBB+	
TOTAL		\$174,064,558

The City's total investments amount to \$174.06 million, mainly held in Municipal Funds (\$27.16M) and Reserve Funds (\$146.65M) which are restricted to the defined purpose for which the reserve account was established.

Key Points

- Most of the funds (\$140.24M) are in Term Deposits, ensuring secure and stable returns.
- Short-term investments include 11AM accounts (\$15.22M) this account is a money market deposit that allows the City to access funds for daily financial needs if notice is given before 11AM, and call deposits totalling (\$18.60M). These funds allow the City to meet financial obligations, including suppliers' payment and other debt repayments, without disruptions to its services.
- The portfolio is low-risk, with 75% of funds in AA Category rated institutions and 25% in A Category rated institutions.
- There are no investments in AAA-rated and BBB+ institutions and effort are undertaken to invest in accordance with Council Investment Policy CP-009.

Overall, the City's investments remain secure, well-distributed, and aligned with financial stability goals.

Investment with financial institutions						
Institution	Credit Rating	Credit Rating Category	Funds held at period end	Actual %	Limit Per Policy	
Bank of Queensland	A-	A Category	\$ 28,100,000	16.14%	30.00%	✓
Bendigo & Adelaide	A-	A Category	\$ 16,000,000	9.19%	30.00%	✓
Suncorp	AA-	A Category	\$ 31,000,000	17.81%	50.00%	✓
NAB	AA-	AA Category	\$ 29,422,998	16.90%	50.00%	✓
Westpac	AA-	AA Category	\$ 69,541,560	39.95%	50.00%	✓
TOTAL			\$ 174,064,558	100%		

*Standard & Poor's ratings. Source: Policy No. CP-009: Investment of Funds

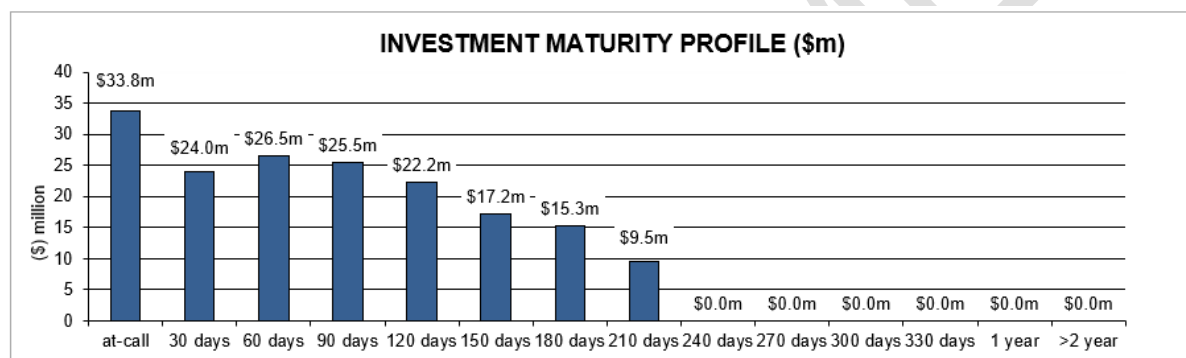
The City's investments were invested within the limits allowed within each category rating for April 2025.

Maximum Percentage of Average Investment Portfolio Balance				
Long Term Rating	Funds held at period end \$	Actual %	Limit Per Policy	
AAA Category	\$ -	0%	100%	✓
AA Category (AA+ to AA-)	\$ 129,964,558	75%	80%	✓
A Category (A+ to A-)	\$ 44,100,000	25%	50%	✓
BBB+ Category	\$ -	0%	25%	✓
TOTAL	\$ 174,064,558	100%		

*Standard & Poor's ratings. Source: Policy No. CP-009: Investment of Funds

The City's investments meet the requirements of the portfolio credit framework, as per the Investment Policy, and shown in the table above.

The below graph summarises the maturity profile of the City's investments at market value as at 30 April 2025. The immediacy of the demand for funds depends on the particular fund or reserve Account(s) of the City. The maturity profile provided in the table above meets the liquidity requirements of the Council policy.



The above Investment Maturity Profile graph for April 2025 provides an overview of the City's investment portfolio, categorising term deposits based on their maturity periods. The maturity profile of the City's investments is aligned with Council's investment policy, cash flow requirements, and prevailing market conditions. Interest rate fluctuations will continue to influence the term of the reinvestment decisions to ensure optimal financial outcomes.

The City's current investment approach prioritises short-term liquidity to meet operational needs and unforeseen expenses rather than focusing on long-term yield opportunities.

A significant portion of funds (\$33.8M) is available for immediate use, ensuring sufficient liquidity for day-to-day operations. This allows the City to meet financial obligations, including suppliers' payment and other debt repayments, without disruptions to its services.

Investments are well-distributed across various short- to medium-term maturities, with notable allocations in 90 days (\$25.5M), 120 days (\$22.2M), 150 days (\$17.2M), and 180 days (\$15.3M). This structured approach ensures financial stability while balancing liquidity needs and optimising returns. The estimated average cash outflow requirement of the City is between \$13M to \$16M per month.

There is no portfolio allocation beyond 210 days due to uncompetitive interest rates offered for term deposit resulting from the RBA interest rate cuts on 18 February 2025 and 20 May 2025. There are no long-term investments exceeding one year, as the City's investment strategy aligns with its annual revenue cycle, primarily driven by rate collections.

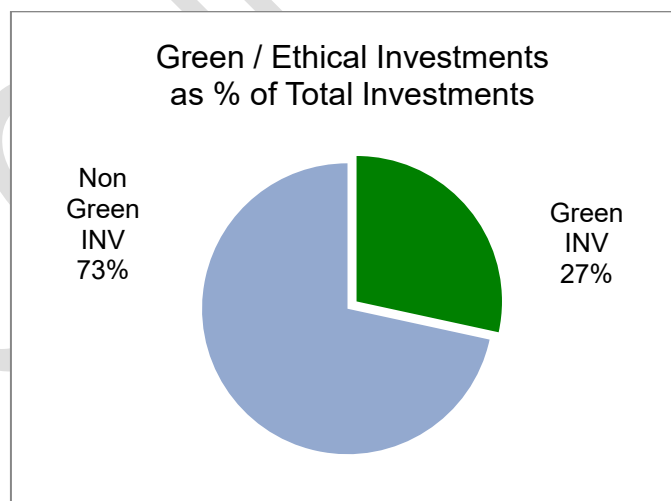
Additionally, the City maintains a balanced risk exposure, diversifying investments within shorter timeframes to mitigate financial and interest rate risks.

The City exercises a deliberative preference in favour of green/ethical investments. This preference will however only be exercised after the foremost investment considerations of credit rating, comparable rate and risk diversification are fully satisfied.

"Green investments" are authorised investment products made in authorised institutions that respect the environment by not investing in fossil fuel industries.

Environmental, Social & Governance Term Deposit (ESGTD) is a similar product to Green investments. ESGTD's provide the opportunity to invest in products that seek to mitigate environmental and social risks.

The total investment in authorised institutions as at 30 April 2025 was \$47,000,000 or 27% of total investment holdings being in non-fossil fuels institutions, compared to \$42,000,000 (23%) in March 2025. The total investments holding for April and March were \$174,064,558 and \$184,164,558 respectively.



Green / Ethical Investment with financial institutions

Institution	Credit Rating	Credit Rating Category	Funds held at period end
Bendigo & Adelaide	A-	A Category	\$ 16,000,000
Suncorp	AA-	AA Category	\$ 31,000,000
TOTAL			\$ 47,000,000

The Green investments are allocated across the two banks mentioned above, in alignment with the Council's credit rating policy.

The City continues to engage in active discussions with financial institutions regarding the availability of ESG Tailored Deposit (ESGTD) products. Westpac has offered AUD Green Tailored Deposits and AUD Social Tailored Deposits; however, total investments with Westpac have nearly reached the maximum limit permitted under the City's Investment Policy.

While the City maintains a preference for green and ethical investments, this is only exercised after ensuring that all requirements related to credit rating, competitive interest rates, and risk diversification are fully met.

In addition, the City has held formal discussions with CBA, NAB and Bank of Queensland to explore potential ESGTD and Green Term Deposit options. At this stage, these banks are in the exploratory and development phases of these products. Currently, there are no suitable ESGTD products available in the market that meet the City's Investment Policy requirements.

ENGAGEMENT

This report is available to members of the public on the City's website. A wide range of suitably credit rated Authorised Deposit-taking Institutions (ADI's) were engaged with during the month in respect to the placement and renewal of investments.

SUSTAINABILITY IMPLICATIONS

Strategic

The interest earned on invested funds assists in addressing the following key priority area identified in The City of Melville Corporate Business Plan 2024-34.

Priority Number One – "Restricted current revenue base and increasing/changing service demands impacts on rates".

Risk

The Council's Investment of Funds Policy CP-009 was drafted to minimise credit risk through investing in highly rated securities and diversification. The Policy also incorporates mechanisms that protect the City's investments from undue volatility risk as well as the risk to reputation because of investments that may be perceived as unsuitable by the Community.

Environmental

When investing the City's funds, a deliberative preference will be made in favour of authorised institutions that respect the environment by not investing in fossil fuel industries. This preference will, however, only be exercised after the foremost investment considerations of credit rating, risk diversification and interest rate return are fully satisfied.

LEGISLATIVE AND POLICY ALIGNMENT

The following legislation is relevant to this report:

- *Local Government (Financial Management) Regulations 1996 Regulation 19 – Management of Investments*
- *Trustee Act 1962 (Part 3)*

Authorised Deposit-taking Institutions are authorised under the *Banking Act 1959* and are subject to Prudential Standards oversight by the Australian Prudential Regulation Authority (APRA).

The *Local Government (Financial Management) Regulations 1996* (regulation 19C) allows local governments to deposit funds for a fixed term of three years or less. Deposits of greater than one year may, depending on the shape of the yield curve, enable the City to achieve better investment returns.

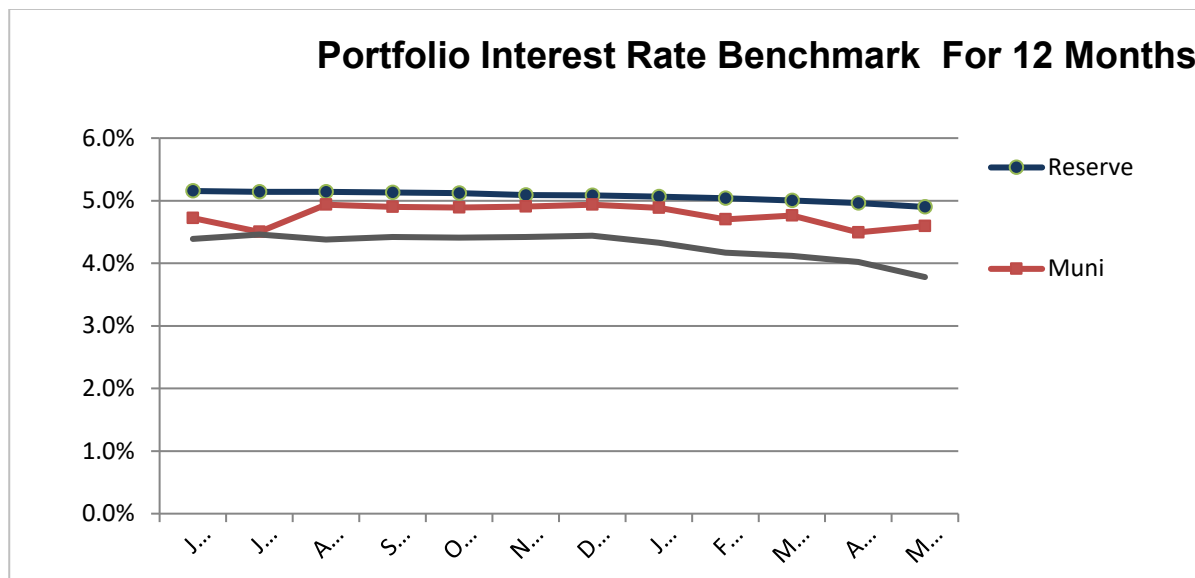
Council Policy CP-009 – Investment of Funds provides guidelines with respect to the investment of City of Melville (the City) funds by defining levels of risk considered prudent for public monies. Liquidity requirements are determined to ensure the funds are available as and when required and take account of appropriate benchmarks for rates of return commensurate with the low levels of risk and liquidity requirements. The types of investments that the City has the power to invest in is limited by prescriptive legislative provisions governed by the *Local Government Act 1995*, *Local Government (Financial Management) Regulations 1996* and Part III of the *Trustees Act 1962*.

FINANCIAL IMPLICATIONS

For the period ending 30 April 2025:

Year-to-date Investment earnings on term deposits held in reserve accounts, money at call accounts and the municipal account in aggregate, was \$6,031,342 against a year-to-date budget of \$6,905,000 representing a negative variance of \$873,658. This negative variance is mainly due to timing differences, reflecting the impact of a reduced interest income forecast for remaining period until 30 June incorporated into the Mid-Year Budget Review.

The weighted average interest rate for Municipal and Trust Fund investments as at 30 April 2025 was 4.73% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 4.02%.



CONSEQUENCE

There are no consequences or alternative options presented as part of this report.

BRIEFING FORUM – FURTHER INFORMATION

At the Agenda Briefing Forum held on Tuesday, 10 June 2025, there were no questions or requests for further information in relation to this item.

C25/286 Statements of Financial Activity for April 2025

This item was brought forward in the agenda – please see page 33.

CONFIRMED

C25/288 RFT242512 – Restricted Tender Supply & Implementation of a Customer Experience, Relationship & Request Management Platform

This item was brought forward in the agenda – please see page 13.

CONFIRMED

Community Development**CD25/46 Proposed Parking Station - Former Bridge Club Location (788, 790, 792 & 794 Canning Highway Applecross)**

File Number:	
Responsible Officer:	Director Community Development
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	No officer involved in the preparation of this report has a declarable interest in the matter.
Attachments:	Nil

COUNCIL'S ROLE

Legislative: Includes adopting local laws, town planning schemes & policies.

SUMMARY

- The subject site at 788, 790, 792, and 749 Canning Highway was formerly occupied by the Melville Bridge Club and now remains undeveloped.
- The on-site car park (approximately car bays 40 bays) remains in use by commuters due to its proximity to Transperth bus services.
- The site provides an opportunity to generate revenue and ensure consistency across the City's parking infrastructure.
- Recommended initial flat daily rate of \$5 per day.
- Estimated implementation cost is approximately \$8,000–\$10,000 and potential annual revenue of approximately \$45,000 with an upside of \$50,000 at full occupancy.
- To establish the location as a Parking Station, the City requires a Council Resolution in accordance with the City of Melville Parking Local Law 2023.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (CD25/46)

At 6:54pm Cr S Green moved, seconded Cr N Robins

That the Council:

1. Approves the designation of the car park located at 788, 790, 792 and 749 Canning Highway as a paid parking station under the City of Melville Parking Local Law 2023; and
2. Approves the designation of metred zones on the subject sites adjacent verges of Tain Street and Simpson Street Applecross; and
3. Approves an initial daily flat rate of \$5 per vehicle.

At 7:00pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY EN BLOC (10/0)

PURPOSE

To seek Council approval to formalise and implement a paid parking station at 788, 790, 792, and 749 Canning Highway to improve local parking consistency, support public transport users, and generate operational revenue for the City.

STRATEGIC ALIGNMENT

Outcome	3	Sustainable, connected development and transport infrastructure across our City.
Objective	3	Sustainable and Connected Development
	3.5	Facilitate improved integrated public transport solutions.

BACKGROUND

The subject site, previously the location of the City of Melville Bridge Club, has remained undeveloped since the building was demolished in late 2019. The existing car park is regularly used by commuters due to its immediate proximity to a Transperth bus stop and surrounding transport infrastructure.

With approximately 40 formal bays and additional informal parking occurring, the site has become a popular and unsanctioned park-and-ride location.

A recent review of the subject site indicates that development is unlikely to occur in the immediate future, presenting an opportunity to formalise the current consistent but informal parking arrangements.

CONSIDERATION

The subject site (image below), comprising 788, 790, 792, and 749 Canning Highway, remains undeveloped following the closure and demolition of the former Melville Bridge Club in 2019. Despite the building's removal, the on-site car park (containing approximately 40 formalised bays) was retained in a usable condition and has since become an informal park-and-ride location due to an adjacent Transperth bus stop and proximity to regional transport corridors.



Image 1: Subject Site
Blue highlighted area – Parking Station
Orange highlighted areas – Metred Zones

A recent site inspection and usage assessment confirm that the car park operates at high occupancy during weekdays, predominantly by commuters who utilise the Transperth bus network. In addition to the formalised bays, there is evidence of informal verge and unmarked bay usage, indicating demand in excess of the structured supply.

When the bays within the subject site are fully occupied a number of motorists park on adjacent verges along Tain Street and Simpson Street Applecross.

The current use of the site, while beneficial to users, is unmanaged, unregulated, and unsupervised. This has created several operational concerns:

- Inconsistent use of the verge and unmarked areas
- Lack of signage or regulation makes enforcement of undesirable behaviour difficult
- Possible damage and safety risks due to the high use of the ground
- No revenue is generated from daily use, despite possible maintenance and oversight by the City

Formalising the site as a temporary paid parking station and metred zones under the City of Melville Parking Local Law 2023 until the subject site is redeveloped will:

- Enable consistent enforcement, supported by regulatory signage and clear bay markings
- Promote equitable use of City-managed parking assets across the City's parking infrastructure
- Ensure commuter parking is retained in an orderly and compliant manner until the site is redeveloped

- Improve community awareness that the location is a temporary parking area, not considered for long-term use
- Create a new source of revenue from an otherwise dormant site

Comparative Options

A review of comparative public transport parking options highlights Murdoch and Bull Creek Stations offer parking at \$2/day but are further away and near capacity during peak times.

The City of Perth charges between \$15–\$18/day in CBD areas, but require motorists to drive into the City, often at Peak times.

Aside from the options mentioned above, there are limited other options for people to park and use public transport.

Proposed Implementation

The proposed implementation plan includes:

- Applying parking restrictions between 8:00AM – 5:00PM Monday to Friday.
- Introducing a daily flat rate of \$5 per day.
- Installing pay-by-app signage and completing minor infrastructure upgrades including bay re-marking and verge signage.
- Designating the adjacent verges along Tain Street and Simpson Street as 4-hour time-limited, fee-free parking zones. Beyond this period, apply the same \$5 flat daily rate as the subject site to discourage long-term commuter parking shifting to the verges in order to avoid payment.

The implementation plan does not recommend the installation of parking meters, as this may imply that the parking station is intended for long-term use. Given the routine nature of users at this location, a pay-by-app system is considered more suitable and convenient for the sites users.

The site remains a longer-term development opportunity. However, the interim use as a managed parking station ensures the City meets its obligations in maintaining the property while delivering short-term community benefits.

ENGAGEMENT

Internal stakeholder engagement has occurred to assess operational and budgetary implications. Following Council approval, site signage and localised community advertisement will be implemented to inform regular users of the changes and timing.

Subject to Council approval at the June 2025 OMC, it is proposed that the parking charges commence in early September 2025, allowing sufficient time to notify motorists and enable those who do not wish to pay the flat rate to make alternative arrangements.

The fee proposed in this report is included in the 2025-2026 Fees and Charges (listed for adoption within the same business papers). Should Council resolve not to adopt the fees and charges, or that a different fee is appropriate, then Elected Members will need to move an alternative motion for the different fee.

SUSTAINABILITY IMPLICATIONS

The proposal supports public transport usage by retaining access to parking near existing bus services while promoting more sustainable and equitable use of parking infrastructure through demand-based pricing.

LEGISLATIVE AND POLICY ALIGNMENT

City of Melville Parking Local Law 2023 requires a council resolution to formalise the paid parking station (subject site) and metred zone (adjacent verges).

FINANCIAL IMPLICATIONS

The City's 2025/26 budget includes funds to support the initial set-up, which is estimated at \$8,000–\$10,000.

Revenue modelling demonstrates that even modest uptake at 90% occupancy could generate between \$45,000 annually, with an upper yield of \$50,000/year based on full occupancy of the formalised car park. Revenue generated from the adjacent verges would generate an additional, but negligible return.

Should Council request the installation of a parking meter, estimated costs range between \$10,000 and \$28,000 for a single unit. This variance accounts for potential power supply requirements, as solar-powered meters may not be feasible at the subject site.

CONSEQUENCE

If the proposal is not adopted:

- The City will forgo potential revenue of approximately \$50,000 annually
- Inconsistent parking management practices will persist, resulting in an inequitable situation where commuters in other areas of the City are disadvantaged by being required to pay for parking while users of this site park for free
- Informal parking behaviour may continue to negatively impact local amenity, while the City remains responsible for ongoing maintenance and care of the site without recovering any costs associated with wear and tear resulting from the current unregulated parking arrangement

BRIEFING FORUM – FURTHER INFORMATION

At the Agenda Briefing Forum held on Tuesday, 10 June 2025, the following questions and/or requests for information were raised by Elected Members and now form part of the Final Ordinary Meeting of Council Business Papers:

Question 1:

Is the City anticipating people parking in the sandy areas?

Response 1:

It's likely to happen, it's currently happening now. So the signage will reflect that if they do park in the sandy areas is that the expectation is that they would have to purchase a ticket and failure to do so would be an offense.

Question 2:

Is the City going to be putting markings or infrastructure in place to show where people should be parking in the sandy areas?

Response 2:

The City's preference is for them not to park there, but if they do so, there will be signage up with the advice to purchase a ticket.

Question 3:

When will the marketing campaign occur for the sale of the land, and how long will the campaign be?

Response 3:

There is currently no date for the campaign at this stage. The process at this point is requesting proposals, 410 will be open for six weeks and 788 is proposed to be open for eight weeks. They will come back and be assessed by staff and a report presented to the Council to accept and progress any of the proposals. In terms of the timing, it will be a lengthy process which is likely to be next year.

Question 4:

If we're out for requests for proposals, it might not be prudent to wait for the result of that. So, what is the scope for us to wait until after the responses for the request for proposals come in?

Response 4:

From a financial perspective, there would be an income obtained from this. Secondly, once the City goes through this process, it may be a condition where it's still used as a temporary parking station up until the planning approval process for whatever the future land could be used for is completed, and the site handed over. Part of the rationale with the new signage to be installed will be making it clear that this is a temporary parking facility.

Question 5:

Can you comment on the practicality and logistics of having ticketed parking on the sandy areas for the sandy areas but not wanting people to park there?

Response 5:

This approach is from a customer experience perspective. However, we could consider disallowing the parking in that space, and it is noted that the City's preference is that they don't park there, but if they do, then they are required to purchase a ticket. When completing the use analysis of the space, we've seen a number of cars parked within the sandy area and the City is trying to be as pragmatic as possible with the space.

Question 6:

How many parking bays are in Bull Creek and Murdoch?

Response 6:

There are 613 bays available at the Bull Creek station, and 1,800 bays at Murdoch.

Question 7:

Can you explain the four hours free, and then after they pay, when across the road there is a three hour free zone, so why is there a differential in the payments?

Response 7:

The four hour free verge nearby is really to cater for people who live nearby, and we don't want to impact them by this proposal, who may have contractors arriving and using the verge nearby. However, if they are using the verges as overflow or for commuter use, then we're trying to make sure that they pay the same fee.

Question 8:

Will people be able to get a physical ticket?

Response 8:

The parking will utilise EasyPark, which is already used across the City. The City will put up a sign with a unique identifying number for the parking, and a QR code which people can use to download and pay for parking. The people using the parking station are regular commuters and are going to the same place each day. Therefore the intent is not to create a new parking destination for people, and are trying to target the people who may be using it already. Using this we're also not increasing our capital expense as it is not a long term parking solution.

Question 9:

What is the \$8,000 to \$10,000 for the implementation actually for?

Response 9:

This will be used for the line marking and infrastructure, as the current parking on the site has degraded so this will improve visibility of the parking bays, and will also be used for the signage within the area.

Question 10:

Is there a cheap solution to improve the condition of the sandy area?

Response 10:

The City does not currently have any indicative pricing for this subject site. However, previous experience suggest that once the City road base it, we have to look at potentially asphalt as the road base gets turned up quite quickly. Therefore, it is recommended that the Council look at what the longer term plan of the site is before starting to increase the capital requirements of the site.

Question 11:

Regarding the site's proximity to the Riseley Street Activity Centre, is the Riseley parking all day parking?

Response 11:

It is a mix of private and City parking, and we are working with the businesses in that area to try and consolidate parking. Regarding the City's parking and all-day parking, the Kearns Crescent parking is currently charged at:

- first 3 hours free and then charged \$2.20 per hour thereafter.

This fee is subject to review and amendments are being proposed in the FY 25-26 Fees and Charges. The private parking operator at the Riseley Street complex charges \$8 for all day parking.

Question 13:

Is the City going to look at other areas of the city where commuters might make the most of free parking?

Response 13:

Yes, the City is actively completing an ongoing review of the City's parking areas, especially around the Canning Bridge area. The Council will see over the next year a number of items coming to the Council in this space.

Question 14:

Is there a way to maximise return without formalising the parking, such as a coin machine or parking meter, and making it more of a temporary option?

Response 14:

The City wouldn't necessarily need a parking meter in there to maximise the potential return, as people who park there are regular users of the facility. So limiting our capital expense will maximise our return, as currently we can't confirm the duration of this solution.

Question 15:

Is the City calling the site a temporary parking area in the signage?

Response 15:

Yes, the signage will be clear that the area is a temporary parking station, and if possible may include some time frames associated with the change of land use in the future.

Question 16:

If the parking overflows to the side street, do you have a plan to stop that?

Response 16:

The City's intention is not to advertise this space as a destination parking space. However, if traffic and parking issues arose, the City would be able to explore this.

CONFIRMED

Planning

Nil.

CONFIRMED

16 MOTIONS WITH PREVIOUS NOTICE**15.1 Notice of Rescission Motion - Removal of Street Tree - 21 Ferguson Street, Alfred Cove**

File Number:	
Elected Member:	Cr Jane Edinger
Item No:	Item E25/67 Request for Removal of Street Tree – 21 Ferguson Street, Alfred Cove
Proposed Motion Name:	Nil.
Attachments	1. City of Melville Statement of Impact (confidential)

MOTION

At 7:09pm Cr J Edinger moved, seconded Cr G Barber

That the Council rescind the recommendation for item E25/67 Request for Removal of Street Tree – 21 Ferguson Street, Alfred Cove and that it be re-presented to Council.

Procedural Motion**COUNCIL RESOLUTION**

At 7:12pm Cr K Wheatland moved, seconded Cr M Woodall

That the motion be put.

At 7:13pm the Presiding Member declared the motion.

CARRIED BY ABSOLUTE MAJORITY (8/2)

Yes (8): Mayor Katy Mair Crs Glynis Barber, Jane Edinger, , Jennifer Spanbroek, Karen Wheatland, Matthew Woodall, Scott Green and Terry Lee

No (2): Crs Nicole Robins and Daniel Lim

COUNCIL RESOLUTION

At 7:09pm Cr J Edinger moved, seconded Cr G Barber

That the Council rescind the recommendation for item E25/67 Request for Removal of Street Tree – 21 Ferguson Street, Alfred Cove and that it be re-presented to Council.

At 7:18pm the Presiding Member declared the motion.

**The vote being Equal the Chair exercised their Casting Vote in Favour of the Motion.
However, an Absolute Majority was not achieved and is LOST (6/5)**

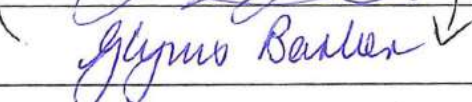
Yes (5): Mayor Katy Mair Crs Glynis Barber, Jane Edinger, , Jennifer Spanbroek and Terry Lee

No (5): Crs Nicole Robins, Karen Wheatland, Matthew Woodall, Daniel Lim and Scott Green

REASONS:

I have been advised that, if the matter was taken to the State Administrative Tribunal (SAT), then the request to remove the tree would be granted. It will cost the City time and money to attend SAT. Hyper-local community consultation was undertaken in relation to removal of this tree, with 12 responses being received, 11 of which support the removal of the tree. As a Council we need to listen to our community. The proponents advised Council that they are prepared to plant 2 advanced indigenous tree saplings to replace the tree being removed.

Note: A rescission motion requires a signature by 1/3rd of the number of offices of members of the Council *Local Government (Administration) Regulations 1996*.

SUPPORTING ELECTED MEMBERS	
Cr J Edinger	
Cr C Ross	
Cr J Spanbroek	
Cr G Barber	
Cr T Lee	

137 MOTIONS WITHOUT PREVIOUS NOTICE (APPROVAL BY ABSOLUTE MAJORITY)

Nil.

CONFIRMED

138 MATTERS FOR WHICH MEETING WAS CLOSED TO THE PUBLIC

For the convenience of those in attendance, this section and associated items was brought forward in the agenda. This included the following items:

- M25/53 Confidential Staffing Matter (Please see page 12); and
- M25/54 Confidential Staffing Matter (Please see page 12); and
- C25/291 Confidential Employee Matter (Please see page 12); and
- C25/289 Financial Management Review Report 2025 (Please see page 12); and
- C25/290 Office of the Auditor General – Purchase Card Audit (Please see page 13)

14 DECISION MADE WHILE MEETING WAS CLOSED TO THE PUBLIC

For the convenience of those in attendance, this section was brought forward in the agenda. Please see page 11.

20 CLOSURE

There being no further business to discuss, the Presiding Member confirmed that Cr J Spanbroek and Cr K Wheatland were still in attendance electronically and declared the meeting closed at 7:19pm.

External Committee Members

Policy Type: Council Policy Policy Owner: Chief Executive Officer	Policy No. CP- 0XX Last Review Date: XX Month 2025

Policy Objectives

To provide transparency regarding payment of fees and reimbursement of expenses to independent committee members, in accordance with the *Local Government Act 1995*, *Local Government (Administration) Regulations 1996*, and determinations of the Salaries and Allowances Tribunal.

Policy Scope

This Policy applies to independent members of committees established under section 5.8 of the Act.

Definitions / Abbreviations Used In Policy

independent committee member means a person appointed to a committee established under s5.8 of the Act but who is neither a council member nor an employee;

determined means determined by the Salaries and Allowances Tribunal under the *Salaries and Allowances Act 1975* section 7BAA;

LG Regulations means *Local Government (Administration) Regulations 1996*.

Policy Statement

Appointment

- Where an independent committee member vacancy arises, a merit-based process will be undertaken to select a suitably qualified and experienced candidate. This process will be line with the processes for selecting members of State Government boards and committees and will include public advertising of the vacancy and evaluation against selection criteria.
- Appointments will be made by the Council in accordance with Section 5.10 of the Local Government Act 1995 and in alignment with the Terms of Reference related to the committee.

Meeting Fees

- Independent committee members will be paid the maximum meeting attendance fee, as determined by the Salaries and Allowances Tribunal, for their attendance at:
 - Meetings of the committee on which they are an appointed member.
 - Meetings of a committee of Council on which they are not a member, but their attendance has been requested by Council

Reimbursable expenses

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4. Independent committee members are entitled to be reimbursed for expenses incurred in performing an authorised function.
5. An authorised function refers to the independent committee member's attendance at the following:
 - a. Meetings of committees of Council on which they are not a member, but their attendance has been requested by the Council.
 - b. Meetings of the Council, where Council has requested their attendance.
 - c. Meetings as required by the CEO, including meeting with City's Employees, or the Office of the Auditor General.
 - d. Training organised by the City for the committee on which they are an appointed independent committee member.

Travel

6. Travel expenses refer to the costs of reasonable travel to and from the location at which independent committee members are required to perform an authorised function. This may include reasonable bus, train, taxi or parking costs, and does not include the cost of any infringements or fines related to travel.
7. Travel costs incurred while driving a privately owned or leased vehicle are to be calculated at the rate determined by the Salaries and Allowances Tribunal, using the shortest or most practical route.
8. The extent to which travel expenses may be reimbursed is to be in accordance with the extent determined by the Salaries and Allowances Tribunal.

Reimbursement claims

9. An independent committee member making a claim for reimbursement is to submit the following information to the Chief Executive Officer within 60 days of the expense being incurred:
 - a. a completed City of Melville reimbursement of expenses form;
 - b. a copy of the receipt(s) for the expense;
 - c. evidence of the nature, amount, date and time of the expense incurred and paid by the independent committee member, and who the independent committee member made payment to, where this information is not provided on the expense receipt.
10. A reimbursement will be authorised by the Chief Executive Officer where:
 - a. The claim for reimbursement contains all required information and documents and has been submitted within 60 days of the expense being incurred.
 - b. The expense is of a kind that the independent committee member is entitled to be reimbursed under this Policy.
 - c. The Chief Executive Officer is satisfied that the sole purpose of the expenditure was for the performance of an authorised function. Governance of fees, allowances and entitlements.

Payments

11. Payment of attendance fees will be included the next available payment run after the meeting, by direct deposit to a nominated bank account.

12. Payment of reimbursable expenses will be included in the next available payment run after the meeting, by direct deposit to a nominated bank account.
13. If an independent committee member is aware of having received a payment in excess of this Policy, the independent committee member must notify the City immediately and return any monies owed to the City.
14. Making a false or fraudulent claim for reimbursement or any other entitlement may be a criminal offence and reported to the Western Australian Police Force and/or the Corruption and Crime Commission.

Code of Conduct

15. Independent committee members are bound by the requirements of the City of Melville Code of Conduct for Elected Members, Committee Members and Candidates.

References that may be applicable to this Policy

Legislative Requirements:

*Local Government Act 1995,
Local Government (Administration) Regulations 1996,*

Procedure, Process Maps, Work Instructions:

Other Plans, Frameworks, Documents Applicable to Policy: City of Melville Code of Conduct for Elected Members, Committee Members and Candidates

Delegated Authority No:

ORIGIN/AUTHORITY

Ordinary Meeting of Council

XX/XX/XX

Item No.

X24/XXX

Reviews

Ordinary Meeting of Council

XX/XX/XX

X24/XXX



Procurement Policy

Policy Type: Council Policy Policy Owner: Director Corporate Services	Policy No. CP- 023 Last Review Date: 06 November 2024

Policy Objectives

The objectives of this Policy are to ensure that procurement activities undertaken by the City of Melville (City):

- demonstrate best value for money.
- are compliant with relevant legislation.
- are recorded in compliance with the *State Records Act 2000* and associated records management practices and procedures.
- mitigate probity risk by establishing consistent and demonstrated processes that promote openness, transparency, fairness and equity to all potential suppliers.
- ~~promote~~ ensure that the consideration benefits of achieving environmental sustainability, environmental and, social outcomes and encouraging local economic activity, are considered in the overall value for money assessment.
- ~~ensure preference to promote the use of~~ carbon neutral and low carbon options aimed at reducing the City's carbon footprint.
- are conducted in a consistent and efficient manner across the City and that ethical decision making is demonstrated.

Policy Scope

This Policy applies to all procurement activity undertaken by the City.

Definitions / Abbreviations Used in Policy

~~Nil~~ ELT: means the Executive Leadership Team which includes the CEO, the Directors, and the Executive Managers.

Policy Statement

1. Policy

The City is committed to delivering best practice in the procurement of goods, services and works that align with the principles of transparency, probity and good governance and complies with the *Local Government Act 1995* (the "**Act**") and Part 4 of the *Local Government (Functions and General) Regulations 1996*, (the "**Regulations**"). Procurement processes and practices to be complied with are defined within this policy and the City's prescribed procurement procedures.

2. Ethics and Integrity

2.1. Code of Conduct

All employees of the City undertaking procurement activities must have regard for the City's Code of Conduct and shall observe the highest standards of ethics and integrity. All Elected Members and employees of the City must always act in an honest and professional manner which supports the standing of the City, complies with the City's Code of Conduct, and ensures the fair and equitable treatment of all parties.

2.2. Procurement Principles

The following principles, standards and behaviours must be observed and enforced through all stages of the procurement process to ensure the fair and equitable treatment of all parties:

- full accountability shall be taken for all procurement decisions and the efficient, effective and proper expenditure of public monies based on achieving value for money.
- all procurement practices shall comply with relevant legislation, Regulations, and requirements consistent with the City's policies and Code of Conduct.
- Procurement ~~is to use its best endeavours to ensure it undertakes a~~ ~~is to be undertaken on a~~ competitive ~~process-basis~~ where all potential suppliers are treated impartially, honestly and consistently.
- all procurement practices shall ensure that no disadvantage is unfairly apportioned to small businesses and include consideration of reasonable accommodation of their capacity.
- all processes, evaluations and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies, audit requirements and relevant legislation.
- best endeavours shall be made to ensure sustainable procurement practices have been evaluated and preferred.
- any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed; and
- any information provided to the City by a supplier shall be treated as commercial-in-confidence and should not be released unless authorised by the supplier or relevant legislation.

3. Value For Money

3.1. Policy

Value for money is achieved through the critical assessment of factors such as price, risk, timeliness, environmental, social, economic and other qualitative factors to determine the most advantageous outcome to be achieved for the City.

The City will apply value for money principles when assessing procurement decisions and acknowledges that the lowest price may not always be the most advantageous.

3.2. Application

An assessment of the best value for money outcome for any procurement process could consider:

- all relevant Whole of Life Costs and benefits including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as, but not limited to, holding costs, consumables, deployment, maintenance, disposal and any other externalities.
- the technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality, including, but not limited to, an assessment of levels and currency of compliances, value adds offered, warranties, guarantees, repair and replacement policies, ease of inspection, ease of after sales service, ease of communications, etc.
- financial viability and capacity to supply without risk of default i.e. competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history;
- a strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable.
- the safety requirements associated with both the product design and specification offered by suppliers and the evaluation of risk when considering procurement of goods and services from suppliers;
- procurement of goods and services from suppliers that demonstrate sustainable benefits and good corporate social responsibility; and
- providing opportunities for businesses within the City's boundaries to be given the opportunity to quote for providing goods and services wherever possible.

4. Procurement Requirements

4.1. Legislative / Regulatory Requirements

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The requirements that must be complied with by the City, including procurement thresholds and processes, are prescribed within the Regulations, this Policy and associated procurement procedures in effect at the City.

4.2. Policy

Procurement that is \$250,000 or below in value (excluding GST) must be undertaken in compliance with the procurement requirements under the relevant threshold as defined under this Procurement Policy.

Procurement that exceeds \$250,000 (excluding GST) must be put to public Tender when it is determined that a regulatory Tender exemption, is not deemed to be suitable.

Procurement Authorisation Limits allows specified Officers to approve certain procurement activities without prior referral to the Council. This enables the City to conduct procurement activities in an efficient and timely manner, whilst maintaining transparency and integrity. Procurement authorisation limits ensure accountability and provide confidence to the City and the public that procurement activities are dealt with at the appropriate level.

The Council has delegated the authority for activities below \$550,000 (excluding GST) per contract year to the Chief Executive Officer (CEO). The CEO has documented and approved Procurement Authorisation Limits. These limits relate to the expenditure of funds for the procurement of goods and services. The Procurement Authorisation Limits are fully reviewed annually. All Officers with procurement authority will undertake procurement training, specifically to ensure knowledge of the requirements as set out in this policy.

Procurement Authorisation Limits can be altered ~~by the relevant ELT member at the CEO's discretion.~~

4.3. Procurement Value Definition

Determining procurement value is to be based on the following considerations:

1. Exclusive of Goods and Services Tax (GST).
2. Where a contract is in place, the actual or expected value of expenditure over the full contract period, including all options to extend, specific to a particular category of goods, services or works.
3. Where there is no existing contract arrangement, the purchasing value will be the estimated total expenditure for a category of goods, services or works over a minimum three year period.

4.4. Procurement from Existing Purchasing Agreements

Where the City has an existing purchasing agreement in place, it must ensure that goods and services required are purchased under the agreement to the extent that the scope of the agreement allows. When planning the purchase, the City must consult its Contracts Register in the first instance before seeking to obtain quotes and tenders.

4.5. Blanket Purchase Orders

A blanket purchase order is for an amount greater than one individual purchase, generally extending to multiple purchases for a period. If contract rates are fixed and it is possible to accurately and easily monitor expenditure against that contract, Officers may raise a 'blanket' purchase order to create efficiencies in the procurement process.

4.6. Procurement Thresholds

The table below prescribes the procurement process that the City must follow, based on the purchase value. This only applies for purchases that are not exempt from following threshold rules and where no purchasing agreements are in place.



Purchase Value Threshold	Procurement Requirement
Up to \$1,000 (exclusive of GST)	Purchase directly from a supplier using a purchase card (e.g. Credit Card or Bunnings Powerpass) issued by the City or obtain at least one verbal quote or written quotation from a suitable supplier. <i>* in line with the Purchase Card Procedure or Policy.</i>
Over \$1,000 and up to \$10,000 (exclusive of GST)	Purchase directly from a supplier using a ~~Credit Card~~* <u>purchase card (e.g. Credit Card or Bunnings Powerpass)*</u> issued by the City, or obtain at least one ~~verbal quote followed up with written confirmation or~~ written quotation from a suitable supplier, either from: - a pre-qualified supplier on the WALGA Preferred Supply Program, State Government or Commonwealth or any of its agencies (e.g. Common Use Arrangement CUA); or - the open market <u>that is considered to provide best value for money under the prevailing circumstances, provided value for money is demonstrated through past knowledge or market research.</u> ~~* Conditions of use regarding Credit Cards shall be developed to ensure compliance with the requirements of the Local Government Act, as well as detail the responsibilities of cardholders in line with the Purchase Card Procedure and Policy.~~
Over \$10,000 and up to \$50,000 (exclusive of GST)	~~Obtain. Taking steps towards obtaining~~ <u>Obtain, or demonstrate all reasonable steps have been taken to obtain,</u> at least three written quotations from suppliers, outlining the specified requirement, ~~either from:~~ <u>a pre-qualified supplier on the WALGA Preferred Supply Program, State Government, or the Commonwealth or any of its agencies including CUA; or the open market.</u> <u>Where possible With at least one Quote should be</u> obtained from a Local, Disability ~~Support~~ Enterprise or Aboriginal Business ~~(unless exemption provided by Procurement Team).~~ Only one written quotation is required for purchases through WALGA, ~~Disability Enterprises, Aboriginal Businesses, Commonwealth or State Government agencies below \$50,000 exclusive of GST. Obtaining more than one quote is recommended where possible and the Officer needs to be satisfied that value for money is achieved.~~
Over \$50,000 and up to \$250,000 (exclusive of GST)	~~Obtain. Demonstrate all reasonable steps have been taken to obtain~~ <u>Obtain, or demonstrate all reasonable steps have been taken to obtain,</u> at least three written quotations from suppliers by formal invitation under a Request for Quotation, containing ~~price and~~ detailed specification of goods and services required. The procurement decision is to be based on pre-determined evaluation criteria that assess value for money considerations in accordance with the definition stated within this Policy. Quotations within this threshold may be obtained from: - a pre-qualified supplier on the WALGA Preferred Supply Program, State Government, or the Commonwealth or any of its agencies including CUA; or - the open market.
Over \$250,000 (exclusive of GST)	~~Where the procurement requirement is not suitable to be met through a panel of pre-qualified suppliers, or any other tender-exempt arrangement as listed under section 4.6 of this Policy, e~~Conduct a public Request for Tender <u>or Request for Application to form a Panel</u> process in accordance with Part 4 of the <i>Local Government (Functions and General) Regulations 1996</i>, (Regulations) this policy and the City's tender procedures. The procurement decision is to be based on pre-determined evaluation criteria that assess value for money considerations in accordance with the definition stated within this Policy.



Purchase Value Threshold	Procurement Requirement
Emergency Purchases	An emergency purchase is defined as an unanticipated and unbudgeted purchase which is required in response to an emergency situation as provided for in s6.8 of the <i>Local Government Act 1995</i>. In such instances, quotes and tenders are not required to be obtained prior to the purchase being undertaken. An emergency purchase does not relate to purchases not planned for due to time constraints. Every effort must be made to anticipate purchases required by the City in advance and to allow sufficient time to obtain quotes and tenders, whichever may apply. All emergency purchases must be approved by the Mayor or by the CEO under delegation and reported to the next available Council Meeting.

4.7. Purchases exempt from following threshold rules

The following transactions are exempt from following the rules associated with thresholds unless a public Request for Tender or Request for Application to form a Panel is required under the Regulations:

- A Sole Supplier identified on the Procurement Sole Supplier & Exception List.
- Members of ELT~~The Directors and CEO~~ may, at their discretion, waive the requirements to obtain three quotations providing that justifiable reasons for such waiver are provided by the officer responsible for the purchase and that these reasons are attached to the Purchase Requisition.
- The City conducted a compliant procurement process but no submission received met the requirements or satisfied the value for money assessment. The City may decide to negotiate an agreement directly with one or more suppliers within six months of rejecting the compliant procurement process.

4.8. Variations

Variations are allowed provided they follow the Regulations and the City's Variations Procedure. Under the Regulations:

- Prior to entering into a contract, minor variations are allowed.
- Once the local government has entered into a contract, variations are only allowed if they are necessary for the goods or service to be supplied and do not change the scope of the contract.

4.7.4.9. Exceptions List

~~Most~~^{All} procurement activities undertaken by the City require the raising of a purchase order. However, there may, from time to time, be circumstances where raising a purchase order for the procurement of some goods and/or services is impractical. Any exception to the requirement for raising a purchase order ~~is must be~~ listed on the Procurement Sole Supplier & Exceptions List.

The Procurement Sole Supplier & Exceptions List is reviewed annually and may only be approved by the CEO or the sub delegate, the Director Corporate Services.

Whilst the Exceptions List authorises Officers to make a purchase of the specified goods and services without the use of a purchase order, it is preferred practice to raise a purchase order if possible. A quotation or tender process may still be required in line with thresholds set in table 4.6 above.

All expenditure of goods and services on the Exceptions List must be appropriately authorised in line with the Procurement Authorisations List.

4.8.4.10. Tendering Exemptions

An exemption to publicly invite tenders may apply in the following instances:

- Purchases from a Sole Supplier as identified by the City;
- the purchase is obtained from a pre-qualified supplier under the WALGA Preferred Supply Program or State Government Common Use Arrangement;
- the purchase is from a Regional Local Government or another Local Government;
- the purchase is acquired from an Australian Disability Enterprise and represents value for money;
- the purchase agreement is formed within six (6) months of no tender being accepted.
- the purchase is from a pre-qualified supplier under a Panel established by the City;
- any of the other exemptions under *Regulation 11* of the Regulations apply.

4.9.4.11. Inviting Tenders Under the Tender Threshold

Where considered appropriate and beneficial, the City may consider publicly advertising tenders in lieu of undertaking a Request for Quotation for purchases under the tender threshold. This decision should be made after considering the benefits of this approach in comparison with the costs, risks, timeliness and compliance requirements and also whether the procurement requirement can be met through the WALGA Preferred Supply Program, State Government or the Commonwealth or any of its agencies including CUA.

If a decision is made to undertake a public Tender for contracts expected to be \$250,000 or less in value, the City's tendering procedures must be followed in full.

4.10.4.12. Expressions of Interest

Expressions of Interest (EOI) are typically considered in situations where the project is of a significant value or contains significant complexity of project delivery that may solicit responses from a range of industry providers.

In these cases, the City may consider conducting an EOI process, ~~preliminary to any Request for Tender process~~, where the procurement requirement is:

- Unable to be sufficiently scoped or specified.
- Open to multiple options for how the procurement requirement may be obtained, specified, created or delivered.
- Subject to a creative element; or
- To establish a procurement methodology that allows for an assessment of a significant number of ~~submissions~~tenders leading to a shortlisting process based on non-price assessment criteria.

~~Over \$250,000 All~~ EOI processes are conducted as a public process and, similar rules to a Request for Tender apply. However, the EOI should seek qualitative and other non-price information only i.e. Only indicative price information may be sought from respondents in order to inform establishing appropriate budgets. All EOI processes should subsequently be followed by a Request for Tender through an invited process of those shortlisted under the EOI.

Under \$250,000 an EOI needs to follow the threshold rules set in table 4.6 above or may be followed by a Request for Quote through an invited process of those shortlisted under the EOI.

4.11.4.13. Sole Source of Supply

Where the procurement requirement is of a unique nature that can only be supplied from one supplier, the purchase is permitted without undertaking a quotation or tender process. This is only permitted in circumstances where the City is satisfied and can evidence that there is only one source of supply for those goods, services or works. The City must use its best endeavours to determine if the sole source of supply is genuine by exploring if there are any alternative sources of supply. Once determined, supplier and type of supply will be listed on the Procurement Sole Supplier & Exceptions List, reviewed annually by the CEO.

4.12.4.14. Anti-Avoidance

The City shall not enter into two or more contracts or create multiple purchase order transactions of a similar nature for the purpose of "splitting" the value of the purchase or contract to take the value of the consideration of the purchase below a particular procurement threshold, particularly in relation to Tenders and to avoid the need to call a public Tender.

Using rolling contract extensions at the end of a contract term without properly testing the market or using a tender exempt arrangement, will not be adopted where it could as this would place the City in breach of the Regulations (*Regulation 12*).

The City will conduct regular analysis of procurement activities within supply categories and aggregating expenditure values in order to identify procurement activities which can be more appropriately undertaken within the Procurement Threshold practices detailed in clause 4.65 above.

5. Records Management

Records of all procurement activity must be retained in compliance with the *State Records Act 2000 (WA)*; the City's Records Management Policy and associated procurement procedures.

For each procurement activity, such documents may include:

- The Procurement initiation document such as a business case which justifies the need for a contract to be created (where applicable).
- Procurement Planning and approval documentation which describes how the procurement is to be undertaken to create and manage the contract.
- Request for Quotation/Tender documentation including communications regarding clarifications and addendums to specifications.
- Copy of public advertisement inviting tenders, or the notice of private invitation (whichever is applicable).
- Copies of quotes/tenders received.
- Evaluation documentation, including individual evaluators note and clarifications sought.
- Negotiation documents such as negotiation plans and negotiation logs.
- Approval of award documentation.
- All correspondence to respondents notifying of the outcome to award a contract.
- Contract Management Plans which describe how the contract will be managed; and
- Copies of contract(s) with supplier(s) formed from the procurement process.

6. Social Procurement

The City shall undertake best endeavours to not knowingly purchase products or services that are produced under conditions of employment (including health and safety) that do not meet international conventions or labour laws or have negative social impacts.

Where relevant, the City shall use their purchasing power to generate social benefits, in addition to the goods and services they require. To this extent, a qualitative weighting may be afforded in the evaluation of quotes and tenders where suppliers provide social benefits in line with the City's objectives. This includes but is not limited to:

- Actions to reduce greenhouse gas emissions.
- Actions to mitigate environmental impact of the Good or Service being provided.
- Businesses located within the City of Melville boundaries or businesses that contribute directly to the City of Melville's economy.
- Direct involvement or positive impact to First Nation people and/or people living with a disability.
- Actions to identify and mitigate risk specific to modern slavery.
- Any other Sustainable/Social initiatives the City should consider.

5.4.6.1. Sustainable Procurement

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The City is committed to providing a preference to suppliers that demonstrate sustainable business practices. Where appropriate, the City shall endeavour to provide an advantage to suppliers demonstrating that they minimise environmental and negative social impacts and provide benefits to the local economy. SustainabilityFunctional considerations must be balanced against value for money outcomes and expectations in accordance with the City's sustainability objectives.

~~The City shall undertake best endeavours to not knowingly purchase products or services that are produced under conditions of employment (including health and safety) that do not meet international conventions or labour laws or have negative social impacts.~~

The City will look to utilise recycled or upcycled materials where feasible to align to the sustainability strategy and support the environment.

~~To this extent, a qualitative weighting may be afforded in the evaluation of quotes and tenders where suppliers can demonstrate sustainability and/or CSR policies and practices that have been implemented.~~

5.2.6.2. Modern Slavery

~~Where applicable, the City will ensure all steps are taken to reduce the risk in procuring goods and/or services that support modern slavery. This includes the compliance to the Modern Slavery Act 2018 in respect to;~~

~~the assessment of modern slavery Statements from required businesses;
the use of specific criteria in formal evaluations on modern slavery;
monitoring contracts and take action on non-compliance, as required; and
providing awareness training to staff.~~

The City is committed to ethical procurement practices and will take reasonable steps to mitigate the risk of modern slavery in the supply chain when procuring goods and services.

To support this commitment, the City will align its procurement practices with the principles of the Modern Slavery Act 2018 (Cth) and implement the following measures:

- Supplier compliance confirmation – All tenders requests (submissions) must include a declaration confirming compliance with modern slavery laws:

"To the best of our knowledge, we comply with all applicable laws, including the Modern Slavery Act 2018 (Cth), and take reasonable steps to identify, assess, and address risks of modern slavery practices in our operations and supply chains."

- Contractual obligations – The City's procurement contracts will include provisions requiring suppliers to adhere to modern slavery obligations.
- Supplier evaluation – The City will assess modern slavery statements provided by businesses as part of the tender evaluation process. Suppliers that demonstrate robust modern slavery mitigation strategies will be afforded higher qualitative scores in the evaluation process.
- Staff training and awareness – The City will provide training to procurement staff to enhance awareness and understanding of modern slavery risks, ensuring informed decision-making and effective implementation of ethical sourcing practices.

The City remains committed to continuous improvement in addressing modern slavery risks and promoting responsible procurement across all operations.

5.3.6.3. Buy Local

As much as practicable, the City must:

- prefer buying practices, procedures and specifications that provide advantage to local businesses.
- consider indirect benefits that have flow on benefits for local suppliers (i.e. servicing and support);
- ensure that procurement plans address local business capability and local content.
- explore the capability of local businesses to meet requirements and ensure that Requests for Quotation and Tenders are designed to accommodate the capabilities of local businesses.
- avoid bias in the design and specifications for Requests for Quotation and Tenders – all Requests must be structured to encourage local businesses to bid.
- provide adequate and consistent information to potential local suppliers.
- Provide adequate support to Local businesses as far as practicable for understanding and adopting sustainable practices.

~~Where applicable, a qualitative weighting may be afforded in the evaluation of quotes and tenders where suppliers are located within the boundaries of the City or the broader South West Metropolitan Region, or substantially demonstrate a benefit or contribution to the local economy.~~

5.4.6.4. Procurement from Disability Enterprises

Pursuant to Part 4 of the *Local Government (Functions and General) Regulations 1996*, the City is not required to publicly invite tenders if the goods or services are to be supplied from an Australian Disability Enterprise, ~~as registered on <https://buyability.org.au/>.~~ This is contingent on the demonstration of value for money.

Where possible, Australian Disability Enterprises are to be invited to quote for supplying goods and services under the tender threshold. ~~A qualitative weighting may be afforded in the evaluation of quotes and tenders to provide advantages to Australian Disability Enterprises.~~

5.5.6.5. Procurement From Aboriginal Businesses

Where possible, Aboriginal Businesses are to be invited to quote for the supply of goods and services under the tender threshold. **The City will obtain, or demonstrate all reasonable steps have been taken to obtain, two quotes.** ~~A qualitative weighting may be afforded in the evaluation of quotes and tenders to provide advantages to Aboriginal owned businesses or businesses that demonstrate a high level of aboriginal employment.~~ The City is dedicated to supporting Aboriginal Businesses through its procurement practices. This commitment aligns with the intent behind the *Local Government (Functions and General) Regulations 1996* (Provision of Goods and Services Part 4), which includes specific tender exemptions for Aboriginal Businesses.

Purchases are Tender exempt if the following apply —

(i) the goods or services are to be supplied by —

(I) a person registered on the Aboriginal Business Directory WA published by the Chamber of Commerce and Industry of Western Australia Limited ABN 96 929 977 985; or

(II) a person registered with the Australian Indigenous Minority Supplier Office Limited (trading as Supply Nation) ABN 50 134 720 362;

and

(ii) the consideration under the contract is \$250 000 or less, or worth \$250 000 or less; and

(iii) the local government is satisfied that the contract represents value for money.

6.6. Gift Cards

~~The Local Government (Financial Management) Regulations 1996 restrict the use of cash payments unless they are made from a petty cash system. To comply with these regulations, the City defines gift cards (e.g., Visa or Mastercard gift cards) up to a value of \$500 each as petty cash. These gift cards can be used to compensate individuals for advice or services rendered to the City.~~

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5.6.6.7. Carbon Neutral

~~Where possible the City will promote and may offer an advantage to The principle of avoiding and minimising Greenhouse Gas (GHG) emissions by introducing a strongly weighted criterion to consider carbon neutral or lowest carbon options in designing of tenders and quotations and for procurement decision making shall be adopted. The best combined values (in terms of lifetime financial value and GHG emissions) along with a qualitative weighting on embodied emissions may be afforded in the evaluation of quotes and tenders to provide advantages to carbon neutral or lowest carbon proposals.~~

6.7. Panels of Pre-Qualified Suppliers

6.4.7.1. Policy Objectives

A Panel of Pre-qualified Suppliers ("Panel") may be created where most of the following factors apply:

- the City determines that a range of similar goods and services are required to be purchased on a continuing and regular basis;
- there are numerous potential suppliers in the local and regional procurement-related market sector(s) that satisfy the test of 'value for money'.
- ~~the procurement activity under the intended Panel is assessed as being of a low to medium risk.~~
- the Panel will streamline and improve procurement processes; and
- the City has the capability to establish, manage the risks and achieve the benefits expected of the proposed Panel.

The City will endeavour to ensure that Panels are not created unless most of the above factors are firmly and quantifiably established.

6.2.7.2. Establishing a Panel – Request for Application

Should the City determine that a Panel is beneficial to be created, it must do so in accordance with Part 4, Division 3 the *Local Government (Functions and General) Regulations 1996*.

Panels may be established for one supply requirement, or a number of similar supply requirements under defined categories within the Panel. This will be undertaken through a public invitation process.

Panels may be established for a minimum of two years and for a maximum length of time deemed appropriate by the City.

Evaluation criteria must be determined and communicated in the application process by which applications will be assessed and accepted.

Should a Panel member leave the Panel, they may be replaced by the next ranked Panel member determined in the value for money assessment. The City might publicly re-advertise a Panel with a view of adding Panel members to an existing Panel using the same evaluation criteria used to initially establish the Panel.

6.3.7.3. Distributing Work Amongst Panel Members

To satisfy Regulation 24AD(5) of the Regulations, when establishing a Panel of pre-qualified suppliers, the detailed information associated with each invitation to apply to join the Panel must either prescribe whether the City intends to:

- a) Obtain quotations from each pre-qualified supplier on the Panel with respect to all purchases; or
- b) Purchase goods and services exclusively from any pre-qualified supplier appointed to that Panel, and under what circumstances; or

- c) Develop a ranking system establishing clear rules when each Panel member will be able to quote; or
- d) A mix of any of the above distribution methods

In every instance, a contract must not be formed with a pre-qualified supplier for an item of work beyond 12 months, which includes options to extend the contract.

6.4.7.4. Procurement from the Panel

The invitation to apply to be considered to join a panel of pre-qualified suppliers must state whether every member will be invited to provide a quotation (within each category, if applicable) for each procurement requirement, whether a ranking system is to be established, or otherwise.

Each quotation process, including the invitation to quote, communications with panel members, quotations received, evaluation of quotes and notification of award communications must be captured within one of the City's electronic records system.

Where relevant, the City Officer will provide feedback to pre-qualified suppliers that are not performing or not winning any work.

Once a Panel is created individual procurements under the Panel do not need to be presented to CTAU or to the Council.

6.5.7.5. Record Keeping

Records of all communications with Panel members, with respect to the quotation process and all subsequent purchases made through the Panel, must be kept.

For the creation of a Panel, this may include:

- the procurement initiation document such as a business case which justifies the need for a Panel to be created.
- procurement planning and approval documentation which describes how the procurement is to be undertaken to create and manage the Panel.
- request for applications documentation.
- copy of public advertisement inviting applications.
- copies of applications received.
- evaluation documentation, including clarifications sought.
- negotiation documents such as negotiation plans and negotiation logs.
- approval of award documentation.
- all correspondence to applicants notifying of the establishment and composition of the Panel such as award letters.
- contract management plans which describes how the contract will be managed; and
- copies of framework agreements entered with pre-qualified suppliers.

The City is also to retain itemised records of all requests for quotation, including quotations received from pre-qualified suppliers and contracts awarded to Panel members.

Information with regards to the Panel offerings, including details of suppliers appointed to the Panel, must be kept up to date, consistent and made available for access by all officers and employees of the City.

7.8. Non-Compliance

Procurement activities are subject to financial and performance audits, which review compliance with legislative requirements and compliance with the City's policies and procedures.



A failure to comply with the requirements of this policy will be subject to investigation, with findings to be considered in the context of the responsible person's training, experience, seniority and reasonable expectations for performance of their role.

Where a breach is substantiated, it may be treated as follows:

- An opportunity for additional training may be provided:-
- A disciplinary matter, which may or may not be subject to reporting requirements under the *Public Sector Management Act 1994*; and/or
- Misconduct in accordance with the *Corruption, Crime and Misconduct Act 2003*.

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References that may be applicable to this Policy

Legislative Requirements:	Local Government Act 1995 Local Government (Functions and General) Regulations 1996
Procedures, Process Maps, Work Instructions:	SP-019 Procurement Procedure Contract Variations Procedure
Other Plans, Frameworks, Documents Applicable to Policy:	Procurement Sole Suppliers & Exemptions List Procurement Authorisation Limits Variations Procedure Purchase Card Policy
Delegated Authority No:	DA-119 Determination of Criteria for Acceptance of Applications DA-118 Consideration and Acceptance/Rejection of Applications DA-026 Determination of Criteria for Acceptance of Tender DA-027 Consideration and Acceptance/Rejection of Tenders DA-028 Minor Contract Variations Pre Award, Selection of Next Successful Tenderer & Contract Variations Post Award DA-029 Expressions of Interest DA-030 Consideration of Expressions of Interest to Supply Goods or Services DA-116 Establishment of Panels of Pre-Qualified Suppliers

ORIGIN/AUTHORITY

Ordinary Meeting of Council

17/03/2007

Item No.

C07/6006

Reviews

Ordinary Meeting of Council	15/12/2009	C09/5097
Ordinary Meeting of Council	15/11/2011	C11/5199
Ordinary Meeting of Council	10/12/2013	C13/5341
Ordinary Meeting of Council	09/12/2014	C14/6077
Ordinary Meeting of Council	08/12/2015	C15/6089
Ordinary Meeting of Council	17/05/2016	C16/5484
Ordinary Meeting of Council	18/04/2017	C17/5548
Ordinary Meeting of Council	17/04/2018	C18/6158
Ordinary Meeting of Council	20/11/2018	C18/5653
Ordinary Meeting of Council	10/12/2019	C19/6166
Ordinary Meeting of Council	19/05/2020	C20/6181
Ordinary Meeting of Council	14/12/2021	C21/5887
Ordinary Meeting of Council		



Compliance and Enforcement Policy

Policy Type: Council Policy Policy Owner: Chief Executive Officer	Policy No. CP- 114 Policy Number can be obtained from <u>\\Mntd\Policy Review\BMS Master Document Register.xlsx</u> LINK GOES HERE Last Review Date: Enter review date

Policy Objectives

The primary objectives of the Compliance and Enforcement Policy (the Policy) are as follows:

- [1. To achieve regulatory compliance and prevent offences through education and incentives, including formal action where necessary, with legislation within the remit of the City of Melville.](#)
- [1-2. To ensure the City has access to adequate and reliable information necessary for the effective investigation of concerns.](#)
- [2-3. To identify instances of non-compliance in a timely and accurate manner.](#)
- [3-4. To facilitate the prompt resolution of non-compliance by bringing all parties into compliance within a reasonable timeframe.](#)
- [4-5. To guarantee that procedural fairness is afforded to all affected parties throughout the enforcement process.](#)
- [5-6. To ensure that compliance and enforcement actions are proportionate to the scope and severity of the issues being investigated.](#)
- [6-7. To maintain transparent communication by keeping affected parties and relevant stakeholders informed throughout the enforcement process.](#)

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Policy Scope

The Elected Members, staff and contractors at the City of Melville are committed to contributing to an efficient, effective, systematic, and consistent approach that strives for continuous improvement in the management of compliance and enforcement. This is essential for maintaining public trust, and ensuring that compliance and enforcement activities within the City's legislative jurisdiction adhere to established statutory requirements.

The Compliance and Enforcement framework adopts a risk based, graduated and proportional approach to compliance and enforcement, for matters that are within the remit of the City of Melville. The Policy encapsulates the principles of natural justice and procedural fairness including initial assumption that involved parties want to comply and cooperate with the City.

This Policy applies to all compliance and enforcement actions conducted by the City of Melville officers and relevant personnel. It will provide direction to City Officers when undertaking enforcement action and ensures that matters are escalated to the appropriate level of enforcement that is commensurate with the issue.

The City's role is responding primarily to reactive compliance activities, and the resourcing allocated, reflects this position.

The City of Melville will take a risk-based approach to any proactive compliance activities with safety and protection of amenity being key considerations of the City's response.

The Policy references but does not completely describe legislated processes of enforcement in conjunction with the City of Melville Risk Matrix.

This Policy is intended to complement and is not a substitute for the:

- Compliance and Enforcement Guideline for Enforcement Agencies published by the Western Australian Department of Health for compliance and enforcement of the *Food Act 2008*, *Food Regulations 2009* and Australia New Zealand Food Standards Code.
- Compliance and Enforcement Policy published by the Department of Water and Environmental Regulation applicable to the *Environmental Protection Act 1986*, *Litter Act 1979* and related legislation.
- Public Health Act guidance resource for local government authorised officers published by the Western Australian Department of Health for the implementation of the *Public Health Act 2016*

Definitions / Abbreviations Used In Policy

Amenity has the same meaning as in Local Planning Scheme No 6.

Authorised Officer means an officer who has statutory (including delegated) power or who are otherwise authorised to undertake activities in accordance with legislation.

City means the City of Melville.

Complaint means a formal report of alleged non-compliance with a law.



Compliance means acting in accordance with relevant legislation and lawful directions.

Enforcement relates to the legislative function of responding to non-compliance with the measures provided for in the relevant legislation.

Investigation means the process of establishing and analysing facts and applying fair and reasonable interpretations to determine whether non-compliance or an offence have occurred and the person most likely responsible.

Non-compliance means to do something prohibited by legislation or a lawful direction, or to fail to do something that legislation or a lawful direction requires a person to do.

Offence means a form of non-compliance that is classified as an offence in legislation.

Public health and safety means the welfare and protection of the general public.

Policy Statement

The City is responsible for the local administration of a wide variety of legislation that provides for the safety, health and amenity of the community, environmental protection and the interests of local business, consumers, workers and residents.

The City recognises the importance of the separation of powers between:

- the adoption of Local Laws and Policy by Council, acknowledging that Elected Members have no direct role in the application of compliance or enforcement matters; and
- the investigation function and the application of compliance and enforcement actions, which are the responsibility of Authorised Officers acting under delegated authority, in accordance with applicable legislation and policies.

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~~The City recognises the need for the separation of powers between:~~

- ~~the adoption of local laws by Council and its enforcement by administrative personnel; and~~
- ~~the investigation function and compliance and enforcement options.~~

Compliance and enforcement operations undertaken by the City are often complex and have many facets to them. It is essential that the City provides a consistent approach to compliance and enforcement activities to ensure that transparency and procedural fairness is provided at all times.

Compliance Approach

Diagram below provides a visual overview of the manner in which the City recognises the interaction of occurrences of offences, the impact of those offences and the City's response to those. The escalation of enforcement action to achieve compliance is generally a graduated approach but is also dependant on the circumstances of each individual case. These interactions are considered as part of the investigation process undertaken by the City.

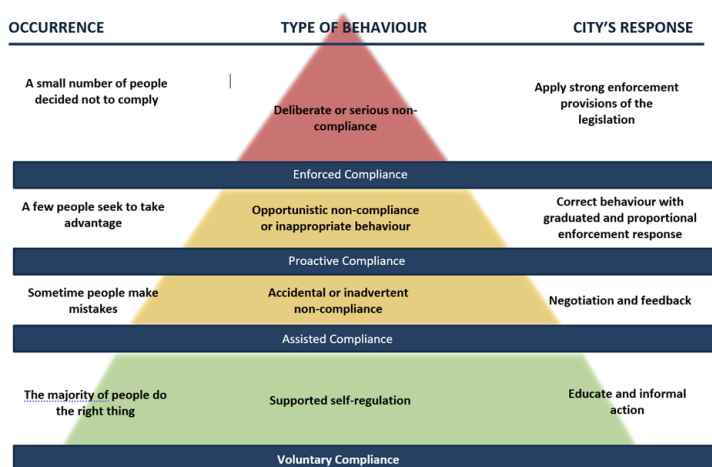


Diagram: City of Melville's Enforcement progression

This policy strives to realise the highest standards of compliance across its operations. The approach is built on via five key pillars:

- **Education & Awareness**
Provide resources to ensure that all employees and stakeholders understand relevant laws, regulations and Policies that are subject to an investigation.
- **Advisory Support**
Offer guidance to assist in navigating regulatory complexities, ensuring informed decision-making and minimising compliance risks.
- **Monitoring & Inspections**
Proactively conduct regular statutory inspections to identify and address potential compliance risks, ensuring consistent adherence to standards.
- **Complaint Investigation**
Committed to investigating all reactive compliance-related concerns. Each complaint is investigated, and corrective actions are implemented to resolve issues, with the aim of preventing recurrence.



City of
Melville

- **Informed and Updated**
Customers and stakeholders are kept informed of the progress of the investigation at regular intervals throughout the process.

Guiding Principles

Compliance and Enforcement services provided by the City are driven by the principles described below:

Proportionality and responsiveness

Enforcement action will be responsive, timely and in proportion to risk and potential or actual impact.

Transparency

Enforcement action will be transparent to parties understand what is expected of them.

Consistency

Enforcement action will be administered fairly, consistently and equitably.

A risk-based approach

Effort will be focused on those activities that have the potential to cause the greatest harm.

Due process and procedural fairness

Enforcement action will be carried out within the powers and processes of the legislation, applying principles of procedural fairness.

Accountability

To ensure full accountability, enforcement decision and the conduct of authorised officers will be explained and open to public scrutiny.

Cost-effectiveness

Enforcement action will be implemented to produce the desired outcome with costs effective use of public resources.

Policy compatibility

Enforcement will be carried out within the context of wider local government policies and other relevant statutory requirements.

Identification and Powers of Entry

In enforcing compliance, Authorised Officers must carry and present a Certificate of Authority. This certification validates their legal authorisation and ensures that entry and enforcement actions align with the law. Below are the essential guidelines detailing the required credentials and legal frameworks that govern their powers, supporting the City's commitment to a risk-based and lawful enforcement approach

Certificate of Authority

All Authorised Officers or Inspectors must possess and have available for viewing an Authorisation Identification Card or other relevant document.

The requirements of an Authorisation Identification Card are set out in relevant legislative documents.

Powers of Entry

There are several pieces of legislation that provide the City with powers to enter private property with lawful authority. The City views the power to enter private property very seriously and the City's Delegated Authority and appointment of Authorised Officers enables those Officers to legally enter property to undertake specific functions or actions.

Investigations

The City is committed to conducting thorough investigations to ascertain facts regarding alleged non-compliance with laws and regulations. The investigative process begins with receiving information about potential non-compliance, assessing the validity of this information, and employing a risk-based approach. This leads to informed compliance and enforcement actions throughout the investigation.

This crucial step ensures that all enforcement actions are well-founded and tailored to the nature and severity of the violation, thereby upholding community standards and legislative requirements.

Discovery of Non-compliance

The City may become aware of an alleged non-compliance or a legislative breach, within the District through either a site inspection, aerial photography or a complaint.

Anonymous complaints may not be accepted or actioned by the City due to difficulties in undertaking enforcement action. However, there may be circumstances where the nature of the complaint is considered to be of a high public health or community safety risk worthy of an immediate City response.

Where complaints have been received by the City and are found to have insufficient evidence, the complainant will be advised of this and the complaint will be closed unless more information can be found.

Every effort will be made to ensure the confidentiality of the complainant where appropriate. All complainants must agree to provide evidence in court upon request by the City. If a complainant refuses to do so, and the complaint cannot be substantiated, the City will not proceed with further action.

If the complaint involves multiple issues that relate to various City Departments, the matter will be coordinated to ensure a joint investigation by City Officers, reducing inconvenience and confusion to owners and occupiers.



Risk Assessment Process

The Risk Assessment Process is a critical component of the City's compliance approach. Officers use the City of Melville Risk Matrix to systematically evaluate and manage potential risks associated with non-compliance issues.

The process for a risk-based assessment is as follows:

Initial Assessment

Upon receiving a complaint or initiating an investigation, officers are required to perform an initial risk assessment to identify potential safety, legal, environmental, and reputational risks associated with the case.

Consider factors such as the severity of the violation, the sensitivity of the location, and potential impacts on the community and environment.

Dynamic Assessment

Officers are expected to continuously assess risks throughout the investigation. As new information surfaces, reassess and adjust the risk management strategies accordingly.

Engage with other departments as necessary to gather expertise and share critical information that may influence the risk assessment.

Documentation

Document all risk assessments and updates in the investigation file in a format and to a standard and detail which will be suitable for use in any legal proceedings. This documentation should include details of the assessed risks, the rationale for the risk level determination, and any mitigation measures adopted.

Ensure that documentation is accessible for review and audits to support transparency and accountability in enforcement actions.

Risk Mitigation Strategies

Based on the risk assessment, implement appropriate mitigation strategies. These may include but are not limited to, seeking additional resources, legal advice, adjusting enforcement tactics, or involving Senior Officers or subject Matter Experts for guidance.

Regularly review and update mitigation strategies to respond to new risks or changes in the situation.

Training and Support

Provide ongoing support for all officers on risk assessment techniques and the latest compliance and enforcement challenges. The City will encourage a culture of safety and risk awareness, where officers feel equipped and supported to make informed decisions during their enforcement duties.

Jurisdiction



Any compliance issue falling outside the jurisdiction of the City will be referred to the relevant authority for action, and the complainant will be advised accordingly. No further action will be able to be taken by the City in these circumstances.

Where a compliance issue falls partly within the jurisdiction of the City and partly within the jurisdiction of another authority, that part falling within City's jurisdiction will be dealt with in accordance with this policy, and that part falling outside the City's jurisdiction will be referred to the relevant authority for action, and the complainant will be advised accordingly.

Compliance Options

To effectively manage non-compliance matters, the City of Melville employs a comprehensive range of compliance options. These options are designed to address various levels of non-compliance through a structured and gradual approach that ranges from educational measures to enforcement actions. Below is an overview of the key compliance strategies utilised by the City.

- **No Action**
Appropriate when the issue is outside of Council's area of operation or jurisdiction; is trivial in nature, pursuit is not in the public interest or where there is no breach of the relevant legislation.

Voluntary Compliance

- **Education**
Used as a tool to enhance compliance by informing businesses and the public about their legislative and other requirements, and the community impacts of their behaviour.
- **Informal Action**
Informal verbal or written advice or warning may be used when the offender's history suggests that informal action may be effective or when the consequences of non-compliance will not pose a significant risk to public health or nuisance to the community.

Proactive & Assisted Compliance

- **Negotiation**
Negotiations may foster relationships, build trust and demonstrate reasonableness to the community. Negotiation can often be the least time-consuming approach in achieving an acceptable outcome, however, it is dependent upon the seriousness of the breach and willingness of the offender to comply. Negotiation cannot always be relied upon to achieve the desired outcome.
- **Mediation**
Mediation may be used in accordance with the Neighbour Dispute Mediation Policy. The City may choose to suspend compliance action or defer decision making on a matter where the relevant parties have agreed to attempt mediation



- **Regulatory Assistance**
Where a breach relates to use or works or activity undertaken without approval, the City may guide and assist the party to submit an application where such a development or activity is capable of approval, subject to a merits-based assessment.

The City may allow the minor offence to continue (subject to ongoing cooperation) until the appropriate application is determined, dependent on the scale and impact.

Enforced Compliance

Enforcement tools are more formal in nature and generally impose a penalty for non-compliance. These options are designed to ensure compliance are statutory based tools, where their use is restricted to Authorised Officers and a prescribed process. All enforcement options that are available to the City will be utilised in accordance with the severity and consequences of the alleged offence and will be applied in a graduated manner.

The enforcement tools available to the City include:

Formal Letters

The City uses formal letters as an essential compliance tool to provide clear communication regarding alleged non-compliance, required actions, and potential enforcement consequences.

Formal letters may include, but are not limited to:

- **Warning Letters** – Issued where a minor or first-time offence has been identified, advising the recipient of the non-compliance and requesting voluntary rectification within a specified timeframe.
- **Request for Information Letters** – Sent to obtain clarification or supporting documentation from property owners, occupiers, or businesses regarding suspected breaches of legislation.
- **Notice of Investigation** – Advises the recipient that the City is investigating a compliance matter and outlines the process and possible outcomes.
- **Final Compliance Notices** – Issued where initial warnings have not been adhered to, setting a strict deadline for compliance before escalation to statutory enforcement measures such as infringement notices, orders, or prosecution.

Where necessary, follow-up inspections or further communication will be undertaken to verify compliance and determine if additional enforcement action is required.

Statutory Notices



Relevant Statutory Notices will be used where there is a duty to do so in order to protect public health or community safety.

Notices require the recipient to comply with the terms of the Notice (such as work to be undertaken or the modification of activities) within the specified timeframe. In most cases the person receiving the Notice has a right of appeal to the State Administrative Tribunal (SAT).

Action in Default

The City will consider the use of this option (where provided for by legislation) to secure compliance with the requirements of Notices where the necessary works have not been carried out in accordance with the Notice. This action will be taken in consultation with the Chief Executive Officer and may require a court conviction and/or a decision of Council.

Orders and Directions

The City will consider the following options individually or collectively with other enforcement action as particular circumstances warrant. These Orders will generally apply where there has been a history of non-compliance by the recipient or there is a risk to the health or safety of the person or other members of the community.

Examples include:

- Prohibition Orders,
- Directions,
- Building Order and Emergency Building Order
- Enforcement Orders
- Prohibition Orders and Directions
- Works Order (Fire Control Order)
- Noise Abatement Orders; and
- Declaration of a Dangerous Dog.

This action will be taken in consultation with the Chief Executive Officer where appropriate.

Improvement Notices

Improvement Notices may be appropriate for repeated minor breaches of legislation or broad non-compliances. The following circumstances are likely to warrant an Improvement Notice:

- A failure to correct an identified problem after having been given reasonable opportunity to do so,
- Low confidence in the individual/organisation's performance; or
- A warning has been given for a similar offence.

Infringement Notice

Infringement Notices may be appropriate for continued minor breaches of legislation or failure to comply with an Improvement Notice or Caution Notice. Infringement Notices may also be issued for a minor or common offences.

Seizure, Impounding and Destruction

Local governments have the authority to seize, impound and destroy items for the purposes of evidence collection and the protection of the public. This power is conferred within numerous legislation, including the *Dog Act 1976*, the *Public Health Act 2016*, *Tobacco Products Control Act 2006*, *Local Government Act 1995* and the *Environmental Protection Act 1986*. Seizure can only occur under certain circumstances as prescribed within the legislation and be undertaken by Authorised Officers and where applicable with the assistance of WA Police.

Warrants

The City recognises that certain enforcement actions may require obtaining a warrant to ensure lawful entry and compliance with due process. Where an Authorised Officer does not have immediate statutory authority to enter premises, a warrant will be sought in accordance with the applicable legislation.

A warrant may be required under the following circumstances:

- To enter private property where consent has been refused or is impracticable to obtain, and entry is necessary to investigate or enforce compliance.
- To seize equipment, or other materials that are relevant to an investigation.
- To undertake enforcement actions such as removing unlawful structures, dangerous goods, or hazardous materials that pose a risk to public safety.

Where a warrant is required, the City will apply to the appropriate authority, such as a Magistrate or Justice of the Peace, in accordance with the relevant legislative provisions. All applications for warrants must be supported by sufficient evidence demonstrating the necessity and proportionality of the action.

The City is committed to ensuring that any warrant execution is conducted lawfully, with due regard to procedural fairness, privacy, and minimal disruption to affected persons. Where necessary, the City may seek assistance from law enforcement agencies to execute a warrant safely and effectively.

Prosecution

A decision to prosecute must be in the public interest and approved according to delegation provisions. Any of the following circumstances are likely to warrant a prosecution:

- A flagrant breach of the law such that health, safety and welfare have been put at risk,
- A failure to correct an identified serious problem after having been given reasonable opportunity to do so,
- An activity or action that has significant impact or permanent impact
- An activity or action that may result in a commercial benefit to the alleged offender
- A failure to comply with the requirements of a Statutory Notice; or
- A history of similar offences.

Where circumstances warrant a prosecution, available evidence and information must be considered to enable a consistent, fair and objective decision to be made.

A prosecution may be discontinued where:

- In the opinion of the Delegated Officer, the appropriate level of compliance has been achieved, and/or it is no longer in the public interest to continue the prosecution of the offence,
- Where external guidance indicates that the discontinuation of an prosecution would be an appropriate pathway forward and in the interests of the City based on information available. Legal advice received recommends discontinuation.
- The prosecution complaint is incorrect at law or there is an error in the charges,
- The prosecution involves an error of fact,
- The alleged offender is deceased or cannot be located; or
- In consultation with or following comments or recommendations made by the Court.

The below diagram illustrates the structured approach used by the City of Melville to manage and respond to reports of non-compliance, detailing the decision-making process from initial assessment through to potential enforcement actions.

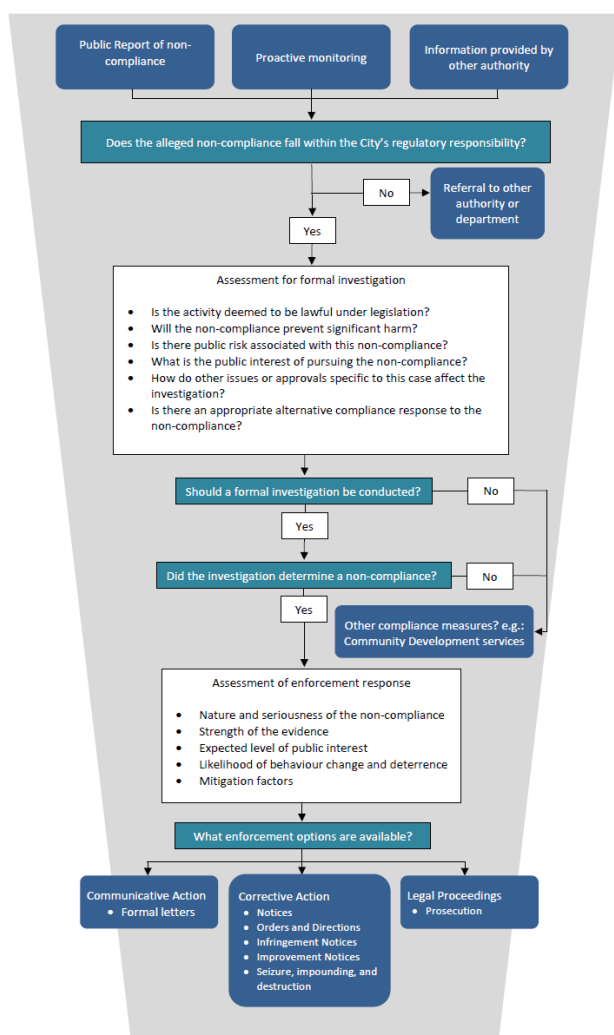


Diagram: City of Melville Compliance & Enforcement Approach

References that may be applicable to this Policy

Legislative Requirements:

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City of
Melville

Local Government Act 1995
Local Government (Miscellaneous Provisions) Act 1960
Building Act 2011
Bush Fires Act 1954
Caravan Parks and Camping Grounds Act 1995
Cat Act 2011
Control of Vehicles (Off-road Areas) Act 1978
Criminal Procedure Act 2004
Dog Act 1976
Environmental Protection Act 1986
Fines, Penalties and Infringement Notices Enforcement Act 1994
Food Act 2008
Graffiti Vandalism Act 2016
Health (Miscellaneous Provisions) Act 1911
Litter Act 1979
Planning and Development Act 2005
Public Health Act 2016 and
subsidiary legislation including local laws

Other Plans, Frameworks, Documents Applicable to Policy:

City of Melville Risk Matrix
CP-125 Neighbour Dispute Mediation Policy
City of Melville Codes of Conduct
Customer Service Charter
OP-42 Managing Unreasonable Behaviour Policy

Delegated Authority No:

ORIGIN/AUTHORITY

Item No.

Insert name of Council Meeting Insert date of meeting Insert Item No.

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City of
Melville

Reviews

Insert name of Council Meeting Insert date of meeting Insert Item No.

CONFIRMED

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Comparison of Compliance and Enforcement Policies

Category	Existing Policy	Draft Policy	Key Improvements
Objectives	Focuses on consistency and procedural fairness but lacks clear process steps.	Includes timely resolution, stakeholder engagement, and structured enforcement.	Clarifies compliance goals with structured objectives.
Scope	Applies broadly to compliance actions with listed legislation.	Expands scope to include elected members and contractors.	Better clarity on roles and responsibilities.
Governance Principles	Defines separation of powers but lacks a structured decision-making framework.	Introduces risk-based decision-making and aligns with EPIC values.	Aligns governance with City values and modern enforcement principles.
Compliance Approach	Mentions proactive vs reactive enforcement but lacks visual workflow.	Provides visual workflow and structured escalation steps.	More structured enforcement progression and transparency.
Guiding Principles	Focuses on fairness, consistency, and efficiency without a structured approach.	Adds cost-effectiveness, due process, and accountability.	Enhances enforcement consistency and fairness with clearer guidelines.
Enforcement Tools & Powers	Mentions notices, prosecution, and referrals but lacks enforcement escalation.	Clearly defines graduated enforcement tools (warnings, fines, orders, prosecution).	Provides structured enforcement steps, improving legal robustness.
Risk-Based Approach	Uses public interest criteria but lacks a structured risk assessment.	Introduces structured risk assessment and Melville Risk Matrix.	Ensures enforcement focuses on highest-risk cases.
Investigation Process	Defines investigation but lacks procedural breakdown and workflow.	Defines investigation process step-by-step, including anonymous complaints.	Strengthens investigation workflow and documentation standards.
Transparency & Communication	Ensures stakeholders are informed but doesn't define specific updates.	Outlines formal communication updates to stakeholders.	Improves public trust through structured communication.
Prosecution & Legal Actions	Defines prosecution as a last resort but lacks criteria for legal action.	Provides structured legal criteria for prosecution and case discontinuation.	Reduces unnecessary legal action with clear escalation criteria.

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ABN 81 152 433 900



Risk Matrix

Consequence →	Insignificant (1)	Minor (2)	Moderate (3)	Major (4)	Catastrophic (5)
	Financial & Economic: - Loss of up to \$100k - Insignificant disruption to Economy of the region - No recognisable impact after project completion (scope, cost, schedule, stakeholder, outcomes) - Insurance – Supplier has no contact with the public or property; provides no professional advice	Financial & Economic: - Loss of \$100k - \$1m - Minor disruption to Economy of the region - Some compromise to scope, cost, schedule, stakeholders, or outcomes but project remains intact - Insurance – Supplier has little contact with the public or property; provides some professional advice	Financial & Economic: - Loss of \$1m – \$5m - Moderate disruption to Economy of the region - Project will not fully deliver in accordance with all requirements, but the result will be functional - Insurance – Supplier has contact with the public or property; provides professional advice	Financial & Economic: - Loss of \$5m - \$15m - Major disruption to Economy of the region - Project will be completed but scope, cost, schedule, stakeholder or outcomes will be substantially compromised - Insurance – Supplier has potential for causing serious injury or property damage; provides expert professional advice	Financial & Economic: - Loss greater than \$15m (15% of the City's Annual Rates) - Catastrophic disruption to Businesses and Economy of the region - Project will fail to be completed or to deliver its outcomes or major objectives - Insurance – Supplier has potential for injury of multiple people or properties in one incident; expert professional advice will be relied upon
	Health, Safety & Environment: - Incident only no medical treatment required - An incident involving a child or young person where they are not harmed - Transient impact on the environment - Insignificant long-term aftereffects to the environment, resource consumption or climate change.	Health, Safety & Environment: - Minor physical or psychological injury or first aid treatment - Child or young person experiences harm which is minor - Small impact – no long-term effect on the environment - Minor long-term aftereffects to the environment, resource consumption or climate change.	Health, Safety & Environment: - Serious physical or psychological injury requiring medical treatment - Child or young person experiences harm - Small impact – long term recovery on the environment - Moderate long term aftereffects to the environment, resource consumption or climate change.	Health, Safety & Environment: - Life threatening physical or psychological injury or multiple serious injuries – hospitalization - Child or young person experiences harm which may be profound and have long term effects - Major impact – long term recovery on the environment - Major long-term aftereffects to the environment, resource consumption or climate change.	Health, Safety & Environment: - Death or permanent disability - Child or young person experiences harm which is profound and has long term effects - Irreversible harm on the environment - Catastrophic long-term aftereffects to the environment, resource consumption or climate change.
	Service Disruption & Compliance: - Business as usual (BAU) - Technical breach not subject to consequences	Service Disruption & Compliance: - Minor impact, easily managed, BAU - Minor breach of statutory or contractual obligations with request to comply	Service Disruption & Compliance: - Some objectives affected, BAU with minor controls - Significant breach of statutory or contractual obligations	Service Disruption & Compliance: - Some major objectives not achieved, reduced delivery - Major breach of statutory obligations resulting in fine or common law action by individual or group	Service Disruption & Compliance: - Most objectives not achieved, unable to deliver - Major breach of statutory obligations resulting in significant penalties
	Reputation, Political & Sustainability: - Insignificant adverse local community comment or complaint - Insignificant loss of community trust and decreased perception - Insignificant impact to multiple community groups (disruption or displacement) - Insignificant disruption to sense of community - Insignificant effects to future resilience.	Reputation, Political & Sustainability: - Minor media interest with low news profile e.g., local paper - Minor loss of community trust and decreased perception - Minor impact to multiple community groups (disruption or displacement) - Minor disruption to sense of community - Minor effects to future resilience.	Reputation, Political & Sustainability: - Public embarrassment, moderate news profile, internal ministerial involvement - Moderate loss of community trust and decreased perception - Moderate impact to multiple community groups (disruption or displacement) - Moderate disruption to sense of community - Moderate effects to future resilience.	Reputation, Political & Sustainability: - High news profile (including TV), third party action, public ministerial involvement - Major loss of community trust and decreased perception - Major impact to multiple community groups (disruption or displacement) - Major disruption to sense of community - Major effects to future resilience.	Reputation, Political & Sustainability: - Widespread national news profile, formal inquiry, possible government censure - Complete loss of community trust - Permanent loss of multiple community groups (disruption or displacement) - Complete loss of sense of community - Catastrophic effects to future resilience.
Likelihood ↓					
Almost Certain (5) All the controls associated with the risk are extremely weak and/or non-existent. Without control improvement there is almost no doubt whatsoever that the risk will eventuate	Medium (5)	Medium (10)	High (15)	Extreme (20)	Extreme (25)
Likely (4) Most of the controls associated with the risk are weak. Without control improvement it is more likely than not that the risk will eventuate	Medium (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible (3) There are some controls that need improvement, however, if there is no improvement there is no guarantee the risk will eventuate	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely (2) Most controls are strong with few control gaps. The strength of this control environment means that it is likely that the risk eventuating would be caused by external factors not known to the organisation	Low (2)	Medium (4)	Medium (6)	Medium (8)	Medium (10)
Rare (1) All controls are strong with no control gaps. The strength of this control environment means that, if this risk eventuates, it is most likely because of external circumstances outside of our control or foreseeable knowledge	Low (1)	Low (2)	Low (3)	Medium (4)	Medium (5)

Risk Rating	Risk Acceptance	Risk Acceptance Criteria	Responsibility	Reporting
Extreme Risk (20-25)	Unacceptable	Risk only acceptable with excellent controls and all treatment plans to be explored and implemented, managed by ELT and subject to monthly monitoring.	Executive Leadership Team (ELT)	Immediately report to ELT
High Risk (12-16)	Accept & Treat	Risk acceptable with excellent controls, managed by MLT and subject to quarterly monitoring.	Management Leadership Team (MLT)	Immediately report to MLT
Medium Risk (4-10)	Accept & Monitor	Risk acceptable with adequate controls, managed by specific procedures and subject to annual monitoring.	Operational Leadership Team (OLT)	Report to OLT
Low Risk (1-3)	Acceptable	Risk acceptable with adequate controls, managed by routine procedures.	Anyone	Report to Supervisor

Presented to	Ordinary Meeting of Council to be held June 17 2025
Related to Item	Compliance Policy
Submitted by	Cr Glynis Barber
Attachments	Nil.

AMENDMENT

That the officer recommendation be amended by changing point one from “21 calendar days” to read “35 calendar days”.

OBJECTIVE, BENEFIT AND POTENTIAL RISKS TO BE CONSIDERED

To allow interested community members plenty of time to read the Policy then potentially contribute their thoughts and ideas to make it an even better Policy.

REASONS FOR THE MOTION

1. Three weeks is not a long time to fully appreciate a Policy such a this important and large one. Five weeks will give community members more time to fully digest this document.
2. With this extra time, better consideration of the Policy and better prepared responses and suggestions from interested community members will be achieved.
3. Within these 5 weeks community consultation period, interested community members may be able to make a face-face appointment with Compliance officers to further discuss their suggestions. This will enable a positive and transparent dialogue with the community.



Council Plan for the Future 2024-2034: Corporate Business Plan 2024-2028 2024-25 End-of-Year Report

Summary

A total of 91 projects and programs are identified in the Corporate Business Plan 2024-28 for 2024-25 to support the achievement of the Council Plan outcomes and objectives.

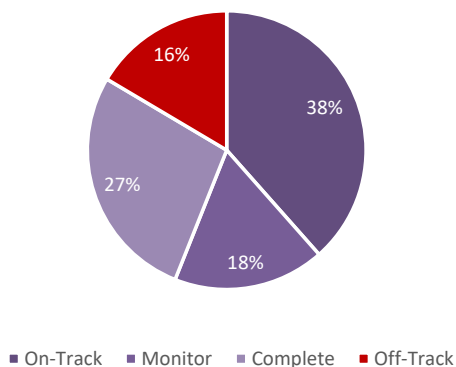
At 2024-25 year-end, project and program delivery *projected* statuses as per Q4 phasing and milestones are as follows.

Program/ Project Status Definition:

- Complete: Project or program complete
- On-Track: Project or program progressing as planned and milestones achieved for quarter
- Monitor: Project or program not progressing as planned, requires monitoring
- Off-Track: Project or program not progressing as planned, requires support and intervention

Council Plan Outcomes	#	Complete	On-Track	Monitor	Off-Track
Healthy, Safe and Inclusive	33	8	17	1	7
Clean and Green	33	11	9	6	7
Sustainable and Connected Development	20	6	7	6	1
Vibrant and Prosperous	2	-	1	1	-
Good Governance and Leadership	3	-	1	2	-
Total	91	25	35	16	15
		84%			16%

Corporate Business Plan 2024-2028
2024-25 End of Year Projections



Note: Project and program *projected* statuses have been considered as part of the Annual Review of the Corporate Business Plan 2024-2028.



Reporting by Exception

The below provides specific details on the projects and programs projected not to progress as planned by 2024-25 year-end.

Q4 Milestone/s	Projected Status	Officer Comment
Healthy, Safe and Inclusive		
Service 11: Sport and Recreation		
Program/Project 12: Changeroom Upgrade – Alan Edwards St 1		
<u>Project Phase:</u> Planned start Q4. <u>Milestone:</u> June 2025 – RFQ for Architectural Consultancy.	Off Track	<u>Officer Comment:</u> Project is awaiting further consultation from the Clubs prior to design. In the meantime, site servicing audits including geotechnical studies and line location have been completed.
Program/Project 14: Changeroom Upgrade – Karoonda Reserve		
<u>Project Phase:</u> Procurement. <u>Milestone:</u> June 2025 – Complete construction.	Off Track	<u>Officer Comment:</u> Project is on hold pending further funding in the next financial year FY25/26. The project is Tender ready once further funding is available.
Program/Project 16: Changeroom Upgrade –Morris Buzacott		
<u>Project Phase:</u> Procurement. <u>Milestone:</u> June 2025 – Refurbishment works commence.	Off Track	<u>Officer Comment:</u> Project is on hold awaiting external funding opportunities (CSRFF).
Program/Project 17: Changeroom Upgrade – Peter Ellis		
<u>Project Phase:</u> Procurement. <u>Milestone:</u> June 2025 – Construction commences.	Off Track	<u>Officer Comment:</u> Project is on hold awaiting the outcomes of the Leeming Recreation Centre pre-feasibility study.
Program/Project 18: Changeroom Upgrade – Troy Park		
<u>Project Phase:</u> Design. <u>Milestone:</u> April 2025 – Commence detailed design.	Off Track	<u>Officer Comment:</u> Request for Tender for Troy Park detailed design is currently being advertised. There was a minor delay as the City embarked on a Request for Quotation process, however quotes came in over the Tender threshold.
Program/Project 24: Sporting infrastructure Renewal Program 1		
<u>Project Phase:</u> Planning. <u>Milestone:</u> Program projects progressing as per planned phasing for Q4.	Off Track	<u>Officer Comment:</u> Minor renewal of sporting infrastructure has taken place over the year. The remainder of funds will be used to renew the tennis facility at Jack Howson Reserve. Project is delayed due to a protracted community consultation now resolved, however this then led to contractor availability challenges.



Q4 Milestone/s	Projected Status	Officer Comment
Program/Project 26: Southside BMX Facilities		
<u>Project Phase:</u> Construction. <u>Milestone:</u> June 2025 – Practical Completion.	Off Track	<u>Officer Comment:</u> Unforeseen delays in obtaining appropriate labour for the project has resulted in project delays. The project is now scheduled to be completed by late August 2025.
Clear and Green		
Service 15: Sustainability		
Program/Project 35: Renewable Energy Projects		
Program/Project 36: Renewable Energy Project (Solar PV Rollout Program 24-25)		
Program/Project 37: Renewable Energy Project (Zero Emission Project – Battery (BESS))		
Program/Project 38: Corporate Climate Capital Program		
<u>Project Phase:</u> Construction. <u>Milestone:</u> Complete construction and close out CEUF grant elements.	Monitor	<u>Officer Comment:</u> The outcome of a CEUF Grant application was lodged in April 2024 was announced in February 2025 - more than double the anticipated processing time. Following the successful outcome, negotiations of the grant agreement commenced with the CEUF grant provider however was paused on 14 April 2025 due to caretaker period for the Federal election. Since then, there has been no correspondence from the grant provider, and no known timeframe for the negotiations to re-commence and reach a conclusion so that the Energy Efficiency and Resilience Projects can begin. To address this uncertainty, the capital budget spending has been extended across the next 2 financial years (FY25/26 and FY26/27) to accommodate any further project delays.
Service 16: Natural Areas Management		
Program/Project 41: Majestic Boardwalk (Construction)		
<u>Project Phase:</u> Construction. <u>Milestone:</u> Construction continues with 80% of the refurbishment complete.	Off-Track	<u>Officer Comment:</u> Project was delayed due to an unsuccessful Tender process. The City has subsequently retendered successfully, and works will now commence in Q2 of the next financial year (FY25/26).
Program/Project 42: Foreshore Program		
<u>Project Phase:</u> Design. <u>Milestone:</u> Melville Beach Project Completed. The Esplanade and Blackwall Reach Projects in design phase for construction in 25/26FY.	Monitor	<u>Officer Comment:</u> Several projects have been completed with maintenance requirements ongoing. Remaining projects are at varying stages due to delays with Department of Biodiversity Conservation and Attractions (BDCA) Grants being approved, and managing Contractor availability due to



Q4 Milestone/s	Projected Status	Officer Comment
		the delays.
Service 17: Parks and Streetscape Management		
Program/Project 50: Webber Reserve Redevelopment		
<u>Project Phase:</u> Construction. <u>Milestone:</u> Project Completed.	Off-Track	<u>Officer Comment:</u> The project has far exceeded the original timeline due to the complexity of the project with site challenges. Additionally, there a number of significant elements that require construction in a particular order, with the bulk of a carry forward to (FY25/26) linked to a path around the park which will be the last element of the project.
Program/Project 54: Playspace Renewal Program		
<u>Project Phase:</u> Construction. <u>Milestone:</u> Build stage 2 playgrounds.	Off-Track	<u>Officer Comment:</u> Several playspaces have been constructed. The remaining are under construction, with the completion of some of these projects expected to carry forward into Q1 of the next financial year (FY25/26).
Program/Project 55: Goolugatup Heathcote Lower Development Program		
<u>Project Phase:</u> Construction. <u>Milestone:</u> Construction completed.	Off-Track	<u>Officer Comment:</u> Construction is running behind due to design issues. Practical completion is due in July 2025.
Program/Project 56: Attadale Shops – Local Activity Centre Renewal Program		
<u>Project Phase:</u> Construction. <u>Milestone:</u> Construction completed.	Off-Track	<u>Officer Comment:</u> This project will not be complete this financial year due to issues in defining scope of work. Project will be a carried forward and completed in the next financial year (FY25/26).
Program/Project 57: Cultural Hub – City Centre Open Space		
<u>Project Phase:</u> Design. <u>Milestone:</u> Open Space deign in conjunction with the Cultural Hub.	Off-Track	<u>Officer Comment:</u> Linked to the Scentre Group Development which has been put on hold with a request to delay. Further decisions regarding the timing of design work is required before progressing further.
Program/Project 59: Kearns Crescent Riseley Activity Centre Renewal 24-25		
<u>Project Phase:</u> Design. <u>Milestone:</u> Present to Council.	Monitor	<u>Officer Comment:</u> A decision on the streetscape upgrade for Kearns Crescent is anticipated to be presented to Council in August of the next financial year (FY25/26).
Service 18: Resource Recovery and Waste Management		
Program/Project 65: Community Recycling Facility		
<u>Project Phase:</u> Planning. <u>Milestone:</u> Commence project.	Off-Track	<u>Officer Comment:</u> A Request for Proposal (RFP) process for the RRRC site remains pending. Finalisation of the briefing documentation



Q4 Milestone/s	Projected Status	Officer Comment
		has been delayed due to increased operational demands, driven in part by ongoing staff shortages and unfilled vacancies. As a result, the RFP timeline will be deferred. Project is still going ahead.
Sustainable and Connected Development		
Service 24: Paths		
Program/Project 72: Paths – New/ Upgrade Program		
<u>Project Phase:</u> Construction.	Monitor	<u>Officer Comment:</u> Majority of program complete. Projects will carry forward into the next financial year FY25/26, due to consultation issues and western power delays.
<u>Milestone:</u> Design and construction program complete.		
Service 25: Traffic, and Road Safety		
Program/Project 73: Roads – Traffic Management Program - Upgrade and New		
<u>Project Phase:</u> Construction.	Monitor	<u>Officer Comment:</u> Several projects have been impacted by Western Power delivery availability, however, the majority of projects were completed.
<u>Milestone:</u> Construction complete.		
Service 28: Urban Planning		
Program/Project 78: Canning Bridge Activity Centre Plan Review		
<u>Project Phase:</u> Planning	Monitor	<u>Officer Comment:</u> Draft report by consultants expected June 2025. Report will be presented to EMES and then Council (July/August) for endorsement. Upon endorsement the report will be forwarded to the WAPC to enable a decision on the CBACP review.
<u>Milestone:</u> Project Complete, follow up studies commenced		
Program/Project 80: Myaree Master Plan		
<u>Project Phase:</u> Planning.	Monitor	<u>Officer Comment:</u> Graphic designer has completed updates to master plan reporting. To be presented to ELT and Council June/July 2025.
<u>Milestone:</u> Implementation of Actions.		
Program/Project 81: Riseley Activity Centre Plan Review		
<u>Project Phase:</u> Planning.	Monitor	<u>Officer Comment:</u> Project scope being finalised. Matters required to be included in review now clarified with DPLH.
<u>Milestone:</u> Appointment of consultants, project commencement.		
Program/Project 84: Preliminary community consultation (Local Planning Policy – Significant Trees)		
<u>Project Phase:</u> Planning.	Monitor	<u>Officer Comment:</u> Further options workshop with Elected members scheduled for June 2025.
<u>Milestone:</u> Implementation of options determined by Council.		



Q4 Milestone/s	Projected Status	Officer Comment
Program/Project 85: Local Planning Policy – Sustainable Development		
<u>Project Phase:</u> Planning. <u>Milestone:</u> Planning commences.	Off-Track	<u>Officer Comment:</u> Policy opportunity and potential scope to be presented to a future EMES pending resource reprioritisation.
Vibrant and Prosperous		
Service 30: Strategic Land and Property Management		
Program/Project 86: Booragoon City Centre Strategic Property Management		
<u>Project Phase:</u> Planning. <u>Milestone:</u> Ongoing management of the conditions precedent set in the Land Exchange agreement between City of Melville and Westfield Booragoon (Centre Custodians Pty Ltd and Dexus Wholesale Property Limited).	Monitor	<u>Officer Comment:</u> A workshop was held on 8 May 2025 between Scentre Group and City staff to discuss early access to the proposed High Street. An in-principle agreement has been reached to proceed with a Deed of Variation (DoV) to accommodate this change. Work on finalising the DoV is currently progressing.
Good Governance and Leadership		
Service 38: Information Communication and Technology (ICT)		
Program/Project 88: Digital Strategy Capital Program		
<u>Project Phase:</u> Development/ Implementation. <u>Milestone:</u> Various milestones relating to individual projects and/or activities within the program.	Monitor	<u>Officer Comment:</u> The Digital Strategy Capital Program is on track and within budget tolerances. Work is currently being undertaken to develop a new Digital Strategy, with multiple workshops organised with key stakeholders across the City. This will inform new ICT priorities for the next 3 to 5 years.
Program/Project 89: Digital Strategy Operational Program		
<u>Project Phase:</u> Development/ Implementation. <u>Milestone:</u> Various milestones relating to individual projects and/or activities within the program.	Monitor	<u>Officer Comment:</u> The Digital Strategy Capital Program is on track and within budget tolerances. Work is currently being undertaken to develop a new Digital Strategy, with multiple workshops organised with key stakeholders across the City. This will inform new ICT priorities for the next 3 to 5 years.



Council Plan for the Future

2024–2034



Part B: Corporate Business Plan 2025 – 2029

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OVERVIEW

Part A: Strategic Community Plan

Message from the Mayor and CEO
Our Vision and Values
Integrated Planning and Reporting Framework
The Council Plan
Our City
Our Council
Strategic Impacts
Community Aspirations and Priorities
Our Strategic Community Plan 2024–2034

No amendment /
revision

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Our Corporate Business Plan 2025 – 2029

Over the next four years, the City of Melville will deliver the following services contributing to the achievement of our community's aspirations and priorities.

OUTCOMES

				
Healthy, Safe and Inclusive	Clean and Green	Sustainable and Connected Development	Vibrant and Prosperous	Good Governance and Leadership

SERVICES

- Community development - people - Neighbourhood centres and community capacity building - Libraries - Arts, culture and events - Museums and cultural precincts - Community safety - Community safety mobile patrol service - Ranger services - Public health - Sport and recreation - LeisureFit - Point Walter Reserve and Golf Course	- Sustainability - Natural areas management - Parks and streetscape management - Resource recovery and waste management	- Building services - Development compliance - Statutory planning services - Roads and transport infrastructure - roads and carparks - Roads and transport infrastructure - stormwater and drainage - Paths - Traffic, and road safety - City buildings project management - City buildings management - Strategic planning	- Strategic land and property management - Business development	- Community and stakeholder engagement - Customer experience - Asset management planning - Corporate strategy - Communications - Finance and risk - Information communications and technology - Governance - Internal audit - People and culture - Workplace health and safety - Fleet - Business support/ leadership/executive support - Advocacy and grants

In the sections that follow, our services and related projects and programs are described in more detail under the relevant outcome areas with links to key objectives. The information provided for each service includes a description of that service, workforce and budget information, as well as the operating and capital projects and programs that link to that service. Allocations for full-time equivalent workforce data (FTE) and costs are in line with the 2025-26 adopted Annual Budget.

Outcome 1: Healthy, Safe and Inclusive



**Healthy, safe and inclusive communities
with a sense of belonging and wellbeing.**

Objectives:

- 1.1 Facilitate a sense of community, wellbeing, social connection, and participation.
- 1.2 Provide a range of inclusive local community services, events and cultural activities.
- 1.3 Improve community safety and security.
- 1.4 Provide inclusive multipurpose places and facilities to encourage healthy lifestyles and wellbeing.
- 1.5 Support sustainable sporting and community groups and volunteering.
- 1.6 Provide and facilitate lifelong learning opportunities.

Key	
FTE	Full Time Equivalent Positions
Cap	Capital Project
Op	Operating Project

Service	FTE	Net Cost 2025-26
01 Community Development – People	9.08	\$1,850,827
Lead and support initiatives that strengthen community connectedness, belonging, and active participation across Melville, with a focus on equity, rights, and inclusion. This includes delivering strategic actions from the Youth, Disability, and Age-Friendly plans, coordinating volunteering and child safety programs, and managing the Community Based Transport Service.		
Sub-Services - Youth Activities - Volunteer Melville - Access and Inclusion - First Nations Engagement and Reconciliation - Child Safety - Seniors Informing Strategies / Plans - Age Friendly Melville - Directions from Young People Strategy - Disability Access and Inclusion Plan - Reconciliation Action Plan		

Projects					
Men's Shed Modifications	Project Type	2025-26	2026-27	2027-28	2028-29
This project aims to deliver a fit-for-purpose facility for the Men's Shed at the Hayden Court property. It will accommodate current needs and allow for future membership growth.	Cap	✓			
	Q1	Continue construction.			
	Q2	Finalise construction.			
	Q3	12-month Defects Liability period.			
	Q4	12-month Defects Liability period continues.			
2025-26 Project Budget	\$600,000				

Service	FTE	Net Cost 2025-26
02 Neighbourhoods, Centres and Community Capacity Building	5.51	\$698,176
Manage and activate community centres and spaces through collaborative programming, volunteer engagement, and community-led initiatives that foster connection and participation. Oversee grants, projects, financial counselling services, and provide support to license holders to enable inclusive,		

Service	FTE	Net Cost 2025-26
02 Neighbourhoods, Centres and Community Capacity Building	5.51	\$698,176
responsive service delivery.		
Sub-Services - Community Centre Management - Capacity Building – Local Not for Profit Organisations and Community Groups - Financial Counselling and Emergency Relief	Informing Strategies / Plans <i>Community Infrastructure Strategy*</i> <i>Social Infrastructure Plan*</i>	

*Strategy / Plan in development

Projects					
Blue Gum Community Centre Redevelopment	Project Type	2025-26	2026-27	2027-28	2028-29
This project will refurbish the Blue Gum Community Centre to meet current building compliance standards. It will also renew ageing assets and components that have reached the end of their useful life.	Cap	✓			
	Q1	Continue construction.			
	Q2	Construction is complete and the Centre is reopened to the public.			
	Q3	12-month Defects Liability period.			
	Q4	12-month Defects Liability period continues.			
2025-26 Project Budget	\$318,169				

Programs		
Program	Type	2025-26 Program Budget
Furniture and Equipment Program (Community Centres) (Part of program covering Services 02, 04, 06 and 13) This program covers the renewal, replacement, and upgrade of furniture and equipment across the City's libraries, museums, community centres, and leisure centres. It ensures these facilities remain functional, welcoming, and fit-for-purpose.	Cap	\$31,800

Service	FTE	Net Cost 2025-26
04 Libraries	35.83	\$6,067,046
Provide inclusive, vibrant spaces, information, and activities that promote literacy, support lifelong learning, and foster social connectedness and accessibility across the community.		
Sub-Services - Life-long Learning Activities, Events and Programs - Reference, Information and Readers Advisory Service - Library Home Delivery Service - Library Centre Management - Library Collections	Informing Strategies / Plans <i>Library Technology Strategy*</i>	

*Strategy / Plan in development

Projects					
Library and Cultural Centre Development	Project Type	2025-26	2026-27	2027-28	2028-29
This project will deliver a state-of-the-art Library and Cultural Centre as part of the City's main street and cultural hub. It will include a modern library, A-Class Museum, multi-purpose meeting rooms, café,	Cap	✓	✓	✓	✓
	Q1	Detailed design on track and communicated with user groups.			
	Q2	Detailed design complete.			

Projects					
Library and Cultural Centre Development	Project Type	2025-26	2026-27	2027-28	2028-29
and public open space.	Q3	Tender for construction is put together and advertised.			
	Q4	Tender is assessed and awarded for construction.			
2025-26 Project Budget	\$2,200,000				

Programs		
Program	Type	2025-26 Program Budget
Furniture and Equipment Program (Libraries) (Part of program covering Services 02, 04, 06 and 13) This program covers the renewal, replacement, and upgrade of furniture and equipment across the City's libraries, museums, community centres, and leisure centres. It ensures these facilities remain functional, welcoming, and fit-for-purpose.	Cap	\$460,268

Service	FTE	Net Cost 2025-26
05 Arts, Culture and Events	10.75	\$2,800,443
Plan, manage, and deliver arts and cultural services, events, programs, facilities, and collections that foster lifelong learning, creativity, and community engagement.		
Sub-Services - Events and Cultural Programs and Services - Arts Development - Art Collection Management - Public Art Management - Cultural Infrastructure Planning and Project Management	Informing Strategies / Plans - Cultural Infrastructure Strategy* - Cultural Plan: Creative Melville - Public Art Strategy - Artwork Asset Management Plan	

*Strategy / Plan in development

Projects					
Atwell Gallery Redevelopment (Stage 2)	Project Type	2025-26	2026-27	2027-28	2028-29
This project will upgrade Atwell Gallery to create a fit-for-purpose facility for cultural services and community art activities. It aims to enhance functionality and support the growing needs of local arts operations.	Cap	✓	✓		
	Q1	Detailed design on track and communicated with user groups.			
	Q2	Detailed design complete.			
	Q3	Hold point in the contract awaiting external funding outcomes.			
	Q4	Hold point in the contract awaiting external funding outcomes.			
2025-26 Project Budget	\$300,000				

Programs		
Program	Type	2025-26 Program Budget
Artworks Acquisition Program This program supports visual arts initiatives, public art projects, and the development of its art collection, guided by key strategic documents. It enables investment in local artists, enhances public spaces, and ensures community access to artworks through commissions, exhibitions, and acquisitions. 2025-26 Art Collections purchases include two commissions plus the Art Award. 2025-26 Public Art purchases include the Mt Henry Bridge Mural and Biophilic Public Art Commission – Stage 2.	Cap	\$230,000

Service	FTE	Net Cost 2025-26
06 Museums and Cultural Precincts	3.98	\$1,035,780
Manage and deliver museum, gallery, and local history services to preserve and share the City's heritage, including key collections and the museum learning program. Oversee the Goolugatup Heathcote Precinct, coordinating exhibitions, events, and operations while supporting onsite artists and creative organisations.		
Sub-Services • Cultural Precinct Management • Goolugatup Gallery Curation • Exhibitions, Programs, Education Services and Events • Local History Services • Museum Collection Management •	Informing Strategies / Plans • Goolugatup Lowerlands Vision • Yagan Mia Wireless Hill Vision • Heathcote Vision and Plan Place	

Projects					
Museum Collection Management System	Project Type	2025-26	2026-27	2027-28	2028-29
This project will implement a purpose-built Collection Management System (CMS) to improve the care, documentation, and accessibility of the City's Museum collections. It will replace the current inadequate library-based system, with funding covering software, data migration, installation, and staff training.	Op	✓			
	Q1	Scoping complete by August 2025.			
	Q2	System requirements/design by October 2025.			
	Q3	System procured/supplier contracted by December 2025.			
	Q4	System implemented/fully operational by April 2026. Old CMS systems/storage decommissioned by June 2026.			
2025-26 Project Budget		\$61,604			

Service	FTE	Net Cost 2025-26
07 Community Safety	11.00	\$1,276,721
Deliver projects, programs, and education initiatives focused on community safety and emergency management to reduce crime, enhance compliance with local laws, and improve perceptions of safety across the city.		
Sub-Services • Community Safety and Crime Prevention Programs	Informing Strategies / Plans • Cat Management Plan • Safer Melville Plan	

Projects					
Facility Security Upgrades – Building Access Control (Phase 1)	Project Type	2025-26	2026-27	2027-28	2028-29
This project will modernise access control at key community facilities by implementing an integrated security system. It will enhance safety, improve operational efficiency, and streamline community access while reducing administrative burden.	Cap	✓			
	Q1	Council approval and budget allocation.			
	Q2	Identifying priority locations, selection of vendors and contract negotiation.			
	Q3	Initial installation of solution at high priority sites, linking systems to community safety patrol service. Informing residents and businesses about the project.			
	Q4	Review system effectiveness.			
2025-26 Project Budget		\$300,000			

Programs		
Program	Type	2025-26 Program Budget
Parking Technology Program This program aims to improve operational efficiency, modernise service delivery, and enable officers to focus on higher-priority tasks while maintaining effective enforcement and compliance. In 2025-26, this includes enhancements to mobile parking technology and the upgrade of parking meters.	Cap	\$300,000

Service	FTE	Net Cost 2025-26
08 Community Safety Mobile Patrol Service	23.00	\$(671,538)
Provide a trusted and recognisable community service that enhances public safety and compliance through a balanced approach of proactive engagement and responsive enforcement of local laws across the city.		
Sub-Services - Community Safety Mobile Patrol Service - Holiday Watch Program	Informing Strategies / Plans Safer Melville Plan	

Projects					
Fiona Stanley Hospital – New Parking Technology	Project Type	2025-26	2026-27	2027-28	2028-29
This project involves installing fixed License Plate Recognition (LPR) cameras and in-ground sensors within the Fiona Stanley Hospital precinct to improve parking compliance. It targets ongoing issues such as overstays, illegal footpath parking, and obstructive or unsafe parking.	Op	✓			
	Q1	Procurement and vendor selection.			
	Q2	System installation and integration.			
	Q3	Pilot testing, community education and full system activation and evaluation.			
	Q4	-			
2025-26 Project Budget	\$105,000				

Service	FTE	Net Cost 2025-26
09 Ranger Services	8.00	\$1,111,773
Deliver education and enforcement activities under relevant Local Laws and State legislation – including animal management, fire safety, parking, and emergency management – to enhance community safety and compliance.		
Sub-Services - Animal Management - Fire Management - Parking Management - Emergency Management		

Service	FTE	Net Cost 2025-26
10 Public Health	9.50	\$1,371,225
Ensure a safe and healthy community by upholding high public health standards, providing access to clean water, safe food, and well-managed environments. This includes preventing disease, illness, and injury from environmental health risks such as pollution, noise, hazards, and other environmental exposures.		

Service	FTE	Net Cost 2025-26
10 Public Health	9.50	\$1,371,225
Sub-Services • Environmental Health • Sampling and Monitoring • Mosquito Management		

Service	FTE	Net Cost 2025-26
11 Sport and Recreation	9.33	\$1,923,184
Builds the capacity of sporting groups through guidance and support to enable vibrant, inclusive community offerings. Leads the planning, prioritisation, and access management of sport and recreation infrastructure, and develops policies, partnerships, and programs that promote healthy lifestyles.		
Sub-Services • Sport and Recreation Facilities Planning • Recreation Development and Bookings <i>Reserves and Bookings, Fund and Grant Administration, Club Liaison and Support</i> • Health Promotions		
Informing Strategies / Plans • Active Reserve Infrastructure Plan** • Healthy Melville Plan • <i>Wheeled Sports Strategy*</i> • <i>Tennis Strategy*</i> • <i>Bowls Strategy*</i>		

* Strategy / Plan in development

** Strategy / Plan being reviewed

Projects					
Active Reserve Infrastructure Strategy (ARIS) – Review	Project Type	2025-26	2026-27	2027-28	2028-29
This project will review the 2020 Active Reserve Infrastructure Strategy and expand its scope to develop a comprehensive Sport and Recreation Infrastructure Plan. It aims to guide future planning and investment for all sport and recreation infrastructure across the City of Melville.	Op	✓			
	Q1	Community Engagement, Draft Plan.			
	Q2	Draft Plan to Council, Community Engagement – Draft Plan.			
	Q3	Finalise Plan.			
	Q4	Final Plan to Council.			
2025-26 Project Budget	\$23,335				
Leeming Recreation Centre – Needs Analysis and Pre-Feasibility Study	Project Type	2025-26	2026-27	2027-28	2028-29
With the Leeming Recreation Centre nearing the end of its useful life, this project will explore future options for its provision and management. It will also consider integration opportunities with the nearby town centre and Leeming Senior High School.	Op	✓			
	Q1	Draft Pre-Feasibility Study.			
	Q2	Present Draft Needs and Site Analysis and Pre-Feasibility Study to Council.			
	Q3	-			
	Q4	-			
2025-26 Project Budget	\$21,001				
Changeroom Upgrade (Pre-Planning) – Alan Edwards Reserve	Project Type	2025-26	2026-27	2027-28	2028-29
This project will deliver a Needs and Site Analysis, Concept Design, and Feasibility Study for the Alan Edwards Reserve changerooms, including stakeholder engagement. It will define the upgrade scope, identify future needs, and present concept options, budget, and funding pathways to Council for decision-making.	Op	✓	✓		
	Q1	Develop Project Plan.			
	Q2	Undertake Needs and Site Analysis (includes Stakeholder Engagement).			
	Q3	Continue Needs and Site Analysis (includes Stakeholder Engagement).			
	Q4	Undertake Concept Design and Feasibility. Prepare CSRFF Application (subject to Council endorsement of Concept).			
2025-26 Project Budget	\$28,002				

Projects					
Changeroom Upgrade (Pre-Planning) – Gairloch Reserve	Project Type	2025-26	2026-27	2027-28	2028-29
This project involves a Needs and Site Analysis, Concept Design, and Feasibility Study for the Gairloch Reserve changerooms, including stakeholder engagement. It will define the upgrade scope, highlight future needs, and provide Council with concept options, budget, and funding recommendations.	Op	✓	✓		
	Q1	Develop Project Plan.			
	Q2	Undertake Needs and Site Analysis (includes Stakeholder Engagement).			
	Q3	Continue Needs and Site Analysis (includes Stakeholder Engagement).			
	Q4	Undertake Concept Design and Feasibility. Prepare CSRFF Application (subject to Council endorsement of Concept).			
2025-26 Project Budget	\$28,002				
Melville Bowling Club Redevelopment – Needs Analysis and Feasibility Study	Project Type	2025-26	2026-27	2027-28	2028-29
This project will deliver a comprehensive needs analysis, site analysis, concept design, and feasibility study for the proposed redevelopment of the Melville Bowling Club. It will explore integrated planning opportunities with Atwell House to support a coordinated precinct approach.	Op	✓	✓		
	Q1	Procurement – Consultancy.			
	Q2	Needs and Site Analysis.			
	Q3	Concept Design.			
	Q4	Feasibility Study.			
2025-26 Project Budget	\$56,004				
Morris Buzzacott Reserve – Site Development Plan	Project Type	2025-26	2026-27	2027-28	2028-29
This project will develop a coordinated Site Development Plan for Morris Buzzacott Reserve to prioritise proposed renewals, capital works, and group requests. It will guide future investment and support external funding opportunities for this key district-level sporting and community precinct.	Op	✓			
	Q1	Draft Open Space Concept Plan.			
	Q2	Stakeholder and Community Engagement. Cost Estimate.			
	Q3	Council Report.			
	Q4	-			
2025-26 Project Budget	\$28,002				
Morris Buzzacott Reserve – Tennis Court (Kardinya) Planning and Design Investigations	Project Type	2025-26	2026-27	2027-28	2028-29
This project involves planning and design investigations to assess the cost of renewing the deteriorating tennis courts at Morris Buzzacott Reserve. It will also consider alternative management models, as current renewal responsibilities sit with the Kardinya Tennis Club under the existing licence.	Op	✓			
	Q1	Design and Cost Estimate.			
	Q2	Management Model Review.			
	Q3	Council Report.			
	Q4	-			
2025-26 Project Budget	\$28,002				
John Connell Reserve – Sports Field Extension and Offset Revegetation Planning	Project Type	2025-26	2026-27	2027-28	2028-29
This project will prepare detailed designs and costings for the John Connell Reserve sports field extension, along with offset revegetation planning for Ken Hurst Park, as required by the approved native vegetation clearing permit. The outcomes will inform a Business Case for Council consideration.	Op	✓			
	Q1	Project Plan, Consultation.			
	Q2	Concept, Cost Estimate, Business Case.			
	Q3	Council Report.			
	Q4	-			
2025-26 Project Budget	\$100,000				
Changeroom Upgrade – Beasley Reserve	Project Type	2025-26	2026-27	2027-28	2028-29
This project will upgrade the changerooms, pavilion, public toilets, and storage areas at Beasley Reserve. It aims to meet the current and future needs of local sporting clubs and improve	Cap	✓	✓	✓	
	Q1	Schematic design completed.			
	Q2	Detailed design on track and communicated with user groups.			
	Q3	Detailed design complete.			

Projects					
overall facility functionality.	Q4	Procurement for the construction of the Beasley Reserve Facility commences.			
2025-26 Project Budget	\$ (100,000) (incl. grant funding)				
Changeroom Upgrade – Karoonda Reserve	Project Type	2025-26	2026-27	2027-28	2028-29
This project will upgrade the changerooms at Karoonda Reserve to better serve the current and future needs of local sporting clubs. It aims to enhance functionality, accessibility, and user experience.	Cap	✓			
	Q1	The construction tender advertised.			
	Q2	The construction tender is assessed and presented to Council for endorsement.			
	Q3	Construction begins at Karoonda Reserve			
	Q4	Construction finishes at Karoonda Reserve and is open for sporting clubs.			
2025-26 Project Budget	\$1,400,000 (incl. grant funding)				
Changeroom Upgrade – Leeming Recreation Centre (Peter Ellis)	Project Type	2025-26	2026-27	2027-28	2028-29
This project will upgrade the changerooms at Leeming Recreation Centre to support the needs of sporting clubs at both Peter Ellis Reserve and the Centre. It aims to improve functionality, accessibility, and accommodate future growth.	Cap	✓			
	Q1	The construction tender is assessed and presented to Council for endorsement.			
	Q2	Construction begins at Leeming Recreation Centre for the users of Peter Ellis Reserve.			
	Q3	Construction continues at Leeming Recreation Centre.			
	Q4	Construction finishes at Leeming Recreation Centre and is open for sporting clubs.			
2025-26 Project Budget	\$1,200,000				
Changeroom Upgrade – Troy Park	Project Type	2025-26	2026-27	2027-28	2028-29
This project will upgrade the changerooms, pavilion, public toilets, and storage areas at Troy Park to meet the current and future needs of sporting, health, and community stakeholders. It aims to enhance functionality, accessibility, and overall facility use.	Cap	✓	✓		
	Q1	Schematic design completed			
	Q2	Detailed design on track and communicated with user groups.			
	Q3	Detailed design complete.			
	Q4	Procurement for the construction of the Troy Park Community Facility commences.			
2025-26 Project Budget	\$250,000 (incl. grant funding)				
Changeroom Upgrade – Len Shearer Reserve	Project Type	2025-26	2026-27	2027-28	2028-29
This project will deliver a new facility at Len Shearer Reserve to meet the current and future needs of local sporting clubs. The build will include four changerooms, a pavilion, kitchen storeroom, and universally accessible toilets.	Cap	✓			
	Q1	Finalise construction.			
	Q2	Occupation and stakeholders move into the new facility. Transition into the 12-month defects liability period.			
	Q3	Remain in the defect liability period.			
	Q4	Remain in the defect liability period.			
2025-26 Project Budget	\$(800,000) (incl. grant funding)				
Changeroom Upgrade – Winnacott Reserve	Project Type	2025-26	2026-27	2027-28	2028-29
This project will refurbish the Winnacott Reserve changerooms to meet the current and future needs of local sporting clubs. The upgrade will deliver contemporary, functional, and universally accessible facilities for the sporting community.	Cap	✓	✓		
	Q1	Finalise concept drawings.			
	Q2	Move to schematic and detailed design.			
	Q3	Create and advertise Tender documents for Winnacott Reserve changeroom upgrade.			
	Q4	Assess and award Tender for Winnacott Reserve changerooms.			
2025-26 Project Budget	\$(25,000) (incl. grant funding)				
Tompkins Park Redevelopment	Project Type	2025-26	2026-27	2027-28	2028-29
This project will refurbish the Tompkins Park	Cap	✓	✓		

Projects		
Facility to meet current building compliance standards and renew ageing assets. It also includes upgrades to the eastern carpark and southern laneway to enhance access and safety.	Q1	Detailed design on track and communicated with user groups.
	Q2	Detailed design complete.
	Q3	Tender for construction is put together and advertised.
	Q4	Tender is assessed and awarded for construction. Construction commencement will be subject to seasonal restrictions.
2025-26 Project Budget	\$500,000	

Programs		
Program	Type	2025-26 Program Budget
Active Reserve Infrastructure Strategy (ARIS) Program – Preliminary Designs This program includes initial technical design and investigation for several minor sport and recreation infrastructure improvements across the community as guided by the Active Reserve Infrastructure Strategy (ARIS). The work will define scope and costs, enabling the City to develop business cases and pursue external funding. Key 2025-26 projects include Mandala Tennis Court Investigation, Morris Buzzacott Reserve (Hockey and Cricket) Preliminary Floodlighting Design, Len Shearer Reserve Preliminary Lighting Design and Marmion Reserve Preliminary Lighting Design.	Op	\$60,668
Community Sports and Recreation Facilities Fund Program The City's contribution to the Community, Sport and Recreation Facilities Fund (CSRFF) supports infrastructure projects that promote physical activity, typically funded jointly by clubs, the City, and the State Government. In 2025-26, funding includes upgrades to floodlights, cricket turf, and court resurfacing, with additional support allocated for smaller projects not eligible under CSRFF.	Cap	\$300,000

Service	FTE	Net Cost 2025-26
13 LeisureFit	48.77	\$1,811,289
Manage LeisureFit Booragoon and LeisureFit Melville to deliver affordable, inclusive fitness, wellness, indoor sport, recreation, and swimming programs for all ages and abilities, with a focus on supporting underserved groups and improving community health and wellbeing. Oversee the hire and use of indoor meeting and function spaces at LeisureFit Melville and Shirley Strickland Sports Pavilion to enable community activities and promote healthy lifestyles.		
Sub-Services - LeisureFit Booragoon Centre Management - Health and Fitness Programs - LeisureFit Melville - Shirley Strickland Sports Pavilion - Aquatic Programs	Informing Strategies / Plans - Healthy Melville Plan - Recreation Equipment Asset Management Plan	

Programs		
Program	Type	2025-26 Program Budget
Furniture and Equipment Program (LeisureFit) (Part of program covering Services 02, 04, 06 and 13) This program covers the renewal, replacement, and upgrade of furniture and equipment across the City's libraries, museums, community centres, and leisure centres. It ensures these facilities remain functional, welcoming, and fit-for-purpose.	Cap	\$592,341

Service	FTE	Net Cost 2025-26
14 Point Walter Reserve and Golf Course	3.90	\$522,972
Manage and maintain a sustainable public golf course at Point Walter Reserve to promote community health, wellbeing, and social connection.		
Sub-Services • Golf Course Maintenance • Golf Course Contract Management		

CONFIRMED

Outcome 2: Clean and Green



A clean, green and sustainable City for current and future generations.

Objectives:

- 2.1 Protect and enhance our natural environment, eco-systems and biodiversity.
- 2.2 Sustainable use of resources and adoption of a circular economy approach, optimising waste reduction and resource recovery.
- 2.3 Increase the urban forest tree canopy on City managed land.
- 2.4 Provide and improve parks and green open spaces.
- 2.5 Mitigate and adapt to climate change impacts.
- 2.6 Transition the organisation to carbon neutrality by 2030 and facilitate community progress to net zero emissions by 2050.

Key	
FTE	Full Time Equivalent Positions
Cap	Capital Project
Op	Operating Project

Service	FTE	Net Cost 2025-26
15 Sustainability	8.16	\$2,097,788
Lead organisational and community actions to reduce carbon emissions, aiming for organisational carbon neutrality by 2030 and net zero across the City by 2050. Deliver education, programs, and initiatives that promote sustainability, environmental stewardship, and effective waste management.		
Sub-Services - Corporate Climate Action - Community Climate Action		Informing Strategies / Plans - Corporate Climate Action Plan - Community Climate Action Plan

Programs		
Program	Type	2025-26 Program Budget
Community Climate Action Plan Program The Community Climate Action Plan outlines 57 actions across seven themes to help the community achieve net zero emissions by 2050, focusing on emissions reduction and climate resilience. Key 2025-26 projects include CARG 2.0, Biodiverse Backyards, Library of Things, community education initiatives, support for local groups, and the EcoHub events and education program.	Op	\$169,787
Corporate Climate Action Plan Program The Corporate Climate Action Plan outlines the City's pathway to achieving carbon neutrality by 2030, following its climate emergency declaration. It includes 110 actions focused on reducing operational emissions and enhancing organisational resilience, with 2025-26 <i>operating</i> projects such as carbon accounting and energy monitoring, community renewable energy support, solar and battery feasibility studies, energy efficiency upgrades, electrification trials, and third-party emissions verification.	Op	\$225,787

Programs		
Program	Type	2025-26 Program Budget
Corporate Climate Action Plan Program As per the above. 2025-26 <i>capital</i> projects include EV charging infrastructure, renewable energy upgrades, embedded networks, and the detailed design of the Eco Hub to enhance community amenities.	Cap	\$1,440,237 (incl. grant funding)

Service	FTE	Net Cost 2025-26
16 Natural Areas Management	18.28	\$5,510,727
Conserve, protect, and enhance natural areas to ensure the sustainable management of wetlands, bushland, and foreshore environments for the benefit of the community and local ecosystems.		
Sub-Services - Bushland Management - Foreshore Management - Wetland Management	Informing Strategies / Plans - Natural Area Asset Management Plan - Bushfire Risk Management Plan - Foreshore Restoration Strategy** - Jetty Asset Management Plan	

** Strategy / Plan being reviewed

Projects					
Attadale Alfred Cove Masterplan	Project Type	2025-26	2026-27	2027-28	2028-29
The Attadale Alfred Cove Foreshore Masterplan sets a 20-year vision to guide future investment and decision-making for this unique foreshore area. Key projects will be implemented through the annual budget process and long-term financial planning. 2025-26 projects will be focused on Point Waylen to support the Melville Bird Sanctuary.	Cap	✓	✓	✓	✓
	Q1	Plans finalised with stakeholders.			
	Q2	Obtain contractors to conduct works.			
	Q3	Works commenced.			
	Q4	Works completed.			
2025-26 Project Budget	\$200,000				
Goolugatup Heathcote Lower Development	Project Type	2025-26	2026-27	2027-28	2028-29
This project will create a revitalised natural and recreational space with fit-for-purpose assets, upgraded parking, and interpretive signage and artworks. It will also stabilise the foreshore and escarpment through a collaborative and respectful development approach.	Cap	✓	✓	✓	
	Q1	Stage 1 under procurement.			
	Q2	Planning commences once funding secured.			
	Q3	Secure contractors to undertake funded works.			
	Q4	Commence construction of funded works.			
2025-26 Project Budget	\$1,455,782 (incl. grant funding)				

Programs		
Program	Type	2025-26 Program Budget
Environmental Program This program delivers renewal and upgrade projects to support the management of natural areas, wetlands, and foreshore environments. It aims to protect and enhance the City's ecological assets and resilience.	Cap	\$889,296 (incl. grant funding)
Irrigation Program This program includes renewal and upgrade projects for irrigation systems and bores to support the management of healthy parks and green spaces. It ensures sustainable water use and maintains the quality of the City's open spaces.	Cap	\$1,200,000

Programs		
Program	Type	2025-26 Program Budget
Parks and Foreshores Program This program delivers renewal and upgrade projects aligned with management plans. They include infrastructure, furniture, and whole-of-park improvements to enhance the City's parks and foreshore areas.	Cap	\$2,727,926 (incl. grant funding)
Lighting Program This program includes renewal and upgrade projects to maintain and enhance lighting in public open spaces and along the Esplanade Foreshore. It addresses aging infrastructure and provides new lighting based on strategic needs and investigation outcomes.	Cap	\$907,525

Service	FTE	Net Cost 2025-26
17 Parks and Streetscape Management	75.22	\$23,245,091
Preserve and enhance parks and streetscapes to ensure they remain safe, welcoming, and sustainable spaces for the community to enjoy now and into the future.		
Sub-Services • Open Space Design and Project Management • Sporting Reserves and Ovals • Parks and Playspaces • Streetscapes • Urban Forest Management • Irrigation and Water Management	Informing Strategies / Plans • Urban Forest Strategic Plan • Parks Infrastructure Asset Management Plan**	

** Strategy / Plan being reviewed

Programs		
Program	Type	2025-26 Program Budget
Urban Forest Strategy Program This program supports the implementation, succession, management, and expansion of the urban forest. It aligns with the Urban Forest Strategy to enhance canopy cover, biodiversity, and long-term environmental resilience.	Cap	\$1,000,507
Canning Bridge Activity Centre Program This Program aim to deliver a vibrant, accessible Canning Bridge Activity Centre precinct through enhanced public spaces, including new open spaces at Moreau Mews and 13 The Esplanade, and a major streetscape upgrade along Ogilvie Road. Projects will support the Centre's transformation into a dynamic community hub, with delivery subject to funding and staging.	Cap	\$2,250,000 (incl. grant funding)
Streetscapes and Precincts Program This program delivers renewal and upgrade projects across the City's streetscapes, precincts, and activity centres. It includes improvements such as bus shelters to enhance amenity, accessibility, and public space functionality.	Cap	\$625,500 (incl. grant funding)
Playspace Program This program includes renewal and upgrade projects to deliver high-quality, interactive outdoor play areas that promote active participation and community wellbeing. The 2025–26 renewal program will upgrade playspaces at eight key parks across the City, including Harry Patterson and Brentwood Playspace – Moonlight Bay.	Cap	\$813,252 (incl. grant funding)

Service	FTE	Net Cost 2025-26
18 Resource Recovery and Waste Management	35.89	\$25,913,294
Deliver best-practice sustainable waste management and resource recovery to protect community amenity and the environment. This includes reducing landfill, minimising greenhouse gas emissions, promoting environmental sustainability, and ensuring compliance with environmental regulations and alignment with the State's 2030 Waste Strategy.		
Sub-Services • Food Organic Garden Organic (FOGO), Waste and Recycling Collection (Residential and Commercial) • Bulk Verge, Illegal Dumping and Public Litter Bin Collection • Waste Disposal and Processing - Resource Recovery Group (RRG) and Household Hazardous Waste • Waste Education	Informing Strategies / Plans • Waste Strategy (State Government) • Waste Plan	

Outcome 3: Sustainable and Connected Development



Sustainable, connected development and transport infrastructure across our City.

Objectives:

- 3.1 Facilitate enhanced and sustainable urban development and amenity.
- 3.2 Deliver sustainable and well-planned infrastructure and public places and spaces.
- 3.3 Plan for urban growth and local commercial activity centres.
- 3.4 Protect and promote the City's character and heritage.
- 3.5 Facilitate improved integrated public transport solutions.
- 3.6 Provide sustainable and connected road, bicycle, footpath and transport networks.

Key	
FTE	Full Time Equivalent Positions
Cap	Capital Project
Op	Operating Project

Service	FTE	Net Cost 2025-26
19 Building Services	10.77	\$670,890
Provide a safe and compliant built environment for the community through the management of building permit applications across the City ensuring regulatory and safety standards are met.		
Sub-Services • Building Approvals and Assessments		

Service	FTE	Net Cost 2025-26
20 Development Compliance	11.98	\$1,348,720
Provide a safe and compliant built environment for the community by undertaking compliance investigations and inspections ensuring relevant regulations for development (planning), building and swimming pool barriers are met.		
Sub-Services • Building Compliance • Swimming Pool Compliance • Planning Compliance		

Service	FTE	Net Cost 2025-26
21 Statutory Planning Services	13.65	\$815,097
Enhance the vibrancy and amenity of our built environment by ensuring it is well planned, and developments are delivered in line with development controls, statutory applications regarding development, use and subdivision of land to support economic and community wellbeing.		

Service	FTE	Net Cost 2025-26
21 Statutory Planning Services	13.65	\$815,097
Sub-Services - Development and Other Applications - Planning and Development Information - Building Referrals - Policy Review and Statutory Controls	Informing Strategies / Plans - Local Planning Strategy - Local Planning Scheme No. 6**	

** Strategy / Plan being reviewed

Service	FTE	Net Cost 2025-26
22 Road and Transport Infrastructure – Roads and Carpark (includes Transport Support Assets)	30.50	\$9,011,674
Provide, renew, and maintain roads, carparks, and transport infrastructure in line with industry standards and legislative requirements to ensure safety, quality, and functionality. This supports community outcomes and service levels as outlined in the City's Road Asset Management Plan.		
Sub-Services - Road and Carpark Design and Planning - Road and Carpark Construction - Road and Carpark Maintenance - Crossover and Verge Administration	Informing Strategies / Plans - Car Parking Strategy - Road Asset Management Plan**	

** Strategy / Plan being reviewed

Programs		
Program	Type	2025-26 Program Budget
Roads and Carpark Program This program includes renewal and upgrade projects to ensure the City's roads and carparks remain safe and fit for purpose. Works include road rehabilitation, resurfacing, lighting, and traffic calming infrastructure, with funding support from various government grant programs.	Cap	\$6,581,947 (incl. grant funding)

Service	FTE	Net Cost 2025-26
23 Roads and Transport Infrastructure – Stormwater and Drainage	3.00	\$1,566,331
Provide, renew, and maintain stormwater and drainage infrastructure in line with industry standards and best practices to support safety, sustainability, and functionality. This ensures delivery of community outcomes and service levels outlined in the City's Stormwater and Drainage Asset Management Plan.		
Sub-Services - Stormwater and Drainage Design and Planning - Stormwater and Drainage Construction - Stormwater and Drainage Maintenance	Informing Strategies / Plans Stormwater and Drainage Asset Management Plan**	

** Strategy / Plan being reviewed

Programs		
Program	Type	2025-26 Program Budget
Drainage Program This program includes renewal and upgrade projects to maintain safe and effective drainage infrastructure across the City. It targets flood mitigation and improved stormwater quality through asset upgrades informed by flood mapping, community feedback, and the City's drainage strategy.	Cap	\$2,120,000

Service	FTE	Net Cost 2025-26
24 Paths	2.00	\$1,391,754
Provide, renew, and maintain the City's path network in accordance with industry standards and best practices to support accessibility, safety, and connectivity. This aligns with the community outcomes and service levels defined in the City's Path Asset Management Plan.		
Sub-Services • Path Design and Planning • Paths Construction • Paths Maintenance	Informing Strategies / Plans • Walk and Ride Plan • Path Asset Management Plan**	

** Strategy / Plan being reviewed

Programs		
Program	Type	2025-26 Program Budget
Paths Program This program includes renewal and upgrade projects to ensure the City's path network is safe, accessible, and fit for purpose. Guided by the Walk and Ride Plan, it aims to upgrade existing paths and expand footpath coverage – currently at 55% – to meet community needs and disability standards.	Cap	\$2,220,816

Service	FTE	Net Cost 2025-26
25 Traffic and Road Safety	4.65	\$3,527,846
Manage and monitor traffic and road safety, providing traffic engineering advice to internal and external stakeholders.		
Sub-Services • Traffic and Transport Planning • Street Lighting • Underground Power • Road Safety and Active Transport Education • Traffic and Road Safety Assessments	Informing Strategies / Plans • Lighting Asset Management Plan	

Service	FTE	Net Cost 2025-26
26 City Buildings Project Management	6.89	\$1,643,945
Manage and deliver of major capital works projects in accordance with community outcomes and the City's Project Management Framework.		
Sub-Services • Major Projects • Minor and Internal Projects		

Projects					
Majestic Boardwalk Refurbishment	Project Type	2025-26	2026-27	2027-28	2028-29
This project focuses on refurbishment following a structural audit that identified the need to replace critical supporting infrastructure at the Boardwalk. This project will ensure the boardwalk remains safe, functional, and accessible for public use.	Cap	✓			
	Q1	-			
	Q2	Construction will commence. Community will be notified of the boardwalk closure.			
	Q3	Construction continues.			
	Q4	Construction is finalised and the City transitions into the 12-month Defects Liability period. Boardwalk is reopened to community.			
2025-26 Project Budget	\$1,500,000				

Programs		
Program	Type	2025-26 Program Budget
Jetties, Boardwalks and Riverwalls Program This program includes renewal and upgrade projects to maintain safe and functional river infrastructure. It ensures these assets remain structurally sound and accessible for public use.	Cap	\$500,000
City Buildings Program This program includes renewal and upgrade projects to maintain safe, functional, and compliant community facilities. Renewal works extend asset life and meet regulatory standards, while upgrades improve building usability and service delivery.	Cap	\$6,489,577 (incl. grant funding)

Service	FTE	Net Cost 2025-26
27 City Buildings Management	8.90	\$9,747,017
Maintain City owned facilities to ensure they are fit for purpose, safe and operational and meet the diverse needs of our community and intergenerational facility user groups.		
Sub-Services - City Buildings Maintenance Planning - City Building Maintenance Delivery	Informing Strategies / Plans - Furniture Asset Management Plan - Building Asset Management Plan - Asbestos Management Plan	

Service	FTE	Net Cost 2025-26
28 Strategic Planning	8.40	\$2,190,265
Deliver a responsive, contemporary local planning framework that guides built form, land use, and place activation in line with State planning requirements, enhancing the city's vibrancy, amenity, and future development.		
Sub-Services - Land Use Strategy Preparation and Review - Activity Centres and Precinct Planning - Policy Review and Development - Urban Investigations and Analysis - Place-Based Implementations	Informing Strategies / Plans - Local Planning Strategy - Local Planning Scheme No. 6**	

** Strategy / Plan being reviewed

Projects					
Booragoon (Melville City Centre) Activity Centre Plan – Review	Project Type	2025-26	2026-27	2027-28	2028-29
This project involves preparing an updated Structure Plan for the Booragoon City Centre in line with legislative requirements. It will guide future development and activation of the City's designated Secondary Centre under State Planning Policy 4.2.	Op	✓	✓		
	Q1	Council consideration of preliminary engagement			
	Q2	Finalise scope/RFQ for Precinct Structure Plan (PSP) and Master Plan.			
	Q3	Procure consultants and commence PSP/Master Plan preparations.			
	Q4	Draft PSP and Master Plan and associated stakeholder engagement.			
2025-26 Project Budget	\$94,505				
Canning Bridge Activity Centre Plan – Review	Project Type	2025-26	2026-27	2027-28	2028-29
This project will update the Cannina Bridge Activity	Op	✓			

Projects					
Centre Plan to address legislative requirements and stakeholder concerns around built form, development transitions, and bonus height provisions. The revised plan will strengthen guidance on future development, enhance vibrancy, and support improved community and economic outcomes.					
	Q1	Completion of FIR work and provision to WAPC.			
	Q2	Determination and endorsement of revised Canning Bridge Activity Centre Plan (CBACP) by WAPC.			
	Q3 Q4	Post CBACP Review projects commenced. -			
2025-26 Project Budget	\$123,874				
Riseley Activity Centre Plan – Review	Project Type	2025-26	2026-27	2027-28	2028-29
This project will update the Riseley Activity Centre Plan to meet State Planning Framework requirements and strengthen development guidance. The revised plan will support improved built form, accessibility, vibrancy, and economic outcomes.	Op	✓	✓		
	Q1	Review and refine technical input, engagement with state agencies. Council briefing on project scope and technical findings.			
	Q2	Preparation of draft Riseley Structure Plan (RSP) revisions.			
	Q3 Q4	Preparation of draft RSP revisions. Council input on draft RSP.			
2025-26 Project Budget	\$60,754				
Murdoch Knowledge and Health – Parking and Transport Planning Investigation	Project Type	2025-26	2026-27	2027-28	2028-29
This investigative project will assess accessibility and movement within the Murdoch Specialised Activity Centre Structure Plan area. It will evaluate how past and upcoming developments align with the plan’s intended objectives.	Op	✓			
	Q1	Desktop Study, literature review and site audit.			
	Q2	Meetings with relevant stakeholders, namely DPLH, PTA, Main Roads, DoH, Development WA, St John of God etc.			
	Q3 Q4	Begin preparation of movement and place audit report. -			
2025-26 Project Budget	\$27,001				
Myaree Business Area Master Plan	Project Type	2025-26	2026-27	2027-28	2028-29
This Master Plan project will provide strategic direction to enhance the Myaree Business area, supporting economic development and future investment. It aims to benefit property owners, businesses, nearby residents, and the broader community.	Op	✓			
	Q1	Master Plan finalised by July 2025.			
	Q2 Q3 Q4	- - -			
	2025-26 Project Budget	\$Nil (Business-as-Usual)			
Public Open Space Strategy – Review	Project Type	2025-26	2026-27	2027-28	2028-29
This project will review relevant planning documents and assess Public Open Space (POS) provision using a multi-criteria approach, identifying shortfalls and opportunities to address them. It will consider future growth impacts, explore land repurposing and funding options, and include community engagement and reporting.	Op	✓			
	Q1	Phase 2 Opportunities and Directions assessment undertaken.			
	Q2	Phase 3 Draft Strategy completed, and community engagement undertaken.			
	Q3 Q4	Updated POS Strategy finalised and adopted. -			
2025-26 Project Budget	\$75,000				
Local Planning Scheme 6 – Review	Project Type	2025-26	2026-27	2027-28	2028-29
This project ensures compliance with the State Planning Framework and updates the City’s statutory planning framework. It aims to respond to	Op	✓	✓		
	Q1	Anticipated workshops to commence and continue through to end of Q4.			

Projects					
evolving needs and deliver outcomes that benefit the broader community and district.	Q2	Elected Member workshops to continue through until end of year.			
	Q3	Make relevant adjustments to draft LPS6 in response to final workshop recommendations. Present draft to Council for indicative report ahead of formal Council endorsement to advertise.			
	Q4	Seek approval from Council to submit the draft scheme to the WAPC/Minister for permission to advertise the draft scheme.			
2025-26 Project Budget		\$171,308			
Holiday Lighting Installation	Project Type	2025-26	2026-27	2027-28	2028-29
This project delivers the City's annual holiday lighting program, including festive tree lighting and permanent programmable uplighting at key locations. It enhances public spaces year-round while enabling themed displays for significant events, with future corporate sponsorship opportunities to offset costs.	Cap	✓	✓	✓	
	Q1	Procurement of contractors.			
	Q2	Install electrical connections and lighting.			
	Q3	Removal of fairy lights and evaluation of outcomes.			
	Q4	Planning for 2026/27.			
2025-26 Project Budget		\$220,000			

Programs		
Program	Type	2025-26 Program Budget
Planning Policies Program This program involves the development of local planning policies. Policy focus areas for 2025-26 include enhancing the environmental performance of new developments and protecting the City's tree canopy on private land through the creation of an Environmentally Sustainable Design Local Planning Policy and a Trees on Private Land Local Planning Policy, to drive more sustainable development outcomes across the city.	Op	\$13,500

Outcome 4: Vibrant and Prosperous



Economic prosperity and vibrant resilient communities and businesses.

Objectives:

- 4.1 Facilitate vibrant activated local places and centres.
- 4.2 Increase awareness of Melville as a tourism and eco-tourism destination.
- 4.3 Attract investment in strategic locations.
- 4.4 Support local business growth and resilience.
- 4.5 Facilitate a business friendly experience.

Key	
FTE	Full Time Equivalent Positions
Cap	Capital Project
Op	Operating Project

Service	FTE	Net Cost 2025-26
30 Strategic Land and Property Management	2.69	\$(1,421,473)
Deliver effective and sustainable management of City freehold and managed Crown land, including strategic acquisition and disposal of properties, to support long-term intergenerational financial sustainability for the community.		
Sub-Services - Land and Property Management - Strategic Land Disposal and Acquisition - Property Leasing, Licencing Management and Administration	Informing Strategies / Plans - Land Asset Management Strategy - Land Asset Management Plan	

Projects					
Tivoli Site – Investigation Consultancy	Project Type	2025-26	2026-27	2027-28	2028-29
This project will review land use and tenure options for City-owned property at 67–69 Canning Beach Road and 2 Kintail Road, Applecross. It will explore scenarios that retain the Tivoli heritage buildings and balance community, cultural, and revenue-generating uses.	Op	✓			
	Q1	Release consultant's brief and select preferred consultant.			
	Q2	Draft report.			
	Q3	Draft Council Report.			
	Q4	June OMC.			
2025-26 Project Budget	\$80,000				

Service	FTE	Net Cost 2025-26
31 Business Development	1.30	\$347,598
Support the economic prosperity, vibrancy, and resilience of Melville's communities and businesses by fostering tourism and business growth, and facilitating access to vocational, literacy, and funding opportunities.		
Sub-Services • Business Engagement and Support • Business Friendly Initiatives, Events and Programs • Tourism Development	Informing Strategies / Plans • <i>Tourism Plan*</i>	

*Strategy / Plan in development

Projects					
Destination Marketing Strategy	Project Type	2025-26	2026-27	2027-28	2028-29
This project will develop and implement a Destination Marketing Strategy to deliver Objective 4.2 of the Council Plan. It aims to boost the local economy, attract investment and visitors, strengthen the City's reputation, and promote sustainable, year-round tourism	Op	✓			
	Q1	Rollout of Destination Marketing Strategy marketing activity.			
	Q2	Rollout continues.			
	Q3	Destination Marketing campaign evaluation end of Q2.			
	Q4	-			
2025-26 Project Budget	\$44,325				

Outcome 5: Good Governance and Leadership



Leadership and good governance for the benefit of the whole community.

Objectives:

- 5.1 Provide transparent and accountable good governance.
- 5.2 Ensure long term financial sustainability, strategic advocacy and partnerships, and diverse revenue streams.
- 5.3 Ensure efficient and effective use of assets, resources and technology.
- 5.4 Strengthen active citizen engagement, participation and access to information.
- 5.5 Provide excellent customer experiences and ease of access.
- 5.6 Provide an inclusive, safe, healthy, equitable and engaging workplace.

Key	
FTE	Full Time Equivalent Positions
Cap	Capital Project
Op	Operating Project

Service	FTE	Net Cost 2025-26
32 Community and Stakeholder Engagement	2.00	\$357,906
Foster meaningful engagement with customers, community, and stakeholders to ensure diverse perspectives inform decision-making and that engagement principles are embedded across all aspects of strategy and project planning and delivery.		
Sub-Services - Community Engagement - Engagement Advisory Services	Informing Strategies / Plans Stakeholder Engagement Strategy	

Service	FTE	Net Cost 2025-26
33 Customer Experience	20.15	\$2,601,519
Deliver a customer-first experience by serving as the first point of contact across multiple channels, managing feedback, and ensuring a customer-centric approach is embedded in all services to meet the diverse needs of our community.		
Sub-Services - Customer Relations First Point of Contact - Customer First	Informing Strategies / Plans Customer First Strategy	

Service	FTE	Net Cost 2025-26
34 Asset Management Planning	3.90	\$969,778
Administer and maintain asset management systems to support infrastructure planning, undertake asset valuations, and contribute to the development of capital works and asset management programs.		

Service	FTE	Net Cost 2025-26
34 Asset Management Planning	3.90	\$969,778
Sub-Services - Asset Management Strategic Planning - Asset Data Management - Infrastructure Asset Valuation		

Service	FTE	Net Cost 2025-26
35 Corporate Strategy	2.89	\$480,702
Facilitate and deliver integrated business planning, reporting, and project portfolio management to ensure organisational alignment and prioritisation with the outcomes and objectives of the City's Council Plan for the Future (Strategic Community Plans and Corporate Business Plan).		
Sub-Services - Integrated Strategic Planning - Reporting - Portfolio Management Office		
Informing Strategies / Plans Council Plan (Strategic Community Plan and Corporate Business Plan)		

Service	FTE	Net Cost 2025-26
36 Communications	8.00	\$1,454,264
Deliver contemporary, customer-centric communications to inform and connect with our community and stakeholders, promote the City's vision, people, places, and projects, highlight Melville's tourism and eco-tourism, and support greater community awareness and participation in City initiatives.		
Sub-Services - Marketing and Communications - Digital Marketing - Public Relations and Media		

Projects					
Our Future Melville Vision Campaign	Project Type	2025-26	2026-27	2027-28	2028-29
The <i>Our Future Melville</i> campaign supports the City's long-term transformation by fostering community awareness, advocacy, and engagement. It aims to build understanding and excitement around major projects that will shape Melville's future, create jobs, and enhance quality of life.	Op	✓	✓		
	Q1	Rollout of Our Future Melville Vision marketing activity.			
	Q2	Rollout continues.			
	Q3	Rollout continues.			
	Q4	Rollout continues and evaluation.			
2025-26 Project Budget		\$27,377			

Service	FTE	Net Cost 2025-26
37 Finance and Risk	26.01	\$4,562,542
Provide financial planning and reporting, accounting, procurement, contract management, risk and business continuity planning, and insurance services, while ensuring compliance with all statutory and audit requirements.		
Sub-Services - Procurement and Contract Oversight - Financial Management and Accounting - Rating and Revenue - Risk and Insurance		
Informing Strategies / Plans - Long Term Financial Plan - Business Continuity Plan		

Service	FTE	Net Cost 2025-26
38 Information Communication and Technology (ICT)	32.84	\$15,070,198
Deliver modern, accessible digital customer and information management solutions, providing organisation-wide support to enable efficient service delivery and digital transformation with the customer at the centre.		
Sub-Services - Information Management - Technology Operations and Improvements - Strategic Projects and Innovation - Customer Enablement and Support	Informing Strategies / Plans - Digital Strategy - Cyber Security Testing and Assessment Plan - IT Equipment Asset Management Plan	

Programs		
Program	Type	2025-26 Budget
Digital Strategy Program The City's Digital Strategy guides ICT investments over the next five to 10 years to support transformational change, emphasising the role of information in decision-making and the importance of technology in maintaining community trust. The multi-year roadmap, regularly updated and structured across foundational, establishment, and extension phases, includes 2025-26 <i>operating</i> projects such as the CiAnywhere upgrade, website redevelopment, Customer Service Re-imagined (CxR), information management (Athena), Microsoft 365 CoPilot, telephony upgrades, WHS systems, and enhancements to project management, service desk, and cybersecurity systems.	Op	\$3,704,959
Digital Strategy Program As per the above. 2025-26 <i>capital</i> projects include hardware renewals, mobility device replacements, iPaaS implementation, intranet development, and upgrades to network, software, and communications infrastructure.	Cap	\$940,500

Service	FTE	Net Cost 2025-26
39 Governance	6.14	\$1,855,928
Provide corporate oversight to ensure compliance with the Local Government Act and excellence in governance, including Council meeting administration and Elected Member support, to enable informed decision-making and deliver transparent, participatory outcomes for the community.		
Sub-Services - Organisational Governance - Council Support and Assistance - Civic Functions and Ceremonies	Informing Strategies / Plans - Governance Framework and Improvement Plan - Fraud and Corruption Control Plan	

Service	FTE	Net Cost 2025-26
40 Internal Audit	1.00	\$452,103
Provide independent assessment and audit of the City's risk management, governance, and internal control processes to ensure their effectiveness, with audit findings reported to the CEO and Financial Management, Audit, Risk and Compliance Committee (MARCC) for review and approval.		
Sub-Services Internal Audit		

Service	FTE	Net Cost 2025-26
41 People and Culture	12.00	\$2,623,858
Enhance organisational performance and capability through targeted human resources, learning, and development activities, supporting the achievement of strategic objectives while fostering a safe, inclusive, and high-performing workplace.		
Sub-Services - Human Resources - Payroll - Learning and Organisational Development	Informing Strategies / Plans - Workforce Plan** - Equal Employment Opportunity Management Plan	

** Strategy / Plan being reviewed

Service	FTE	Net Cost 2025-26
42 Workplace Health and Safety	4.00	\$874,619
Provide risk-based advice and support to ensure the health, safety, and wellbeing of all City of Melville workers, contractors, and visitors, in line with legal and ethical obligations. Manage the City's safety management system, workers' compensation claims, injury management, WHS training, inspections, and incident investigations.		
Sub-Services Safety, Health and Wellbeing	Informing Strategies / Plans Safety Management Plan	

Service	FTE	Net Cost 2025-26
43 Fleet	8.53	\$6,018,559
Manage the City's fleet across its entire asset lifecycle, along with the inventory and operations of the City's Operations Centre yard.		
Sub-Services - Fleet Planning and Procurement - Fleet Maintenance	Informing Strategies / Plans Fleet Asset Management Plan	

Programs		
Program	Type	2025-26 Program Budget
Fleet Program This program manages the procurement and maintenance of the City's vehicles, plant, and equipment to support operational needs. It follows best-practice standards and is progressively transitioning to low-emissions vehicles and equipment.	Cap	\$3,472,941 (incl. cost recovery)

Service	FTE	Net Cost 2025-26
44 Business Support – Management Services	5.30	\$2,386,986
Provide leadership and oversight for the organisation and the Office of the Chief Executive Officer, encompassing Corporate Strategy, Communications, People and Culture, and Management Services Business Support Services.		
Sub-Services Business Support		

Service	FTE	Net Cost 2025-26
45 Business Support – Corporate Services	6.64	\$3,948,553
Provide executive leadership and oversight for the Corporate Services Directorate, encompassing Financial Services (including long-term financial planning, budgeting, and reporting), Information Technology (including digital transformation), Information Management (records and freedom of information), Governance, and Corporate Services Business Support.		
Sub-Services		
• Business Support		

Service	FTE	Net Cost 2025-26
46 Community Development Directorate Leadership and Executive Support	2.00	\$822,936
Provides leadership and executive support to the Community Development Directorate.		
Sub-Services		
• Director Community Development • Community Development Executive Support		

Service	FTE	Net Cost 2025-26
47 Business Support – Environment and Infrastructure	8.00	\$872,704
Provide executive leadership and oversight for the Environment and Infrastructure Directorate, encompassing Infrastructure Assets, Traffic and Road Safety, Natural Areas and Parks, Civil and Landscape Design, City Buildings, Streetscapes, Major Capital Projects, Domestic and Commercial Waste, Civic Facilities, Underground Power, Environmental Sustainability, and Environment and Infrastructure Business Support.		
Sub-Services		
• Business Support		

Service	FTE	Net Cost 2025-26
Urban Planning Directorate Leadership and Executive Support	4.00	\$638,778
Provides executive land oversight for the Planning Directorate which includes Strategic Urban Planning, Statutory Planning Services, Statutory Building Services, Environmental Health Services and Planning Business Support Services.		
Sub-Services		
• Director Urban Planning • Urban Planning Executive Support and Projects		

Service	FTE	Net Cost 2025-26
49 Advocacy and Grants	2.00	\$322,678
Provide specialist advocacy and grants advice to secure government support for Council priorities, influence key decision-makers, and attract external investment and funding to drive the City's long-term growth and vision.		
Sub-Services	Informing Strategies / Plans	
• Advocacy • Grants	• Advocacy Strategy	

Resourcing Our Plan

A number of strategies and plans have informed the development of our Council Plan, playing an important role in guiding our services and projects set against the City's resourcing capability to deliver the short, medium and long term priorities and aspirations of our community.

Asset Management

The City of Melville provides many services to the community. The assets that support the delivery of these services must be managed to ensure they continue to deliver an appropriate level of service and are fit for purpose throughout the life of the asset. Funding priority is given to the maintenance and renewal of existing assets, rather than the creation of new assets in our Asset Management Policy, and our Asset Management Plans identify the life cycle costs of different asset types (classes), ensuring they are maintained, refurbished and replaced at appropriate intervals to ensure continuity of services in line with community expectations.

Workforce Plan

The City of Melville's Workforce Plan captures our human resource planning, ensuring that we have the right people with the right skills to effectively deliver our services and projects in alignment with our Council Plan outcomes and objectives. Our Workforce Plan ensures we have the organisational structure, capability and capacity to deliver on our strategic outcomes. Costs associated with the Workforce Plan are funded through the annual integrated planning and budget process and included within our Long-Term Financial Plan.

Long-Term Financial Plan

The City of Melville's Long Term Financial Plan (LTFP) guides our annual budget and our financial sustainability over a ten-year period. The LTFP enables us to plan for the current and future needs of our community in a socially, culturally, environmentally, and financially sustainable manner.

The LTFP is available on the City of Melville website: melvillecity.com.au/long-term-financial-plan

Risk Management

The City of Melville has a structured enterprise-wide approach to risk management that reflects the Australian Standard for Risk Management ISO 31000:2018 – Risk management – Guidelines. Our Risk Management Framework embeds risk management practices across the organisation, monitoring both strategic and operational risks and supporting the delivery of the City's Corporate Business Plan. The Financial Management, Audit, Risk and Compliance Committee (FMARCC) is responsible for overseeing and assessing the performance of the City's management of risk. An internal audit function ensures periodic compliance reviews of the Risk Management Framework and conducts periodic compliance reviews against specific risks in accordance with the approved annual Internal and External Audit Plans.

Review Schedule

In accordance with the *Local Government (Administration) Regulation 1996* and the Department of Local Government, Sport and Cultural Industries, local governments are required to review components of the Council Plan as follows:

Annual Review	Mandatory	Part B – CBP – reviewed and updated
Strategic Review (Minor) <i>Every two years</i>	Optional	Part A – SCP – reviewed and updated • Aligned with election cycle • Desktop review only • Community survey optional
Strategic Review (Major) <i>Every four years</i>	Mandatory	Part A – SCP – reviewed and updated • Full re-engagement with the community • Community survey and workshops

Measurement and Reporting

The City of Melville's highest level of key performance indicators (KPIs) are community satisfaction and wellbeing. The City undertakes community surveys every alternate year to understand which services are the most important to our community, how we can improve the way we deliver them, and to measure performance.

Operational KPIs help us track our performance with regard to our financial sustainability, assets, people, customer experience, impact on the environment and our compliance with statutory requirements and project delivery milestones. These measures are reported through our Annual Report, Quarterly Reports and other statutory reporting and auditing requirements.



City of
Melville

DRAFT
City of Melville
Statutory Delegation and
Authorisation Manual

Including Registers of Delegations

2025-2026

Information for deletion is shown in ~~red strikethrough~~ text,
information for inclusion is shown in blue text.

For consideration at 17 June 2025 OMC

**To search for a particular delegation, use
CTRL+F on your keyboard to open the
Find function.**

Updated 28 May 2025

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CONFIRMED

Part 1 - Introduction

Part 1 - Introduction

1.1 - Structure of this Document

Part 1 provides general background to delegations and authorisations in the City of Melville, including the statutory context.

Parts 2 and 3 comprise the City's Register of Delegations as required by section 5.46 of the *Local Government Act 1995*, section 47 of the *Cat Act 2011*, section 10AB of the *Dog Act 1976*, and Clause 84 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Part 2 contains instruments of delegation from the Council to the CEO. These instruments include sub-delegations from the CEO to other employees where relevant. Each Division under this Part deals with a specific primary statute, and the specific enabling provisions and any limitations or conditions on the power of delegation are described at the beginning of the division.

Part 3 contains delegations from the CEO to employees of powers and duties assigned to the CEO by legislation. All current CEO delegations are made under the *Local Government Act 1995* section 5.44. This part excludes sub-delegations from the CEO to other officers of delegated powers, which are included in the instrument of delegation from Council listed in Part 2.

Part 4 contains statutory authorisations and appointments by the Council relating to the CEO or any other officer. Currently Council has made an authorisation under the *Local Government Act 1995* and an appointment under the *Health (Miscellaneous Provisions) Act 1911*. Each Division under this Part deals with a specific primary statute. The specific enabling provisions and any limitations or conditions on the authorisation power are described at the beginning of each division.

Part 5 lists delegations and authorisations granted to the local government, the CEO or to specified local government employees by State agencies that are primarily responsible for assisting in the administration of the relevant legislation. These delegations may contain conditions regarding the officers who may exercise the delegation. The officers or classes of officers who have been allocated responsibility for the exercise of the delegated or authorised functions are listed below the copy of the instrument of delegation or authorisation.

Part 6 provides guidance notes for the use of delegations and authorisations.

1.2 - Background

Council is responsible for the overall government of the City's affairs and the performance of the City's functions. The CEO is responsible, among other functions, for the management of the day-to-day administration of the operations of the City, including the management of other employees, for advising Council and for implementing the decisions of 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 grants a power or imposes a duty on 'local government', this is conventionally interpreted to mean the Council unless otherwise specified even if the power or duty is operational in nature.

The functions and powers allocated to local governments by legislation are so many and so diverse that it would be unrealistic to expect any Council to make every discretionary decision itself. The business of local government could not be carried out under such conditions.

Part 1 - Introduction

Where permitted by legislation, delegation of authority is a practical and prudent mechanism to facilitate timely decisions within legislative constraints and to ensure decisions are made lawfully by a delegate with appropriate technical expertise or experience. Delegations are made by the Council where permitted under relevant legislation in order to enable the efficient and orderly governance of the City. Under some legislation, the CEO may also delegate statutory or delegated powers to another person.

Safeguards 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.

Under the *Local Government Act 1995* and some other legislation, persons affected by specified decisions made under delegated authority have a right under Part 9 Division 1 of the *Local Government Act 1995* 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.

1.3 - Legislated Register of Delegations

Section 5.46 of the *Local Government Act 1995* requires:

- (1) The CEO to keep a register of the delegations made to the CEO and to employees under Part 5 Division 4 of that Act;
- (2) Delegations made under Part 5 Division 4 of that Act to be reviewed by the delegator at least once every financial year; and
- (3) Every person to whom a power or duty is delegated under that Act to keep prescribed records in relation to the exercise of the delegated authority.

Similar requirements apply to delegations under the *Cat Act 2011*, *Dog Act 1976* and *Planning and Development Act 2005*.

Other Acts conferring powers and duties on local governments do not specify such requirements for recording and review, but for the purposes of consistency and convenience, all delegations are listed in this register.

1.4 - Statutory Delegation by Local Governments

Delegation provisions in legislation are generally stated in the form 'a local government may delegate to [specified delegate(s)] its powers and duties under this Act'. Sometimes the delegation power may relate only to a part of the Act and sometimes it may refer to 'functions'. Under the *Interpretation Act 1984*, a 'function' includes powers, duties, responsibilities, authorities and jurisdictions.

A Council delegation is unnecessary where the legislation has conferred a specified function or power directly on the CEO or on another defined class of authorised persons. Section 50(1)

Part 1 - Introduction

of the *Interpretation Act 1984* specifies that *'Where a written law confers upon a person power to do or enforce the doing of any act or thing, all such powers shall also be deemed to be conferred on the person as are reasonably necessary to enable him to do or to enforce the doing of the act or thing.'*

Delegations are therefore restricted to the statutory powers, duties and functions explicitly conferred or imposed on the delegator by legislation, and are often referred to as statutory delegations. Broadly, sections 58 and 59 of the *Interpretation Act 1984* provide for how delegations are to be made and exercised.

Delegation is appropriate for functions requiring the broad exercise of independent discretion in decision-making. A delegate is not expected to seek approval for their decisions under delegation. Section 58 of the *Interpretation Act 1984* clarifies this independence:

'Where under a written law the performance of a function by a person is dependent upon the opinion, belief, or state of mind of that person in relation to a matter and that function has been delegated under a written law, the function may be performed by the delegate upon the opinion, belief, or state of mind of the delegate in relation to that matter.'

This does not preclude the use of policies that guide decision-making to ensure consistency and alignment with certain principles and outcomes.

Section 59 of the *Interpretation Act 1984* states that *'where a written law confers power upon a person to delegate the exercise of any power or the performance of any duty conferred or imposed upon him under a written law... such a delegation may be made to a specified person or to persons of a specified class, or may be made to the holder or holders for the time being of a specified office or class of office.'*

It is more efficient and effective to delegate to positions rather than individuals so that anyone appointed to or acting in that position may undertake the functions/duties or exercise the powers without a new delegation being required.

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. The City has adopted a standard form for instruments of delegation that also provides for recording sub-delegations, specifying recordkeeping obligations, and listing relevant policies and legislation to guide the delegates in exercising the delegated authority.

Under the *Local Government Act 1995*, *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.

Under section 5.71 of the *Local Government Act 1995*, an employee may not exercise a delegated power or discharge a delegated duty if they have a financial interest in the matter. Non-financial interests must be declared and managed.

Part 1 - Introduction

A person who holds delegated powers or duties under Part 5 Division 4 of the Local Government Act is classified as a designated employee and a relevant person for the purposes of lodging primary and annual returns under sections 5.75 and 5.76. The [Local Government Operational Guideline on Primary and Annual Returns](#) specifies that if a designated employee ceases to hold that position within three months of the start date, no primary return is required. Short-term acting arrangements in a position holding relevant delegations therefore may not trigger a requirement for a primary return, but acting arrangements exceeding three months will do so.

Further information on delegations in local government can be found in the [Local Government Operational Guideline on Delegations](#).

1.5 - Alternatives to Delegation: Appointments, Authorisation and Acting Through

1.5.1 Appointments

Some legislation, particularly that with a strong enforcement element, provides for the local government (or its delegate) to appoint authorised persons to undertake certain functions and duties, and to exercise powers, that are imposed or conferred on authorised persons by that legislation. They may also be called authorised officers, or approved officers, or designated officers, or a legislation-specific term. Once appointed under a specific Act, an authorised person does not need any further delegation to exercise the powers conferred on authorised persons by that legislation.

Section 26 of the *Health (Miscellaneous Provisions) Act 1911* is a special case in that it provides for the local government to appoint and authorise a person to be its deputy to exercise the powers and perform the functions of the local government under that Act and the regulations and local laws made under it. The Act does not grant local governments a delegation power but in practice the role of a deputy is equivalent to that of a delegate.

1.5.2 Authorisation

Some legislative provisions may specify that a power may be exercised or a function performed only by a person specifically authorised to do so by the local government. While the power to authorise a person may be delegated, this authorisation is not itself a delegation. The person authorised acts as an agent of the local government within operational parameters such as a policy, procedure or work instruction and may be required to seek approval for their decisions.

Where a power is required under the Act to be exercised by a person authorised to do so, an authorisation rather than a delegation is required. The Council may authorise specified persons directly or delegate the power to the CEO to authorise persons to perform functions. Authorisation is usually granted to position titles and anyone employed or acting in that position may exercise the authorisation.

One example of authorisation is section 9.49A of the *Local Government Act 1995*, which provides for a local government, by resolution, to authorise the CEO, another employee or an agent of the local government to sign documents on behalf of the local government.

1.5.3 Acting Through

Section 5.45(2) of the *Local Government Act 1995* clarifies that regardless of delegations in place, a local government may perform any of its functions by acting through a person other

Part 1 - Introduction

than the CEO, and the CEO may perform any of their functions by acting through another person.

[Operational Guideline 17 – Delegations](#), published by the Department of Local Government, Sport and Cultural Industries, provides guidance as to when delegation is appropriate and when a function may be effectively undertaken by acting through authorised employees.

The *Local Government Act 1995* does not define 'acting through', but generally where the legislation provides little or no discretion in carrying out a function or duty, then the function or duty may be undertaken by the local government acting through an employee operating in the normal course of their duties. For example, the legislation may state that a local government 'must' or 'shall' do or not do something under specified circumstances, or set out clear rules about how or when something must be done.

Conversely, where the legislation states the local government 'may' do something and allows for substantial discretion on the part of the decision maker, particularly if the decision will have a significant impact on the City or on the person affected, the function must be:

- delegated;
- where specified in the legislation, undertaken by a person authorised to exercise the power or undertake the function within specified parameters; or
- be subject to a formal policy and/or procedure that provides sufficient control and accountability about how the decisions are made by officers required to administer the function as part of their normal duties.

Where considered appropriate and effective in operation, Council may approve policies about particular functions of the local government. This may remove the need for a delegation as it is the role of the organisation to implement the Council's policies. The CEO has explicit authority to implement the City's decisions through the relevant employees.

'Acting through' may better suit certain operational processes, reduce additional recording and reduce reporting requirements compared with the exercise of delegated authority.

1.6 - Statutory Delegations and Authorisations by External Agencies

Some powers and duties exercised or discharged by the City may be a result of delegation by a State authority or public officer, generally the CEO of the department or statutory officer responsible for assisting the responsible minister in the administration of a specific Act.

Such delegations may be to the local government, or to the local government CEO or to specified officers or classes of officers in local governments. None of the State delegations currently held by the City provide for sub-delegation.

A State agency exercising a power or discharging a duty under a statute may also authorise a local government to undertake specified functions under legislation for which it has responsibility.

Currently, the City or its officers hold delegated authority or authorisations from the CEO of the Department of Water and Environmental Regulation, the Western Australian Planning Commission and the Commissioner of Main Roads.

Part 2 - Register of Statutory Delegations by Council

Previously reviewed in accordance with *Local Government Act 1995* section 5.46(2), *Cat Act 2011* section 47(2), *Dog Act 1976* section 10AB(2) and *Planning and Development (Local Planning Scheme) Regulations 2015* clause 84:

Ordinary Meeting of Council	21 June 2011	C/11/5187
Ordinary Meeting of Council	17 April 2012	C/12/5217
Ordinary Meeting of Council	21 May 2013	C/13/5291
Ordinary Meeting of Council	17 June 2014	M14/5369
Ordinary Meeting of Council	12 May 2015	M15/5418
Ordinary Meeting of Council	17 May 2016	M16/5477
Ordinary Meeting of Council	16 May 2017	M17/5549
Ordinary Meeting of Council	19 June 2018	M18/5618
Ordinary Meeting of Council	18 June 2019	M19/5691
Ordinary Meeting of Council	16 June 2020	M20/5749
Ordinary Meeting of Council	15 June 2021	M21/5842
Ordinary Meeting of Council	19 July 2022	M22/5920
Ordinary Meeting of Council	20 June 2023	C23/25
Ordinary Meeting of Council	18 June 2024	C24/157
Ordinary Meeting of Council	17 June 2025	X25/XXX

Division 1 - Local Government Act 1995 and Regulations and Local Laws

2.1.1 Enabling legislative provisions

Council may delegate to:

- a) A committee (section 5.16(1))
 - i) Comprising council members and employees – only powers and duties that may be delegated to the CEO (section 5.17(b)); or
 - ii) Including people who are neither council members nor employees, as described in section 5.9(c), (d) and (e) – only powers and duties related to management of the property or events in which the committee is involved (section 5.17(c)).
- b) The CEO (section 5.42 (1)(a) – all powers and duties of the local government under the Act except those listed in section 5.43 or prescribed by regulations.

2.1.2 Matters that may not be delegated

- 1) To Committees:
 - a) Comprising council members only – no power or duty that requires an absolute majority decision or that is prescribed (section 5.17(a)); and
 - b) If the committee contains no members who are council members or employees, then no delegation is permitted (section 5.17(d)).
- 2) To the CEO:

Section 5.43 of the Act states that a local government cannot delegate to a CEO any of the following powers and duties

- (a) Any power or duty that requires a decision of an absolute majority of the council;
- (b) Accepting a tender which exceeds an amount determined by the local government;
- (c) Appointing an auditor;
- (d) Acquiring or disposing of any property valued at an amount exceeding that determined by the local government;
- (e) Any of the local government's powers under sections 5.98, 5.98A, 5.99A, 5.99 and 5.100 of the Act (fees, allowances and payments to Council members);
- (f) Borrowing money on behalf of the local government;
- (g) Hearing or determining an objection of a kind referred to in section 9.5 (objection to certain local government decisions);
- (ha) The power under section 9.49A(4) to authorise the CEO, another employee or an agent to sign documents on behalf of the local government;
- (h) Any power or duty that requires the approval of the Minister or Governor; or
- (i) Such other duties or powers that may be prescribed by regulation.

With respect to the last point (i) above:

- 1. Regulation 18G of the *Local Government (Administration) Regulations 1996* prohibits the delegation to a CEO of the powers and duties under:
 - (a) Sections 7.12A(2) ~~(a)~~, 7.12A(3)(a) and 7.12A(4) of the *Local Government Act 1995* (relating to meetings with auditors); and
 - (b) Regulations 18C and 18D (relating to the selection and appointment of CEO's and reviews of their performance).
- 2. Regulation 6 of the *Local Government (Financial Management) Regulations 1996* prohibits the delegation of the duty to conduct an internal audit to an employee (including a CEO) who has been delegated the duty of maintaining the local government's day to day accounts or financial management operations.

2.1.3 Sub-delegation

1. The CEO may delegate to any employee a power or duty that has been delegated to the CEO under section 5.42 (section 5.44(1) and (3)).
2. A delegation must be made in writing (section 5.44(2)) and is subject to any conditions imposed by the local government on its delegation to the CEO (section 5.44(3)).
3. The CEO may impose further conditions on a delegation that is sub-delegated (section 5.44(4)).

2.1.4 Making delegations

1. An absolute majority decision of Council is required to delegate powers and duties to the CEO (section 5.42(1)).
2. A delegation made under section 5.42 must be in writing and can be general or as otherwise provided (s.5.42(2)).
3. A delegation has effect indefinitely unless otherwise specified in the delegation (section 5.45(1)(a)).
4. Any decision to amend or revoke a delegation made by a local government is to be by an absolute majority decision (section 5.45(1)(b)).

2.1.5 Recording and Review Obligations

1. The CEO to keep a register of the delegations made under Part 5 Division 4 to the CEO and to employees (section 5.46(1)).
2. At least once every financial year delegations made under Part 5 Division 4 are to be reviewed by the delegator (section 5.46(2)).
3. Every person to whom a power or duty is delegated under the *Local Government Act 1995* is to keep records in accordance with the *Local Government (Administration) Regulations 1996* in relation to the exercise of the power or discharge of the duty (section 5.46(3)).

Regulation 19 of the *Local Government (Administration) Regulations 1996* specifies that where a power or duty has been delegated under the *Local Government Act 1995* to the CEO or any other employee, the person to whom the power or duty has been delegated must keep a written record of:

- How the person exercised the power or discharged the duty;
- When the person exercised the power or discharged the duty; and
- The persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.

2.1.6 Other obligations on delegates

Under section 5.71, an employee who has been delegated a power or duty under Part 5 Division 4 relating to a matter, must not exercise that power or discharge that duty if they have an interest in the matter as defined in sections 5.60A or 5.60B, and must disclose the nature of the interest to the Mayor (if the CEO) or to the CEO (any other employee).

Employees holding delegated authority (including sub-delegations) under Part 5 Division 4 of the *Local Government Act 1995* must lodge a primary financial return under section 5.75 of the Act within three months of receiving the delegation and must thereafter, while holding the delegated authority, lodge an annual return under section 5.76 of the Act.

Part 2 - Register of Statutory Delegations by Council

DA-006 Unvested Facilities in Two or More Districts

Delegator: Council Process Owner: CEO		Delegation: DA – 006 Last Review Date: 17 June 2025
Description	Authority to agree on the control and management of an unvested facility if it lies within two or more Local Government districts.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> Section 3.53: Control of certain unvested facilities	
Statutory Power to Delegate	<i>Local Government Act 1995</i> Section 5.42: Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> Section 5.44: CEO may delegate powers and duties to other employees	
Sub Delegated to:	None	
Conditions on Delegation/Sub Delegation	None	
Compliance links	None	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Property/Land Administration 5.48 6D COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council – 15 May 2007 – C07/5007	
Substantive Amendments	~~Ordinary Meeting of Council – 16 June 2020 – M20/5749~~ ~~Amended title to clarify function.~~	

DA-007 Leasing/Licensing of Property

Delegator: Council Process Owner: Director Corporate Services		Delegation: DA – 007 Last Review Date: 17 June 2025
Description	Authority to: - Dispose of property by way of lease/licence or hire agreement including to advertise disposal in accordance with section 3.58 of the Act; and - Negotiate, execute and administer lease and other contractual documents for the purposes of a lease, licence or hire agreement, including assignment, extension and renewal.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> <u>Section 3.58(2)-(3):</u> Disposing of property	
Statutory Power to Delegate	<i>Local Government Act 1995</i> <u>Section 5.42:</u> Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> <u>Section 5.44:</u> CEO may delegate powers and duties to other employees	
Sub Delegated to:	- Director Community Development (restricted to leases and management licences with community, sporting groups, government agencies, artists and cultural organisations, and to commercial parking leases) - Director Corporate Services (any lease/licence)	
Conditions on Delegation/Sub Delegation	Delegation to CEO limited to disposal of an interest in land/property by lease/ ~~hold or~~ licence or a hire agreement to an annual property rental value of \$100,000 per annum (excl. GST) and a maximum lease term of ten years. This includes lease extensions and renewals. Sub-delegation is limited to disposal of property by way of lease/licence or hire agreement to a value of \$50,000 per annum (excl. GST) and a maximum term of five years.	
Compliance links	<i>Local Government (Functions & General) Regulations 1996</i> <u>Regulation 30:</u> Dispositions of property with market value less than \$20,000 excluded from section 3.58 of Act. <i>Property Law Act 1969</i> <i>Commercial Tenancy (Retail Shops) Agreements Act 1985</i>	
Policy Reference	CP-005 – Land and Property Retention, Disposal and Acquisition Related Delegation: DA-008 Disposition of Land and Other Assets	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: PROPERTY MANAGEMENT – Leases-Licences-Agreements-Contracts 22.07 7D COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council – 15 May 2007 – C07/5007	
Substantive Amendments	~~Ordinary Meeting of Council – 16 June 2020 – M20/5749~~ ~~Amended to incorporate delegations previously recorded in DA009, DA011 and DA-087.~~	

DA-008 Disposition of Land and Other Assets

Delegator: Council Process Owner: Director Corporate Services		Delegation: DA – 008 Last Review Date: 17 June 2025
Description	Authority to initiate and conclude the disposal (excluding disposal by way of lease) of land and property up to \$500,000.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> <u>Section 3.58</u> : Disposing of property <u>Section 3.59</u> : Commercial enterprises by local government	
Statutory Power to Delegate	<i>Local Government Act 1995</i> <u>Section 5.42</u> : Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> <u>Section 5.44</u> : CEO may delegate powers and duties to other employees	
Sub Delegated to:	• Director Community Development • Director Corporate Services • Chief Financial Officer • Director Environment and Infrastructure • Manager City Buildings and Projects	
Conditions on Delegation/Sub Delegation	Delegation thresholds per transaction: • Chief Executive Officer – up to \$500,000 • Director Community Development- \$19,999/ \$74,999 • Director Corporate Services – \$19,999 / \$74,999 • Chief Financial Officer – \$5,000 / \$19,999 • Director Environment and Infrastructure – \$19,999 / \$74,999 • Manager City Buildings and Projects – \$5,000/\$19,999 Note the \$74,999 above relates to property which is provided as consideration for the purchase of other property up to the value of \$75,000, e.g., a motor vehicle trade in. This is in accordance with Regulation 30(3)(b).	
Compliance links	<i>Local Government Act 1995</i> <u>Section 5.43(d)</u> : Limit on value of disposed property <i>Local Government (Functions and General) Regulations 1996</i> <u>Regulation 8A</u> : Amount prescribed for major land transactions, exempt land transactions <u>Regulation 8</u> : Exempt land transactions <u>Regulation 30</u> : Dispositions of property excluded from Act section 3.58	
Policy Reference	CP-005 Land and Property Retention, Disposal and Acquisition Related Delegation: DA-007 Leasing/Licensing of Property	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P STRATEGIC PROPERTY MANAGEMENT – Land and Property Acquisition / Disposal / Development 20.71 5A	
Period of Validity	Ongoing	

Part 2 - Register of Statutory Delegations by Council

Confirmed by Council	Ordinary Meeting of Council – 15 May 2007 – C07/5007
Substantive Amendments	~~Ordinary Meeting of Council – 15 June 2021 – M21/5842~~ ~~Amended sub-delegation thresholds for Manager Financial Services and Manager City Buildings.~~ ~~8 August 2023~~ ~~Amended sub-delegation to extend to Director Community Development.~~

CONFIRMED

DA-015 Bonds for Works

Delegator: Council Process Owner: Director Planning		Delegation: DA – 015 Last Review Date: 17 June 2025
Description	Authority to determine the value of and conditions associated with the lodgement of cash bonds or other performance bonds for works associated with the subdivision or development of land that may affect thoroughfares and public places; and to approve the return or payment of such bonds upon the completion of the works or event.	
Statutory Power or Duty Delegated	Local Government (Uniform Local Provisions) Regulations 1996 <u>Regulation 6(4)(c)-(d)</u> : Obstruction of public thoroughfare <u>Regulation 11(6)(b)-(c)</u> : Dangerous excavation in or near public thoroughfare <u>Regulation 17(5)</u> : Private works on, over, or under public places	
Statutory Power to Delegate	Local Government Act 1995 <u>Section 5.42</u> : Delegation of some powers and duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	Local Government Act 1995 <u>Section 5.44</u> : CEO may delegate powers and duties to other employees	
Sub Delegated to:	• Director Environment and Infrastructure • Manager Engineering • Director Planning • Manager Health and Compliance • Manager Development Approvals	
Conditions on Delegation/Sub Delegation	None	
Compliance links	Local Government Act 1995, Schedule 9.1 Local Government (Uniform Local Provisions) Regulations 1996	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P PROPERTY MAINTENANCE – Security Deposits/Bonds/Retention Money 21.09 7D	
Period of Validity	Ongoing	
Adopted by Council	Technical Services Committee – 5 November 1996 – T96/8030	
Substantive Amendments	~~Ordinary Meeting of Council – 16 June 2020 – M20/5749~~ ~~Amend to clarify circumstances when delegation exercised.~~ ~~Ordinary Meeting of Council – 18 June 2024 – C24/157~~ ~~Amended sub-delegation to extend to Manager Environmental Health and Compliance.~~	

Part 2 - Register of Statutory Delegations by Council

DA-016 Administration of Local Laws

Delegator: Council Process Owner: CEO		Delegation: DA – 016 Last Review Date: 17 June 2025
Description	Authority to administer City of Melville Local Laws.	
Statutory 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: 1. <i>Activities in Thoroughfares, Public Places and Trading Local Law 2014</i> 2. <i>Fencing By Law 1996</i> 3. <i>Dog Local Law 2021</i> 4. <i>Health Local Laws 1997</i> 5. <i>Local Government Property Local Law 2010</i> 6. <i>Local Law relating to Street Numbering 2006</i> 7. <i>Parking Local Law 2023</i>	
Statutory Power to Delegate	<i>Local Government Act 1995</i> Section 5.42: Delegation of some powers and duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> Section 5.44: CEO may delegate powers and duties to other employees	
Sub Delegated to:	See attached sub-delegation matrix	
Conditions on Delegation/Sub Delegation	Infringements may only be issued by persons authorised for the purposes of section 9.16 of the <i>Local Government Act 1995</i> .	
Compliance links	<i>Local Government Act 1995</i> Part 9, Division 1: Objections and Review Part 9, Division 2: Enforcement and Legal Proceedings	
Policy Reference	CP-068 Street Numbering Policy Australian Standard AS/NZS 4819:2011: Geographic Information - Rural and Urban Addressing <i>Local Law relating to Street Numbering 2006</i> SPP 7.3 Residential Design Codes CP-078 - Residential Development Policy LPP 2.2 Outdoor Advertisements and Signage Policy CP-097 Parking Permit Policy CP-114 Compliance and Enforcement Policy Compliance and Enforcement Guideline	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P Appropriate subject index for decision	
Period of Validity	Ongoing	
Adopted by Council	Planning & Development Services Committee – 12 November 1996 – P96/7023	
Substantive Amendments	~~Ordinary Meeting of Council – 16 June 2020 – M20/5749~~ ~~Amended to align with legislative provisions, add policy and~~	

Part 2 - Register of Statutory Delegations by Council

	~~legislative references:~~ ~~Ordinary Meeting of Council 15 June 2021 — M21/5842~~ ~~Updated sub-delegate position titles, add sub-delegation for purposes of Parking Local Law to Manager Engineering, and sub-delegation for purposes of Thoroughfares Local Law to Manager Cultural Services; revoke sub-delegation to Manager Natural Areas and Parks in relation to Street Numbering Local Law.~~

Part 2 - Register of Statutory Delegations by Council

DA – 016 SUB-DELEGATION MATRIX

Key to Local Laws:

1. *Activities in Thoroughfares, Public Places and Trading Local Law 2014*
2. *Fencing By Law 1996*
3. *Dog Local Law 2021*
4. *Health Local Laws 1997*
5. *Local Government Property Local Law 2010*
6. *Local Law relating to Street Numbering 2006*
7. *Parking Local Law 2023*

Position	1	2	3	4	5	6	7
Director Community Development	√		√		√		√
Head of Community Safety	√		√		√		√
Service Lead – Community Safety Investigations	√		√		√		√
Manager Healthy Melville	√			√	√		√ (clause 5.4 and 5.8(b) only)
Healthy Melville Coordinator (Recreation Development)							√ (clause 5.4 and 5.8(b) only)
Manager Cultural Services	√						
Director Corporate Services	√				√		
Director Environment and Infrastructure	√				√		√
Manager Engineering	√				√		√
Manager Natural Areas and Parks	√				√		
Director Planning	√	√		√		√	
Manager Health and Compliance	√	√		√		√	
Coordinator Compliance Services	√	√				√	
Senior Development Compliance Officer	√	√				√	
Coordinator Environmental Health	√			√			
Senior Environmental Health Officer	√			√			
Manager Development Approvals	√	√				√	
Principal Building Surveyor	✗	√					
Senior Building Surveyor		√					
Principal Statutory Planner		√				√	
Senior Statutory Planner		√				√	

Part 2 - Register of Statutory Delegations by Council

DA-024 Senior Employees

Delegator: Council Process Owner: CEO		Delegation: DA –024 Last Review Date: 17 June 2025
Description	1. Authority to designate any employees or persons belonging to a class of employee to be a senior employee; and 2. Authority to advertise the vacant position of a designated senior employee.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> <u>Section 5.37 (1), (3)-(4)</u>	
Statutory Power to Delegate	<i>Local Government Act 1995</i> <u>Section 5.42:</u> Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> <u>Section 5.44:</u> CEO may delegate powers and duties to other employees	
Sub Delegated to:	None	
Conditions on Delegation/Sub Delegation	An advertisement is to be in the manner and contain such information with respect to the position as is prescribed.	
Compliance links	<i>Local Government (Administration) Regulations 1996</i> <u>Regulation 18A:</u> Vacancy in position of CEO or senior employee to be advertised	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P ORGANISATIONAL DEVELOPMENT POSITION DESCRIPTIONS – Employee Services 60.1 2D	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council – 15 May 2007 – C07/5007	
Substantive Amendments		

DA-026 Determination of Criteria for Acceptance of Tenders and Pre-Qualified Supplier Panels

Delegator: Council Process Owner: Director Corporate Services		Delegation: DA – 026 Last Review Date: 17 June 2025
Description	Before tenders and/or applications for pre-qualified supplier panels are publicly invited, authority to determine in writing the criteria for deciding which tender should be accepted.	
Statutory Power or Duty Delegated	<i>Local Government (Functions & General) Regulations 1996</i> Regulation 14(2a): Publicly inviting tenders, requirements for <u>Regulation 24AD(3)</u> : Requirements when inviting persons to join panel of pre-qualified suppliers	
Statutory Power to Delegate	<i>Local Government Act 1995</i> <u>Section 5.42</u> : Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> <u>Section 5.44</u> : CEO may delegate powers and duties to other employees	
Sub Delegated to:	All Directors	
Conditions on Delegation/Sub Delegation	Directors may only exercise this sub-delegation with respect to tenders and/or prequalified supplier panels emanating from their Directorate.	
Compliance links	None	
Policy Reference	CP-023 Procurement Policy	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P COUNCIL ADMINISTRATION – Procurement – Tenders 5.36 5A	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council – 15 May 2007 – C07/5007	
Substantive Amendments		

DA-027 Rejecting and Accepting Tenders and/or Applications for Pre-Qualified Supplier Panels

Delegator: Council Process Owner: CEO		Delegation: DA – 027 Last Review Date: 17 June 2025
Description	1. Authority to accept tenders and applications for pre-qualified supplier panels, up to the value of \$550,000 (excluding GST), including pre award minor variations but excluding post award variations, per tender or application, per contract year; and 2. Authority to decline to accept any tender and to accept the withdrawal of a tender once awarded.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> <u>Section 3.57:</u> Tenders for providing goods and services <u>Section 9.49B:</u> Contract formalities	
Statutory Power to Delegate	<i>Local Government Act 1995</i> <u>Section 5.42:</u> Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	Sub-delegation is not permitted	
Sub Delegated to:	Not applicable	
Conditions on Delegation/Sub Delegation	Maximum threshold \$550,000 (excl. GST) per tender, per contract year. Decision to be made following receipt and consideration of a recommendation from the Contracts and Tenders Advisory Unit.	
Compliance links	<i>Local Government (Functions and General) Regulations 1996</i> <u>Regulation 11:</u> When tenders have to be publicly invited <u>Regulation 13:</u> Requirements when a local government invites tenders though not required to do so <u>Regulation 14:</u> Publicly inviting tenders, requirements for <u>Regulation 15:</u> Minimum time to be allowed for submitting tenders <u>Regulation 18:</u> Rejecting and accepting tenders <u>Regulation 20:</u> Variation of requirements before entry into contract <u>Regulation 21:</u> Limiting who can tender, procedure for <u>Regulation 22:</u> Minimum time to be allowed for submitting EoI <u>Regulation 24AH:</u> Rejecting and accepting applications to join panel of pre-qualified suppliers DA-028 – Contract Variations and Selection of Next Successful Tenderer	
Policy Reference	CP-023 Procurement Policy	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P COUNCIL ADMINISTRATION – Procurement – Tenders 5.36 5A	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council – 15 May 2007 – C07/5007	
Substantive Amendments	~~Ordinary Meeting of Council – 16 June 2020 – M20/5749~~ ~~Amended to remove reference to expressions of interest (covered in DA-030) and unnecessary reference to 'capital projects'~~	

DA-028 Contract Variations and Selection of Next Successful Tenderer

Delegator: Council Process Owner: Director Corporate Services		Delegation: DA – 028 Last Review Date: 17 June 2025
Description	Pre-Award 1. Power to make a minor variation to the goods and services specified and enter a contract with the chosen tenderer for the supply of the varied requirement; and 2. Power to select the next most advantageous tenderer if the chosen tenderer does not agree on a contract with the varied requirements. Post Award Following acceptance of a tender and having entered into a contract for the supply of products or services, authorise variations which are unforeseen.	
Statutory Power or Duty Delegated	<i>Local Government (Functions and General) Regulations 1996</i> <u>Regulation 20:</u> Variation of requirements before entry into the contract <u>Regulation 21A:</u> Varying a contract for the supply of goods or services	
Statutory Power to Delegate	<i>Local Government Act 1995</i> <u>Section 5.42:</u> Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> <u>Section 5.44:</u> CEO may delegate powers and duties to other employees	
Sub Delegated to:	• All Directors • All Executive Managers • All Chiefs, Heads and Managers reporting to a Director • Research and Liaison Advisor	
Conditions on Delegation/Sub Delegation	Directors/Executive Managers/Managers may only exercise the sub-delegated power with respect to tenders and contracts originating in their directorate. A minor variation means a variation that has does not significantly increase the risk to the City associated with the terms and conditions, and does not fundamentally alter the scope of works and/or the goods or services that tenderers were invited to supply. Post-contract variations are to be made following the post award contract variation procedure.	
Compliance links	<i>Local Government (Functions and General) Regulations 1996</i> <u>Regulation 11:</u> When tenders have to be publicly invited <u>Regulation 20:</u> Variation of requirements before entry into contract <u>Regulation 21A:</u> Varying a contract for the supply of goods or services Post Award Contract Variation Directorate Procedure	

Part 2 - Register of Statutory Delegations by Council

	DA-027 – Rejecting and Accepting Tenders and/or Applications for Pre-Qualified Supplier Panels
Policy Reference	CP-023 Procurement Policy
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P COUNCIL ADMINISTRATION – Procurement – Tenders 5.36 5A
Period of Validity	Ongoing
Confirmed by Council	Ordinary Meeting of Council – 15 May 2007 – C07/5007

DA-030 Consideration of Expressions of Interest to Supply Products or Services

Delegator: Council Process Owner: Director Corporate Services		Delegation: DA – 030 Last Review Date: 17 June 2025
Description	Authority to consider expressions of interest that have been called in accordance with the <i>Local Government Act (Functions & General) Regulations 1996</i> and decide which, if any, of those expressions of interest are from persons capable of satisfactorily supplying the products or services.	
Statutory Power or Duty Delegated	<i>Local Government (Functions and General) Regulations 1996 Regulation 23(3)</i> : Rejecting and accepting expressions of interest to be acceptable tenderer	
Statutory Power to Delegate	<i>Local Government Act 1995 Section 5.42</i> : Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995 Section 5.44</i> : CEO may delegate powers and duties to other employees	
Sub Delegated to:	All Directors	
Conditions on Delegation/Sub Delegation	Directors may only exercise the sub-delegated power in respect to expressions of interest originating in their Directorate.	
Compliance links	<i>Local Government (Functions and General) Regulations 1996 Regulation 23</i> : Rejecting and accepting expressions of interest to be acceptable tenderer	
Policy Reference	CP-023 Procurement Policy	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council – 15 May 2007 – C07/5007	
Substantive Amendments		

DA-031 Reimbursement of Expenses for Employee Committee Members

Delegator: Council Process Owner: Director Corporate Services		Delegation: DA – 031 Last Review Date: 17 June 2025
Description	Authority to reimburse an employee on a committee for an expense that was incurred in relation to a matter affecting the City of Melville.	
Statutory Power or Duty Delegated	Local Government Act 1995 Section 5.101(2): Payments for employee committee members	
Statutory Power to Delegate	Local Government Act 1995 Section 5.42: Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	Local Government Act 1995 Section 5.44: CEO may delegate powers and duties to other employees	
Sub Delegated to:	• All Directors • All Executive Managers • All Chiefs, Heads and Managers reporting to a Director • ~~Managers~~ • Research and Liaison Advisor	
Conditions on Delegation/Sub Delegation	Delegates and sub-delegates are not authorised to approve payments to themselves.	
Compliance links	Local Government Act 1995 Section 5.102: Expense may be funded before actually incurred	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P Appropriate financial records	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council – 15 May 2007 – C07/5007	
Substantive Amendments	~~Ordinary Meeting of Council – 15 June 2021 – M21/5842~~	

DA-032 Granting of a Concession or Writing off Debts Owed to the Council

Delegator: Council Process Owner: Director Corporate Services		Delegation: DA – 032 Last Review Date: 17 June 2025
Description	1. Authority to determine what conditions apply to the granting of a concession proposed to be undertaken (except for rates & service charges); 2. Authority to waive or grant concessions in relation to any amount of money except for rates & service charges; and 3. Authority to write off any amount of money that is owed to the local government (including rates & service charges).	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> Section 6.12(1)(b)-(c): waive and grant concessions; write off any amount of money Section 6.12(3): grant of a concession under section 6.12(1)(b) may be subject to any conditions	
Statutory Power to Delegate	<i>Local Government Act 1995</i> Section 5.42: Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> Section 5.44: CEO may delegate powers and duties to other employees	
Sub Delegated to:	- All Directors in relation to concessions or write offs emanating from their Directorate - Chief Financial Officer - Manager Healthy Melville in relation to concessions emanating from their Service Area - Revenue Coordinator	
Conditions on Delegation/Sub Delegation	Delegation thresholds: - Chief Executive Officer – Limit \$10,000 for any one item - All Directors – Limit \$5,000 for any one item - Chief Financial Officer – Limit \$1,000 for any one item - Manager Healthy Melville – Limit \$500 for any one item - Revenue Coordinator – Limit of \$50 for any one item Any write offs in accordance with function 3 above are to be notified to the Council in the next available Council meeting in the CEO report that presents the monthly Statements of Financial Activity. This delegation does not apply to waiving fees or granting concessions in relation to the Community Partnership Fund, which is to be done under delegation DA-115.	
Compliance links	None	
Policy Reference	CP-025 Accounting Policy	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P Appropriate financial records	
Period of Validity	Ongoing	

Part 2 - Register of Statutory Delegations by Council

Confirmed by Council	Ordinary Meeting of Council – 15 May 2007 – C07/5007
Substantive Amendments	~~Ordinary Meeting of Council – 16 June 2020 – M20/5749 Amended conditions to differentiate from waivers and concessions granted under the Community Partnership Fund under DA-115.~~

CONFIRMED

Part 2 - Register of Statutory Delegations by Council

DA-033 Power to Invest

Delegator: Council Process Owner: Director Corporate Services		Delegation: DA – 033 Last Review Date: 17 June 2025
Description	Authority to invest money held in the Municipal or Trust funds that is not, for the time being, required for any other purpose, in accordance with the <i>Trustees Act 1962</i> , Part III. Note: The Municipal Fund includes the Reserve Accounts which form part of what is commonly known as the City of Melville Reserve Fund.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> Section 6.14(1): Power to invest	
Statutory Power to Delegate	<i>Local Government Act 1995</i> Section 5.42: Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> Section 5.44: CEO may delegate powers and duties to other employees	
Sub Delegated to:	• Director Corporate Services • Director Environment and Infrastructure • Chief Financial Officer • Senior Accountant (Management) (position ID 2041 only) • Management Accountant (position ID 2042A only)	
Conditions on Delegation/Sub Delegation	Investment must be in accordance with Part III of the <i>Trustees Act 1962</i> , the <i>Local Government Act 1995</i> , the <i>Local Government (Financial Management) Regulations 1996</i> and Council Policy. All investment transactions are required to be authorised by two of the delegated officers of which at least one of whom will be a Category A authorised signatory as outlined in DA-035.	
Compliance links	<i>Trustees Act 1962</i> , Part III Investments <i>Local Government (Financial Management) Regulations 1996</i> Regulation 19: Investments, control procedures for Regulation 19C: Investment of money, restrictions on	
Policy Reference	CP-009 Investment of Funds	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P Appropriate financial records	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council – 15 May 2007 – C07/5007	
Substantive Amendments	~~Ordinary Meeting of Council – 15 June 2021 – M21/5842~~ ~~Ordinary Meeting of Council – 20 June 2023 – C23/25~~ ~~Manager Organisational Development removed as position no longer exists~~	

DA-035 Payment of Accounts from Municipal or Trust Funds

Delegator: Council Process Owner: Director Corporate Services		Delegation: DA – 035 Last Review Date: 17 June 2025	
Description	Power to authorise payments from the Municipal and Trust Funds and all transactions on Municipal, Trust and Reserve Bank Accounts.		
Statutory Power or Duty Delegated	Local Government Act 1995 Section 6.7(2): Money held in the municipal fund may be applied towards the performance of functions and exercise of powers of the local government Section 6.9(2): Money or property held in the trust fund is to be applied for the purposes of, and in accordance with, the trusts affecting it		
Statutory Power to Delegate	Local Government Act 1995 Section 5.42: Delegation of some powers or duties to the CEO		
Delegated to	Chief Executive Officer (Category A signatory)		
Statutory Power to sub delegate:	Local Government Act 1995 Section 5.44: CEO may delegate powers and duties to other employees		
Sub Delegated to:	Position (Signatory)	Signatory category	
	Director Corporate Services	Category A	
	Chief Financial Officer	Category A	
	Director Community Development	Category A	
	Director Environment and Infrastructure	Category A	
	Director Planning	Category A	
	Senior Accountant (Management) (position ID 2041 only)	Category B	
	Management Accountant (position ID 2042A only)	Category B	
Conditions on Delegation/Sub Delegation	The Local Government (Financial Management) Regulations 1996 Regulation 13 requires a list of accounts detailing payments made under delegated authority from the Municipal Fund or the Trust Fund to be prepared each month and submitted to the Council 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. Two signatures of the 'authorised signatories' shown above are required with at least one signatory being a category A signatory.		
Compliance links	Local Government Act 1995 Section 6.8: Expenditure from the municipal fund Local Government (Financial Management) Regulations 1996 Regulation 11: Payments, procedures for making Regulation 12: Payments from municipal fund or trust fund, restrictions on making Regulation 13: Payments from municipal fund or trust fund by CEO, CEO's duties as to City of Melville Procurement Authorisation Limits		

Part 2 - Register of Statutory Delegations by Council

Policy Reference	CP-025 Accounting Policy
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P Appropriate financial records
Period of Validity	Ongoing
Adopted by Council	Ordinary Meeting of Council – 19 December 2006 – C06/6024
Substantive Amendments	

Part 2 - Register of Statutory Delegations by Council

DA-038 District Boundary Adjustment

Delegator: Council Process Owner: Director Corporate Services		Delegation: DA – 038 Last Review Date: 17 June 2025
Description	Authority to negotiate as to any adjustment or transfer of property, rights and liabilities with an adjoining local government where an order to amend a District Boundary is made.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> Schedule 2.1, Clause 11, subclauses (1)-(2)	
Statutory Power to Delegate	<i>Local Government Act 1995</i> <u>Section 5.42:</u> Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> <u>Section 5.44:</u> CEO may delegate powers and duties to other employees	
Sub Delegated to:	Director Corporate Services	
Conditions on Delegation/Sub Delegation	Negotiated matters are subject to final ratification by the Council.	
Compliance links	<i>Local Government Act 1995</i> <u>Schedule 2.1:</u> Provisions about creating, changing the boundaries of, and abolishing districts <i>Local Government (Constitution) Regulations 1998</i>	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P COUNCIL ADMINISTRATION – District Boundaries 5.16 5A	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council – 15 May 2007 – C07/5007	
Substantive Amendments		

Part 2 - Register of Statutory Delegations by Council

DA-044 Disputes between Local Governments

Delegator: Council Process Owner: CEO		Delegation: DA – 044 Last Review Date: 17 June 2025
Description	Authority to refer a matter to the Minister to resolve a dispute between two or more local governments.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> Section 9.63(1)	
Statutory Power to Delegate	<i>Local Government Act 1995</i> Section 5.42: Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> Section 5.44: CEO may delegate powers and duties to other employees	
Sub Delegated to:	Not applicable	
Conditions on Delegation/Sub Delegation	Chief Executive Officer must consult with the Mayor prior to referring a dispute to the Minister. Sub-delegation is not permitted.	
Compliance links	None	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P	
Period of Validity	Ongoing	
Adopted by Council	Ordinary Meeting of Council – 15 May 2007 – C07/5007	
Substantive Amendments	~~Ordinary Meeting of Council – 16 June 2020 – M20/5749~~ ~~Amended to insert a requirement to consult with Mayor before referring a dispute and to prohibit sub-delegation.~~	

DA-046 Notice to Owner or Occupier Requiring Certain Actions to be Undertaken

Delegator: Council Process Owner: Director Community Development		Delegation: DA — 046 Last Review Date: 18 June 2024
Description	1. Power to give a person who is the owner or occupier of land, a notice in writing requiring the person to do a thing required under Schedule 3.1 of the <i>Local Government Act 1995</i>. 2. In the event of non-compliance with a notice given under section 3.25 of the Act, do anything necessary to achieve the purpose for which the notice was given, and recover the cost of anything done under section 3.26(2) of the Act from the person who failed to comply with the notice given under section 3.25.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> <u>Section 3.25</u> : Notice requiring certain things be done by owner or occupier of land <u>Section 3.26</u> : Additional powers when notices given	
Statutory Power to Delegate	<i>Local Government Act 1995</i> <u>Section 5.42</u> : Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub-delegate:	<i>Local Government Act 1995</i> <u>Section 5.44</u> : CEO may delegate powers and duties to other employees	
Sub-Delegated to:	- All Directors - Managers in Environment and Infrastructure, Community Development and Planning directorates	
Conditions on Delegation/Sub Delegation	Operational managers may exercise the powers provided under section 3.26(2) only.	
Compliance links	<i>Local Government Act 1995</i> <u>Section 3.24</u> : The powers given to a local government by this subdivision can only be exercised on behalf of the local government by a person expressly authorised to exercise those powers <u>Schedule 3.1</u> : Powers under notices to owners or occupiers of land <u>Section 9.3</u> : Rights of affected person extended to certain owners <u>Section 9.4</u> : Advice of objection and review rights	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMIN — Delegated Authority — Exercises 5.119 P Appropriate subject index for decision	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council — 15 May 2007 — C07/5007	
Substantive Amendments	Ordinary Meeting of Council — 16 June 2020 — M20/5749 Amended to consolidate delegated powers under sections 3.25 and 3.26 by incorporating powers previously recorded in DA-047 and DA-048	

DA-049 Power to Carry Out Works on Private Land

Delegator: Council Process Owner: Director Environment and Infrastructure		Delegation: DA—049 Last Review Date: 18 June 2024
Description	Power to carry out works on private land in the circumstances prescribed in Schedule 3.2 of the <i>Local Government Act 1995</i> , even if such works do not have the consent of the owner.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> ~~Section 3.27(1): Particular things local government can do on land that is not local government property~~ ~~Schedule 3.2: Works prescribed for the purposes of section 3.27~~	
Statutory Power to Delegate	<i>Local Government Act 1995</i> ~~Section 5.42: Delegation of some powers or duties to the CEO~~	
Delegated to	Chief Executive Officer	
Statutory Power to sub-delegate:	<i>Local Government Act 1995</i> ~~Section 5.44: CEO may delegate powers and duties to other employees~~	
Sub-Delegated to:	• ~~Director Environment and Infrastructure~~ • ~~Manager Engineering~~ • ~~Manager Natural Areas and Parks~~	
Conditions on Delegation/Sub Delegation	None	
Compliance links	<i>Local Government Act 1995</i> ~~Section 3.21: Duties when performing functions~~ ~~Section 3.24: Authorising persons—the powers given to a local government by this subdivision can only be exercised on behalf of the local government by a person expressly authorised by it to exercise those powers~~ ~~Part 9, Division 1: Objections and Review~~	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION—Delegated Authority—Exercises 5.119-P CONSTRUCTION AND MAINTENANCE PROGRAMS—Land Access Notices 25.21-7D	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council—15 May 2007—C07/5007	
Substantive Amendments		

**DA-050 ~~Entry on to Private Land~~ Power to Seek Warrant to Enter
Onto Land or Enter Onto Land in the Event of an Emergency**

Delegator: Council Process Owner: Director Community Development		Delegation: DA – 050 Last Review Date: 17 June 2025
Description	Power to ~~seek warrant to enter onto land or enter onto land in the event of an emergency. give notice and enter land, premises or thing in accordance with Part 3, Division 3, Subdivision 3 of the Local Government Act 1995.~~	
Statutory Power or Duty Delegated	Local Government Act 1995 ~~Section 3.32: Notice of entry~~ Section 3.33: Entry under warrant Section 3.34: Entry in emergency	
Statutory Power to Delegate	Local Government Act 1995 Section 5.42 : Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	Local Government Act 1995 Section 5.44 : CEO may delegate powers and duties to other employees	
Sub Delegated to:	• All Directors • Manager Health and Compliance • Coordinator Compliance Services • Coordinator Environmental Health	
Conditions on Delegation/Sub Delegation	None	
Compliance links	Local Government Act 1995 Part 3, Division 3, Subdivision 3 : Powers of entry	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P CONSTRUCTION AND MAINTENANCE PROGRAMS – Land Access Notices 25.21 7D	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council – 15 May 2007 – C07/5007	
Substantive Amendments	~~Ordinary Meeting of Council – 16 June 2020 – M20/5749~~ ~~Added power to enter in an emergency under section 3.34.~~	

DA-051 Making an Opening in a Fence

Delegator: Council Process Owner: Director Environment and Infrastructure		Delegation: DA – 051 Last Review Date: 17 June 2025
Description	Authority to make an opening in a fence to do prescribed works on property subject to providing the owner or occupier with 3 days written notice.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> <u>Section 3.36:</u> Opening fences	
Statutory Power to Delegate	<i>Local Government Act 1995</i> <u>Section 5.42:</u> Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> <u>Section 5.44:</u> CEO may delegate powers and duties to other employees	
Sub Delegated to:	• Director Environment and Infrastructure • Manager Engineering • Manager Natural Areas and Parks	
Conditions on Delegation/Sub Delegation	None	
Compliance links	<i>Local Government Act 1995</i> <u>Schedule 3.2:</u> Particular things local government can do on land that is not local government property	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P CONSTRUCTION AND MAINTENANCE PROGRAMS – Land Access Notices 25.21 7D	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council – 15 May 2007 – C07/5007	
Substantive Amendments		

DA-053 Provisionally and Finally Declare Abandoned Vehicle Wreck

Delegator: Council Process Owner: Director Community Development		Delegation: DA – 053 Last Review Date: 17 June 2025
Description	Authority to provisionally and finally declare that a vehicle is an abandoned vehicle wreck.	
Statutory Power or Duty Delegated	Local Government Act 1995 Section 3.40A(4)	
Statutory Power to Delegate	Local Government Act 1995 Section 5.42: Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	Local Government Act 1995 Section 5.44: CEO may delegate powers and duties to other employees	
Sub Delegated to:	• Director Community Development • Head of Community Safety • Service Lead – Community Safety Investigations	
Conditions on Delegation/Sub Delegation	None	
Compliance links	None	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P COMMUNITY SAFETY, SECURITY AND LAW ENFORCEMENT – Abandoned and Impounded Vehicles & Lost Property 4.11 7D	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council – 15 May 2007 – C07/5007	
Substantive Amendments	~~Ordinary Meeting of Council – 16 June 2020 – M20/5749~~ ~~Amended to remove redundant reference to authorising officers.~~ ~~Ordinary Meeting of Council – 15 June 2021 – M21/5842~~ ~~Amended to restrict sub-delegates to coordinator / manager level and above.~~	

DA-054 Give Notice to Collect; Sell and or Disposal Dispose of Impounded and or Confiscated Goods or Vehicles

Delegator: Council Process Owner: Director Community Development		Delegation: DA – 054 Last Review Date: 17 June 2025
Description	Authority to give notices to collect, withhold collection of goods, and sell or dispose of impounded or confiscated goods or vehicles. ~~Authority to withhold goods impounded or removed under sections 3.39, 3.40 and 3.40A of the Local Government Act 1995 until the costs of removing, impounding and keeping them have been paid. Authority to sell or otherwise dispose of any goods that have been ordered to be confiscated under section 3.43 of the Act. Authority to sell or otherwise dispose of any vehicle that has not been collected within two months of a notice having been given under section 3.40(3) of the Act, or seven days of a declaration being made that a vehicle is an abandoned vehicle wreck. Authority to sell or otherwise dispose of impounded goods that have not been collected within the period specified in section 3.47(2b) a notice given under sections 3.42(1)(b) or 3.44 of the Act. Authority to arrange, if the animal is ill or injured to such an extent that treating it is not practicable, humane euthanasia and disposal of the carcass.~~	
Statutory Power or Duty Delegated	~~Local Government Act 1995 Section 3.46: Goods may be withheld until costs paid~~ ~~Section 3.47: Confiscated or uncollected goods, disposal of~~ ~~Section 3.48(1): Sick or injured animals, disposal of~~ <u>Section 3.42: In lieu of prosecution, give notice to alleged offender of where they can collect impounded non-perishable goods</u> <u>Section 3.44: Give notice to alleged offender of where they can collect impounded goods (where court does not convict or does convict but does not order confiscation of goods)</u> <u>Section 3.46: withhold goods until costs of removing, impounding and keeping goods has been paid</u> <u>Section 3.47(1): sell or otherwise dispose of goods which have been confiscated by the court under section 3.43</u> <u>Section 3.47(2): sell or otherwise dispose of a vehicle which has not been collected within the time period specified in the section</u> <u>Section 3.47(3): sell or otherwise dispose of goods which have not been collected within the time period specified in that section</u>	
Statutory Power to Delegate	<i>Local Government Act 1995</i> <u>Section 5.42: Delegation of some powers or duties to the CEO</u>	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> <u>Section 5.44: CEO may delegate powers and duties to other employees</u>	
Sub Delegated to:	• All Directors • Head of Community Safety • Service Lead – Community Safety Investigations • Manager Health and Compliance • Coordinator Compliance Services	

Part 2 - Register of Statutory Delegations by Council

	Coordinator Environmental Health
Conditions on Delegation/Sub Delegation	None
Compliance links	Local Government Act 1995 Section 3.47(2)-(2b): Confiscated or uncollected goods, disposal of ~~None~~
Policy Reference	None
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMIN – Delegated Authority – Exercised 5.119 P COMMUNITY SAFETY, SECURITY AND LAW ENFORCEMENT – Abandoned and Impounded Vehicles & Lost Property 4.11 7D
Period of Validity	Ongoing
Confirmed by Council	Ordinary Meeting of Council – 15 May 2007 – C07/5007
Substantive Amendments	~~Ordinary Meeting of Council – 16 June 2020 – M20/5749~~ ~~Amended to delegate power under section 3.46.~~ ~~Ordinary Meeting of Council – 15 June 2021 – M21/5842~~ ~~Amended to restrict sub-delegates to coordinator / manager level and above.~~

Note – see DA-130 Arrange to Humanely Destroy and Impounded Animal

DA-062 Notices & Permissions Under the Uniform Local Provisions

Delegator: Council Process Owner: CEO		Delegation: DA – 062 Last Review Date: 17 June 2025
Description	Authority to grant, vary or renew permissions and issue notices pursuant to the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> .	
Statutory Power or Duty Delegated	Powers and duties of the local government under the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>	
Statutory Power to Delegate	<i>Local Government Act 1995</i> <u>Section 5.42:</u> Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> <u>Section 5.44:</u> CEO may delegate powers and duties to other employees	
Sub Delegated to:	• Director Environment and Infrastructure • Director Planning • Manager Health and Compliance • Coordinator Compliance Services • Senior Development Compliance Officer • Manager Development Approvals • Principal Building Surveyor • Senior Building Surveyor	
Conditions on Delegation/Sub Delegation	<i>Local Government Act 1995</i> <u>Part 3, Division 3, Subdivision 2:</u> Certain provisions about land <u>Part 9, Division 1:</u> Objections and Review	
Compliance links	<i>Local Government Act 1995</i> <u>Part 3, Division 3, Subdivision 2:</u> Certain provisions about land <u>Part 9, Division 1:</u> Objections and Review	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P Appropriate subject index for specific decision	
Period of Validity	Ongoing	
Adopted by Council	Administration & Community Services Committee – 4 November 1996 – A96/1031	
Substantive Amendments	~~Ordinary Meeting of Council – 16 June 2020 – M20/5749~~ ~~Amended to restrict to notices and permissions under the <i>Local Government (Uniform Local Provisions) Regulations</i>.~~ ~~Ordinary Meeting of Council – 15 June 2021 – M21/5842~~ ~~Approved sub-delegations.~~	

DA-063 Management of Vested Land

Delegator: Council Process Owner: Director Environment and Infrastructure		Delegation: DA – 063 Last Review Date: 17 June 2025
Description	Authority to do anything a local government could do under the <i>Parks and Reserves Act 1895</i> if it were a Board appointed under that Act, to control and manage any land reserved under the <i>Land Administration Act 1997</i> and vested in or placed under the control and management of the local government.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> <u>Section 3.54(1)</u> : Reserves under control of local government	
Statutory Power to Delegate	<i>Local Government Act 1995</i> <u>Section 5.42</u> : Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> <u>Section 5.44</u> : CEO may delegate powers and duties to other employees	
Sub Delegated to:	• All Directors • Manager Engineering • Manager Natural Areas and Parks	
Conditions on Delegation/Sub Delegation	None	
Compliance links	<i>Parks and Reserves Act 1895</i>	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P ENVIRONMENTAL MANAGEMENT – Bushland Management 9.05 30D Appropriate subject index for specific property	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council – 15 May 2007 – C07/5007	
Substantive Amendments		

DA-074 Due Date of Rates and Service Charges

Delegator: Council Process Owner: Director Corporate Services		Delegation: DA – 074 Last Review Date: 17 June 2025
Description	Authority to determine the date that rates and service charges become due and payable and any instalment due dates.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> <u>Section 6.50:</u> Rates or service charges due and payable	
Statutory Power to Delegate	<i>Local Government Act 1995</i> <u>Section 5.42:</u> Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer (Category A signatory)	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> <u>Section 5.44:</u> CEO may delegate powers and duties to other employees	
Sub Delegated to:	Director Corporate Services	
Conditions on Delegation/Sub Delegation	In accordance with the provisions of the <i>Local Government Act 1995</i> , the date determined is not to be earlier than 35 days after the date noted on the rate notice as the date the rate notice was issued (section 6.50 (2)), and that the period between instalments is not permitted to be less than two months (section 6.50 (3)).	
Compliance links	<i>Local Government (Financial Management) Regulations 1996</i> <u>Regulation 64:</u> Instalments, when to be paid	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P FINANCIAL MANAGEMENT – Rates	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council – 15 May 2007 – C07/5007	
Substantive Amendments		

DA-075 Actions Against Lessees of Land Where Rates or Service Charges Are Unpaid

Delegator: Council Process Owner: Director Corporate Services		Delegation: DA – 075 Last Review Date: 17 June 2025
Description	Authority to seek payment of rates or service charges from lessees of land in respect to rent that would be otherwise payable to the lessor, to satisfy rates or service charges imposed on the land that are due and payable.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> Section 6.60(2): Local government may require lessee to pay rent	
Statutory Power to Delegate	<i>Local Government Act 1995</i> Section 5.42: Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer (Category A signatory)	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> Section 5.44: CEO may delegate powers and duties to other employees	
Sub Delegated to:	Director Corporate Services	
Conditions on Delegation/Sub Delegation	None	
Compliance links	None	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P Appropriate subject index for specific decision	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council – 15 May 2007 – C07/5007	
Substantive Amendments		

Part 2 - Register of Statutory Delegations by Council

DA-076 Lodgement of Caveats Against Land Where Rates or Service Charges Are Unpaid

Delegator: Council Process Owner: Director Corporate Services		Delegation: DA – 076 Last Review Date: 17 June 2025
Description	Authority to lodge a caveat in respect of any land for which rates and service charges are outstanding or withdraw such caveats when the arrears are cleared.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> Section 6.64(3): Local government may lodge caveats over land for which rates or service charges are in arrears and may withdraw caveats so lodged	
Statutory Power to Delegate	<i>Local Government Act 1995</i> Section 5.42: Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> Section 5.44: CEO may delegate powers and duties to other employees	
Sub Delegated to:	Director Corporate Services	
Conditions on Delegation/Sub Delegation	None	
Compliance links	None	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P Appropriate subject index for specific decision	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council – 15 May 2007 – C07/5007	
Substantive Amendments		

DA-077 Actions in Respect to Land Where Rates or Service Charges are Unpaid After Three Years

Delegator: Council Process Owner: Director Corporate Services		Delegation: DA – 077 Last Review Date: 17 June 2025
Description	Take possession of rateable land for which rates or service charges have been unpaid for at least three years.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> <u>Section 6.64:</u> If rates or service charges in respect of any rateable land have been unpaid for at least 3 years the local government may take possession of the land and: (a) from time to time lease the land; (b) sell the land; (c) cause the land to be transferred to the Crown; or (d) cause the land to be transferred to [the City of Melville].	
Statutory Power to Delegate	<i>Local Government Act 1995</i> <u>Section 5.42:</u> Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> <u>Section 5.44:</u> CEO may delegate powers and duties to other employees	
Sub Delegated to:	Director Corporate Services	
Conditions on Delegation/Sub Delegation	None	
Compliance links	<i>Local Government Act 1995</i> <u>Part 6, Division 6, Subdivision 6:</u> Actions against land where rates or service charges unpaid <u>Schedule 6.2:</u> Provisions relating to lease of land where rates or service charges unpaid <u>Schedule 6.3:</u> Provisions relating to sale or transfer of land where rates or service charges unpaid	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P Appropriate subject index for specific decision	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council – 15 May 2007 – C07/5007	
Substantive Amendments	~~Ordinary Meeting of Council – 16 June 2020 – M20/5749~~ ~~Amended to remove reference to lodging caveats which is covered in DA-076.~~	

DA-079 Compensation to the Owners of Property

Delegator: Council Process Owner: Director Corporate Services		Delegation: DA – 079 Last Review Date: 17 June 2025
Description	The power to compensate the owners or occupiers of land, if the person requests compensation, to which uninsured damage has been caused through the performance of the City of Melville's functions.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> <u>Section 3.22</u> : Compensation	
Statutory Power to Delegate	<i>Local Government Act 1995</i> <u>Section 5.42</u> : Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> <u>Section 5.44</u> : CEO may delegate powers and duties to other employees	
Sub Delegated to:	All Directors	
Conditions on Delegation/Sub Delegation	Financial limits to delegation: • Chief Executive Officer – Limit \$10,000 per claim • All Directors – Limit \$5,000 per claim	
Compliance links	<i>Local Government Act 1995</i> <u>Section 3.22(5)</u> : compensation is not payable for damage sustained as a result of certain functions <u>Section 3.23</u> : Arbitration <u>Schedule 3.1</u> : Powers under notices to owners or occupiers of land <u>Schedule 3.2</u> : Particular things local governments can do on land even though it is not local government property	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P Appropriate subject index for specific decision	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council – 15 May 2007 – C07/5007	
Substantive Amendments		

DA-081 Closure of Thoroughfares

Delegator: Council Process Owner: Director Environment and Infrastructure		Delegation: DA – 081 Last Review Date: 17 June 2025
Description	1. Authority to close a thoroughfare to vehicles, wholly or partially for a period not exceeding four weeks (section 3.50(1)). 2. Authority, after providing public notice of its intention and reasons, inviting submissions and then considering submissions, order a thoroughfare to be wholly or partially closed to vehicles for a period exceeding four weeks (section 3.50(1a)). 3. Authority to revoke an order to close a thoroughfare. (section 3.50(6)) 4. Authority to partially and temporarily close a thoroughfare, without giving local public notice, if the closure is for the purpose of carrying out repairs or maintenance and is unlikely to have a significant adverse effect on users of the thoroughfare (section 3.50A).	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> <u>Section 3.50:</u> Closing certain thoroughfares to vehicles <u>Section 3.50A:</u> Partial closure of thoroughfare for repairs and maintenance	
Statutory Power to Delegate	<i>Local Government Act 1995</i> <u>Section 5.42:</u> Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> <u>Section 5.44:</u> CEO may delegate powers and duties to other employees	
Sub Delegated to:	• Director Environment and Infrastructure • Manager Engineering	
Conditions on Delegation/Sub Delegation	None	
Compliance links	None	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P PLANNING AND DEVELOPMENT - Road Closures 20.18 7D	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council – 15 May 2007 – C07/5007	
Substantive Amendments		

DA-083 Consultation Regarding Fixing, Altering or Realigning a Public Thoroughfare

Delegator: Council Process Owner: Director Environment and Infrastructure		Delegation: DA – 083 Last Review Date: 17 June 2025
Description	Authority to give notice of proposal, invite submissions and consider those submissions before fixing, altering or realigning a public thoroughfare or draining water onto adjoining land.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> Section 3.51(3)-(4): Affected owners to be notified of certain proposals	
Statutory Power to Delegate	<i>Local Government Act 1995</i> Section 5.42: Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> Section 5.44: CEO may delegate powers and duties to other employees	
Sub Delegated to:	• Director Environment and Infrastructure • Manager Engineering	
Conditions on Delegation/Sub Delegation	None	
Compliance links	None	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P Appropriate index for specific project	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council – 15 May 2007– C07/5007	
Substantive Amendments		

DA-085 Parking Control

Delegator: Council Process Owner: Director Environment and Infrastructure		Delegation: DA – 085 Last Review Date: 17 June 2025
Description	Authority to prohibit, restrict or regulate by signs or otherwise, the stopping or parking of any vehicle, class of vehicle, or any class of person or vehicle, or both, in any part of the parking region, in accordance with the provisions of the Parking Local Law.	
Statutory Power or Duty Delegated	City of Melville Parking Local Law 2023 Clause 5.1: Powers of the local government	
Statutory Power to Delegate	Local Government Act 1995 Section 5.42: Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	Local Government Act 1995 Section 5.44: CEO may delegate powers and duties to other employees	
Sub Delegated to:	• Director Environment and Infrastructure • Manager Engineering	
Conditions on Delegation/Sub Delegation	None	
Compliance links	City of Melville Parking Local Law 2023	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P COMMUNITY SAFETY, SECURITY AND LAW ENFORCEMENT – Parking Schemes 4.14 2D	
Period of Validity	Ongoing	
Adopted by Council	Technical Services Committee – 5 September 2000 – T00/8028	
Substantive amendment by Council or CEO	~~Ordinary Meeting of Council – 16 June 2020 – M20/5749~~ ~~Amended title and description to align with the power as described in the Parking Local Law.~~	

DA-088 Payments to Employees in Addition to Award or Contract

Delegator: Council Process Owner: CEO		Delegation: DA – 088 Last Review Date: 17 June 2025
Description	Authority to determine and approve severance payments to employees consistent with the provisions of Council policy	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> <u>Section 5.50(2)</u> : Make a payment to an employee whose employment is finishing and that is more than the additional amount set out in policy	
Statutory Power to Delegate	<i>Local Government Act 1995</i> <u>Section 5.42</u> : Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> <u>Section 5.44</u> : CEO may delegate powers and duties to other employees	
Sub Delegated to:	None	
Conditions on Delegation/Sub Delegation	Financial limits to delegation: • Chief Executive Officer – Limit \$10,000 per payment • Sub-delegates – Limit \$10,000 per payment	
Compliance links	<i>Local Government Act 1995</i> <u>Section 5.50(2)</u> : local public notice to be given <i>Local Government (Administration) Regulations 1996</i> <u>Regulation 19A</u> : Payments in addition to contract or award, limits of	
Policy Reference	CP-027 Severance Policy	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P Appropriate employee files	
Period of Validity	Ongoing	
Adopted by Council	Ordinary Meeting of Council – 21 June 2011 – C11/5187	
Substantive Amendments		

DA-115 Non-Monetary Grants (Grant Concessions or Waive Fees) – Community Partnership Fund

Delegator: Council Process Owner: Director Community Development		Delegation: DA – 115 Last Review Date: 17 June 2025
Description	Authority to waive or grant a concession in relation to hire fees for City of Melville owned equipment and facilities as a non-monetary or in-kind grant as part of the existing Community Partnership Fund program.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> <u>Section 6.12(1)(b)</u> : waive or grant concessions in relation to any amount of money (other than money owing in respect of rates or service charges) <u>Section 6.12(3)</u> : Determine conditions to apply to the grant of any concession	
Statutory Power to Delegate	<i>Local Government Act 1995</i> <u>Section 5.42</u> : Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> <u>Section 5.44</u> : CEO may delegate powers and duties to other employees	
Sub Delegated to:	- Director Community Development - Manager Healthy Melville ~~Manager Customer and Community Participation~~	
Conditions on Delegation/Sub Delegation	Financial limits: - Chief Executive Officer – Limit of \$500 for any one item - Director Community Development – Limit \$500 - Manager Healthy Melville ~~Manager Customer and Community Participation~~ – Limit \$500 Exercise of this delegation is to be in accordance with the Community Partnership Funding Directorate Procedure.	
Compliance links	DA-032 – Granting of a Concession or Writing Off Debts Owed to the Council	
Policy Reference	CP-025 Accounting Policy CP-095 Non-Monetary Grants Policy Community Partnership Fund	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMIN – Delegated Authority – Exercised 5.119 P COMMUNITY DEVELOPMENT – Community Partnership Funding – Non-Monetary 14.38 7D	
Period of Validity	Ongoing	
Adopted by Council	Ordinary Meeting of Council – 16 June 2015 – CD15/8073	
Substantive Amendments	~~Ordinary Meeting of Council – 16 June 2020 – M20/5749~~ ~~Amended to clarify statutory power being delegated.~~	

Part 2 - Register of Statutory Delegations by Council

**DA-129 Appoint Officer/s to Receive and Withdraw Complaints
(Elected Members Code of Conduct)**

Delegator: Council Process Owner: CEO		Delegation: DA – 129 Last Review Date: 17 June 2025
Description	Authority to appoint officers to receive and withdraw complaints in accordance with clause 11(3) of the <i>Local Government (Code of Conduct) Regulations 2021</i> .	
Statutory Power or Duty Delegated	<i>Local Government (Code of Conduct) Regulations 2021</i> <u>Regulation 11</u> : Complaint about alleged breach	
Statutory Power to Delegate	<i>Local Government Act 1995</i> <u>Section 5.42</u> : Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> <u>Section 5.44</u> : CEO may delegate powers and duties to other employees	
Sub Delegated to:	None	
Conditions on Delegation/Sub Delegation	None	
Compliance links	<i>Local Government Act 1995</i> Part 5, Division 9: Conduct	
Policy Reference	Code of Conduct for Elected Members, Committee Members and Candidates (adopted at Special Meeting of Council 3 May 2021)	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: Delegated Authority – Exercised 5.119	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council – 16 March 2021 – M21/5810	
Substantive Amendments		

DA-130 Arrange to Humanely Destroy an Impounded Animal

Delegator: Council		Delegation: DA – 130
Process Owner: Director Community Development		Last Review Date: 17 June 2025
Description		
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> <u>Section 3.47A(1)</u> : Arrange to humanely destroy an impounded animal that is ill or injured to such an extent that treating it is not practicable, and dispose of the carcass	
Statutory Power to Delegate	<i>Local Government Act 1995</i> <u>Section 5.42</u> : Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> <u>Section 5.44</u> : CEO may delegate powers and duties to other employees	
Sub Delegated to:	• Director Community Development • Head of Community Safety • Service Lead – Community Safety Investigations	
Conditions on Delegation/Sub Delegation	Animals may not be destroyed unless it has been impounded for at least seven days.	
Compliance links	<i>Local Government Act 1995</i> <u>Section 3.47A(2)-(3)</u> : sick or injured animals, disposal of	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P Appropriate subject index for specific decision	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council – 17 June 2025	

**DA-131 Appoint Officers to Exercise Powers of Entry Under
Sections 3.25-3.27 of the *Local Government Act 1995***

Delegator: Council Process Owner: CEO		Delegation: DA – 131 Last Review Date: 17 June 2025
Description	Authority to appoint officers to exercise powers of entry under sections 3.25-3.27 of the <i>Local Government Act 1995</i> .	
Statutory Power or Duty Delegated	<i>Local Government (Code of Conduct) Regulations 2021</i> Section 3.24 : Authorising persons under this subdivision	
Statutory Power to Delegate	<i>Local Government Act 1995</i> Section 5.42 : Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> Section 5.44 : CEO may delegate powers and duties to other employees	
Sub Delegated to:	None	
Conditions on Delegation/Sub Delegation	None	
Compliance links	<i>Local Government Act 1995</i> Part 3, Division 3	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: Delegated Authority – Exercised 5.119	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council – 17 June 2025	

Division 2 - Building Act 2011 and Regulations

2.2.1 Enabling legislative provisions

Council may delegate any of its powers or duties as a permit authority to an employee of the local government (section 127(1) and (3)).

Section 127(7) clarifies that delegation does not limit the ability of the delegator to perform a function through an officer or agent.

2.2.2 Matters that may not be delegated

Other than the CEO under section 127(6A), a person to whom a power or duty is delegated cannot sub-delegate that power or duty (section 127(5)).

2.2.3 Sub-delegation

The CEO may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO (subject to any conditions, qualifications, limitations or exceptions imposed by the original delegation) (section 127(6A)).

2.2.4 Making delegations

The delegation must be in writing executed by or on behalf of the delegator (section 127(4)).

The Act does not require delegations by the Council to be made, amended or revoked by absolute majority.

2.2.5 Recording and Review Obligations

None specified.

2.2.6 Other obligations

The exercise of a delegated authority to appoint an authorised person is subject to the person to be authorised having the appropriate experience or qualifications where this is prescribed in regulations (section 96(4)).

DA-098 Designation and Appointment of Authorised Persons (Building Act)

Delegator: Council (as permit authority) Process Owner: CEO		Delegation: DA – 098 Last Review Date: 17 June 2025
Description	Authority to: 1. Designate an employee as an authorised person for the purposes of the <i>Building Act 2011</i> in relation to buildings and incidental structures located or proposed to be located in the district, and 2. Appoint authorised and approved officers for the purposes of issuing and dealing with infringements under sections 6(a) and 6(b) of the <i>Criminal Procedure Act 2004</i> pursuant to the requirements of the <i>Building Regulations 2012</i>.	
Statutory Power or Duty Delegated	<i>Building Act 2011</i> <u>Section 96(3)</u> : A local government may designate an employee as an authorised person for the purposes of the Act <i>Building Regulations 2012</i> <u>Regulation 70</u> : Approved officers and authorised officers (for the purposes of the <i>Criminal Procedure Act 2004</i>	
Statutory Power to Delegate	<i>Building Act 2011</i> <u>Section 127(1)</u> : A local government may delegate any of its powers or duties as a permit authority <u>Section 127(3)</u> : A local government may only delegate its powers or duties to a local government employee <i>Local Government Act 1995</i>	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Building Act 2011</i> <u>Section 127(6A)</u> : CEO of a local government may delegate to any other employee a power or duty that has been delegated to the CEO	
Sub Delegated to:	Director Planning	
Conditions on Delegation/Sub Delegation	1. A person may only be appointed as an approved officer under regulation 70(1) of the <i>Building Regulations 2012</i> if they hold a delegation from the CEO under section 5.44(1) of the <i>Local Government Act 1995</i> to perform functions under sections 9.19 or 9.20 of that Act. 2. A person may only be appointed as an authorised officer under regulation 70(2) of the <i>Building Regulations 2012</i> if they have been appointed and authorised under section 9.10(1) of the <i>Local Government Act 1995</i> for the purpose of performing functions under section 9.16 of that Act. 3. All authorised officers must be issued with identification showing proof of authorisation.	
Compliance links	<i>Building Act 2011</i> <u>Section 97</u> : Identity cards <u>Section 99</u> : Limitations on powers of authorised persons Part 8, Division 3: Powers of authorised persons <i>Building Regulations 2012</i> <u>Regulation 5A</u> : Authorised persons <u>Schedule 6</u> : Prescribed Offences and Modified Penalties <i>Local Government Act 1995</i> <u>Section 5.36</u> : Local government employees	

Part 2 - Register of Statutory Delegations by Council

	<u>Section 9.10:</u> Appointment of authorised persons (see DA-055) <u>Section 9.16:</u> Notice to alleged offender <u>Section 9.19:</u> Extension of time <u>Section 9.20:</u> Withdrawal of notice <i>Criminal Procedure Act 2004</i> , Part 2 Building Code of Australia
Policy Reference	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P
Period of Validity	Ongoing
Adopted by Council	Special Meeting of Council – 27 March 2012 – P12/3298
Substantive Amendments	~~Ordinary Meeting of Council – 16 June 2020 – M20/5749 Amended to incorporate delegation of appointment of approved and authorised officers under regulation 70 of the <i>Building Regulations 2012</i>, previously recorded in DA-123.~~

DA-103 Inspection and Copies of Building Information

Delegator: Council as permit authority Process Owner: Director Planning		Delegation: DA – 103 Last Review Date: 17 June 2025
Description	Authority to: 1. Provide a copy of a permit, building approval certificate or building order kept in the register specified in section 128; and 2. Allow an interested person (as defined) to inspect and be provided with a copy of a building record as defined in section 130 of the <i>Building Act 2011</i> .	
Statutory Power or Duty Delegated	<i>Building Act 2011</i> Section 129(2): Copies of permits, certificates in register Section 131(2): Inspection, copies of building records	
Statutory Power to Delegate	<i>Building Act 2011</i> Section 127(1): A local government may delegate any of its powers or duties as a permit authority Section 127(3): A local government may only delegate its powers or duties to a local government employee	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Building Act 2011</i> Section 127(6A): CEO of a local government may delegate to any other local government employee a power or duty that has been delegated to the CEO	
Sub Delegated to:	• Director Planning • Manager Health and Compliance • Coordinator Compliance Services • Senior Development Compliance Officer • Manager Development Approvals • ~~Building Services Coordinator~~ Principal Building Surveyor • Senior Building Surveyor	
Conditions on Delegation/Sub Delegation	The City may, on application provide copies of a permit, building approval certificate, building order or building records as described in Section 129 (2) of the Building Act 2011 to include the following: (a) The owner of the building or incidental structure to which the building record relates; or (b) A person who has the written consent of the owner mentioned in paragraph (a), to inspect or receive a copy of a building record related to the owner; or (c) A person or person(s) defined by Regulation 13 of the Building Regulations 2012, or; (d) A potentially affected property owner. For the purposes of point (d), a potentially affected property owner is defined below:	

Part 2 - Register of Statutory Delegations by Council

	 <i>Diagram 1 – Typical 'potentially affected' properties for a development located within the middle of a street block.</i>  <i>Diagram 2 – Typical 'potentially affected' properties for a development located within a corner property.</i>
Compliance links	<i>Building Regulations 2012</i> <u>Regulation 12:</u> Building records to be kept <u>Regulation 13:</u> Inspection, copies of building records
Policy Reference	None
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P PLANNING AND DEVELOPMENT – General Enquiries – 20.115 10D
Period of Validity	Ongoing
Adopted by Council	Special Meeting of Council – 27 March 2013 – P12/3298
Substantive Amendments	~~Ordinary Meeting of Council – 16 June 2020 – M20/5749~~ ~~Amended to include authority under section 129 to provide copies of documents on register.~~

DA-105 Prosecutions and Legal Proceedings – Building Matters

Delegator: Council as permit authority Process Owner: Director Planning		Delegation: DA – 105 Last Review Date: 17 June 2025
Description	Authority to commence and have the carriage and conduct of legal proceedings and other matters pursuant to the <i>Building Act 2011</i> and <i>Building Regulations 2012</i> and exercise the powers set out in section 133.	
Statutory Power or Duty Delegated	<i>Building Act 2011</i> Section 133(1)(b): Prosecutions may be commenced by a local government or a person authorised to do so by the local government	
Statutory Power to Delegate	<i>Building Act 2011</i> Section 127(1): A ... local government may delegate any of its powers or duties as a permit authority Section 127(3): A local government may only delegate its powers or duties to a local government employee	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Building Act 2011</i> Section 127(6A): CEO of a local government may delegate to any other local government employee a power or duty that has been delegated to the CEO	
Sub Delegated to:	• ~~Director Corporate Services~~ • Director Planning • Manager Health and Compliance • Coordinator Compliance Services • Senior Development Compliance Officer • Manager Development Approvals • Principal Building Surveyor • Senior Building Surveyor	
Conditions on Delegation/Sub Delegation	None	
Compliance links	<i>Building Act 2011</i> Part 12 Legal Proceedings	
Policy Reference	Building Compliance Work Instruction CP-114 Compliance and Enforcement Policy Compliance and Enforcement Guideline	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P PLANNING AND DEVELOPMENT – Building Inspections – prosecutions, notices, complaints, demolition 20.69 10D	
Period of Validity	Ongoing	
Adopted by Council	Ordinary Meeting of Council – 21 May 2013 – C13/5291	
Substantive Amendments	~~Ordinary Meeting of Council – 16 June 2020 – M20/5749~~ ~~Amended to remove redundant matters and provide for authorising a person to commence prosecution in accordance with s 133.~~ ~~Ordinary Meeting of Council – 15 June 2021 – M21/5842~~ ~~Approved sub-delegation to Building Compliance Officer.~~ ~~Ordinary Meeting of Council – 18 June 2024 – C24/157~~	

Part 2 - Register of Statutory Delegations by Council

	~~Amended sub-delegation to extend to Building Compliance Coordinator and Building Services Coordinator.~~

CONFIRMED

Part 2 - Register of Statutory Delegations by Council

DA-126 Building and Demolition Permits

Delegator: Council as permit authority Process Owner: Director Planning		Delegation: DA – 126 Last Review Date: 17 June 2025
Description	Authority to grant or refuse to grant a building permit or demolition permit; to impose, vary, and revoke permit conditions and extend the time of during which permit has effect.	
Statutory Power or Duty Delegated	<i>Building Act 2011</i> Section 18: Seek further information Section 20: Grant of building permit Section 21: Grant of demolition permit Section 22: Refuse to grant a building permit or demolition permit Section 27: Impose, add, vary or revoke conditions on a building permit or demolition permit Section 88: Impose a condition specifying the finish of a close wall <i>Building Regulations 2012</i> Regulation 24: Extension of time during which permit has effect	
Statutory Power to Delegate	<i>Building Act 2011</i> Section 127(1): A local government may delegate any of its powers or duties as a permit authority	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Building Act 2011</i> Section 127(6A): CEO of a local government may delegate to any other local government employee a power or duty that has been delegated to the CEO	
Sub Delegated to:	• ~~Manager Environmental Health and Compliance~~ • Manager Development Approvals • Principal Building Surveyor • Senior Building Surveyor	
Conditions on Delegation/Sub Delegation	<i>Building Act 2011</i> Section 127(3): A local government may only delegate its powers or duties to a local government employee	
Compliance links	<i>Building Act 2011, Part 2, Division 2</i> <i>Building Regulations 2012, Part 3 and Schedule 2</i> <i>Building Services (Registration Act) 2011, Section 7</i> <i>Home Building Contracts Act 1991, Part 3A, Division 2</i> <i>Building Services (Complaint Resolution and Administration) Act 2011, Part 7, Division 2</i> <i>Building and Construction Industry Training Levy Act 1990</i> <i>Heritage Act 2018</i>	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMIN – Delegated Authority – Exercised 5.119 P PLANNING & DEVELOPMENT – Building Licence Applications 20.112 P	
Period of Validity	Ongoing	
Adopted by Council	Special Meeting of Council – 27 March 2012 – P12/3298	
Substantive Amendments	~~Ordinary Meeting of Council – 16 June 2020 – M20/5749~~ ~~Amended to incorporate delegations formerly recorded in DA-089, DA-090, DA-091, DA-092, DA-097, DA-104, add delegation of power to seek further information under section 18.~~	

Part 2 - Register of Statutory Delegations by Council

DA-127 Occupancy Permits and Building Approval Certificates

Delegator: Council as permit authority Process Owner: Director Planning		Delegation: DA – 127 Last Review Date: 17 June 2025
Description	Authority to grant or to refuse to grant an occupancy permit or a building approval certificate; to impose, vary and revoke conditions, and to extend duration.	
Statutory Power or Duty Delegated	<i>Building Act 2011</i> <u>Section 55</u> : Seek further information from applicant <u>Section 58</u> : Grant of occupancy permit or building approval certificate (including power to refuse under section 58(3)) <u>Section 62</u> : Impose, add, vary or revoke conditions on an occupancy permit or building approval certificate <u>Section 65</u> : Extend the duration of an occupancy permit or building approval certificate.	
Statutory Power to Delegate	<i>Building Act 2011</i> <u>Section 127(1)</u> : A local government may delegate any of its powers or duties as a permit authority. <u>Section 127(3)</u> : A local government may only delegate its powers or duties to a local government employee	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Building Act 2011</i> <u>Section 127(6A)</u> : CEO of a local government may delegate to any other local government employee a power or duty that has been delegated to the CEO	
Sub Delegated to:	• ~~Manager Environmental Health and Compliance~~ • Manager Development Approvals • Principal Building Surveyor • Senior Building Surveyor	
Conditions on Delegation/Sub Delegation	None	
Compliance links	<i>Building Act 2011</i> , Part 2, Division 3 <i>Building Regulations 2012</i> , Part 5 and Schedule 2 <i>Building Services (Registration Act) 2011</i> , Sections 3 and 11 <i>Home Building Contracts Act 1991</i> , Part 3A, Division 2 <i>Building Services (Complaint Resolution and Administration) Act 2011</i> , Part 7, Division 2 <i>Building and Construction Industry Training Levy Act 1990</i>	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMIN – Delegated Authority – Exercised 5.119 P Appropriate index relevant to decision	
Period of Validity	Ongoing	
Adopted by Council	Special Meeting of Council – 27 March 2012 – P12/3298	
Substantive Amendments	~~Ordinary Meeting of Council – 16 June 2020 – M20/5749~~ ~~Amended to incorporate delegations formerly recorded in DA-093, DA-094, DA-095, DA-096.~~ ~~Ordinary Meeting of Council – 18 June 2024 – C24/157~~ ~~Amended sub-delegation to extend to Manager Statutory Planning and Building.~~	

Part 2 - Register of Statutory Delegations by Council

DA-128 Building Orders

Delegator: Council as permit authority Process Owner: Director Planning		Delegation: DA – 128 Last Review Date: 17 June 2025
Description	1. Authority to issue building orders, give notice of a building order, revoke a building order and give notice to that effect; and 2. In the event of non-compliance with a building order, cause an authorised person to take any action, or commence or complete any work, specified in the order or to take reasonable steps to cause specified action to cease, and recover the reasonable costs in giving effect to the building order.	
Statutory Power or Duty Delegated	<i>Building Act 2011</i> <u>Section 110(1):</u> Building orders <u>Section 111:</u> Notice of proposed building order <u>Section 117:</u> Revocation of building order <u>Section 118:</u> Give effect to building order if non-compliance <u>Section 88(3):</u> Specify the finish of a close wall in a building order	
Statutory Power to Delegate	<i>Building Act 2011</i> <u>Section 127(1):</u> A local government may delegate any of its powers or duties as a permit authority <u>Section 127(3):</u> A local government may only delegate its powers or duties to a local government employee	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Building Act 2011</i> <u>Section 127(6A):</u> CEO of a local government may delegate to any other local government employee a power or duty that has been delegated to the CEO	
Sub Delegated to:	• Manager Health and Compliance • Coordinator Compliance Services • Senior Development Compliance Officer • Manager Development Approvals • Principal Building Surveyor • Senior Building Surveyor	
Conditions on Delegation/Sub Delegation	The Senior Building Surveyor is delegated the power to give notice of a building order only (section 111).	
Compliance links	<i>Building Act 2011</i> , Part 8, Division 5	
Policy Reference	CP-114 Compliance and Enforcement Policy Compliance and Enforcement Guideline	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P PLANNING & DEVELOPMENT – Building & Planning Compliance 20.107 5A	
Period of Validity	Ongoing	
Adopted by Council	Special Meeting of Council – 27 March 2012 – P12/3298	
Substantive Amendments	~~Ordinary Meeting of Council – 16 June 2020 – M20/5749~~ ~~Amended to incorporate delegations recorded in instruments DA-097, DA-099, DA-100, DA-101, DA-102.~~ ~~Ordinary Meeting of Council – 18 June 2024 – C24/157~~	

Part 2 - Register of Statutory Delegations by Council

	~~Amended sub-delegation to extend to Building Compliance Coordinator and Manager Statutory Planning and Building.~~

CONFIRMED

Division 3 - Bush Fires Act 1954 and Regulations

2.3.1 Enabling legislative provisions

Council may delegate to:

- a) The CEO any of its functions under the Bush Fires Act (section 48(1)).
- b) Its bush fire control officer, or other officer, the authority generally or in any case or class of cases, to consider allegations of offences against the Act and to institute and carry on legal proceedings in the name of the local government if they see fit (section 59(3)).
- c) The Mayor and the Chief Bush Fire Control Officer, jointly, its powers and duties in relation to varying prohibited burning times under s.17(7) and (8) (section 17(10)).

Sections 48(4) provides that such delegation does not limit the ability of the local government to act through its council, members of staff or agents in the normal course of business.

Sections 59(5) and 17(11) provide that despite any delegation under section 59(3) or section 17(10), the local government is not precluded from exercising its powers or discharging its duties under those sections.

2.3.2 Matters that may not be delegated

A delegation to the CEO made under section 48(1) may not be sub-delegated (section 48(3)).

2.3.3 Sub-delegation

Not permitted (section 48(3)).

2.3.4 Making delegations

A delegation by the Council must be in writing (section 48(1), section 59(3)) but there is no requirement for an absolute majority to make, amend or cancel an instrument of delegation.

2.3.5 Recording and Review Obligations

None specified.

DA-022 Legal Proceedings – Bush Fires

Delegator: Council Process Owner: Director Community Development		Delegation: DA –022 Last Review Date: 17 June 2025
Description	Authority to commence and carry on legal proceedings against a person for alleged offences against the <i>Bush Fires Act 1954</i> .	
Statutory Power or Duty Delegated	<i>Bush Fires Act 1954</i> <u>Section 59(1)</u> : Prosecution of offences	
Statutory Power to Delegate	<i>Bush Fires Act 1954</i> <u>Section 59(3)</u> : A local government may delegate authority to its bush fire control officer or other officer to consider allegations of offences and if they see fit to institute proceedings against the person	
Delegated to	- Chief Bush Fire Control Officer appointed under section 38(1) of the <i>Bush Fires Act 1954</i> - Deputy Chief Bush Fire Control Officer appointed under section 38(1) of the <i>Bush Fires Act 1954</i>	
Statutory Power to sub delegate:	None. Section 48(3) does not permit sub-delegation	
Sub Delegated to:	Not applicable	
Conditions on Delegation/Sub Delegation	None	
Compliance links	<i>Bush Fires Act 1954</i> <u>Section 59A</u> : Alternative procedure – infringement notices <u>Section 65</u> : Proof of certain matters <u>Section 66</u> : Proof of ownership or occupancy <i>Bush Fires (Infringements) Regulations 1978</i>	
Policy Reference	CP-114 Compliance and Enforcement Policy Compliance and Enforcement Guideline	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P Appropriate index relevant to decision	
Period of Validity	Ongoing	
Adopted by Council	Administration & Community Services Committee – 5 November 1996 – A96/1017	
Substantive Amendments	~~Ordinary Meeting of Council – 16 June 2020 – M20/5749~~ ~~Amended to remove delegation from CEO and grant it to the Chief and Deputy Chief Bush Fire Control Officers in accordance with section 59(3).~~	

DA-023 Performance of Functions Under the Bush Fires Act 1954

Delegator: Council Process Owner: Director Community Development		Delegation No. DA – 023 Last Review Date: 17 June 2025
Description	Authority to perform any of the functions of a Local Government contained in the <i>Bush Fires Act 1954</i> .	
Statutory Power or Duty Delegated	All operational functions of a local government under the Act.	
Statutory Power to Delegate	<i>Bush Fires Act 1954</i> Section 48(1): Delegation by local governments	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	None. Section 48(3) does not permit sub-delegation	
Sub Delegated to:	Not applicable	
Conditions on Delegation/Sub Delegation	None	
Compliance links	<i>Bush Fires Act 1954</i> <i>Bush Fires Regulations 1954</i> <i>Bush Fires (Infringement) Regulations 1978</i>	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P ENVIRONMENTAL MANAGEMENT – Bushfire Management 9.04 7D	
Period of Validity	Ongoing	
Adopted by Council	Ordinary Meeting of Council – 15 May 2007 – C07/5007	
Substantive Amendments		

Division 4 *Cat Act 2011* and Regulations

2.4.1 *Enabling legislative provisions*

- 1) Council may delegate to:
The CEO the exercise of any of its powers or the discharge of any of its duties under the *Cat Act 2011* (section 44(1)).
- 2) The CEO may delegate to:
Any employee of the local government – the exercise of any of the CEO's powers or discharge of any of the CEO's duties under the *Cat Act 2011* (section 45(1)).

The delegation of a power or duty does not prevent the Council from performing its functions by acting through a person other than the CEO or the CEO from acting through another person (section 46(2)).

2.4.2 *Matters that may not be delegated*

Section 79 deals with the making of local laws, which under the *Local Government Act 1995* must be made by Council by absolute majority.

A power or duty under sections 63, 64 and 65 cannot be delegated to an authorised person appointed under section 9.5 of the *Local Government Act 1995* (section 45(6)).

2.4.3 *Sub-delegation*

The CEO's power to delegate under section 45(1) extends to the delegation of any powers and duties delegated to the CEO, subject to any conditions imposed in the delegation to the CEO (section 45(3)).

2.4.4 *Making delegations*

1. An absolute majority decision of Council is required to delegate powers and duties to the CEO (section 44(3)).
2. A delegation made under sections 44(1) or 45(1) must be in writing, and may be general or as otherwise provided (section 44(2), section 45(2)).
3. A delegation has effect indefinitely unless otherwise specified in the delegation (section 46(1)(a)).
4. Any decision to amend or revoke a delegation made by a local government is to be by an absolute majority decision (section 46(1)(b)).

2.4.5 *Recording and Review Obligations*

1. The CEO to keep a register of the delegations made under Part 4, Division 2 to the CEO and to employees (s47(1)).
2. At least once every financial year delegations made under Part 4 Division 2 are to be reviewed by the delegator (s.47(2)).
3. Every person to whom a power or duty is delegated under the *Local Government Act 1995* is to keep records in accordance with the regulations in relation to the exercise of the power or discharge of the duty (section 47(3)).

There are currently no regulations under the *Cat Act 2011* prescribing the form of records to be kept of the exercise of delegated authority.

DA-125 Delegation of Duties and Powers under the Cat Act 2011

Delegator: Council Process Owner: Director Community Development		Delegation: DA – 125 Last Review Date: 17 June 2025
Description	Perform any function or duty and exercise any power of the local government under the <i>Cat Act 2011</i> , <i>Cat Regulations 2012</i> and <i>Cat (Uniform Local Provisions) Regulations 2013</i> .	
Statutory Power or Duty Delegated	All operational powers and duties of the local government under the <i>Cat Act 2011</i> other than those excluded below.	
Statutory Power to Delegate	<i>Cat Act 2011</i> <u>Section 44</u> : Delegation by local government	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Cat Act 2011</i> <u>Section 45</u> : Delegation by CEO of local government	
Sub Delegated to:	• Director Community Development • Head of Community Safety • Service Lead – Community Safety Investigations • Senior Ranger (limited to sections 9(5) & (6), 26(1)) • Rangers (limited to sections 9(5) & (6), 26(1))	
Conditions on Delegation/Sub Delegation	This delegation excludes functions in the Act reserved to Council, specifically: • <u>Section 44(1)</u>: Delegation of powers and duties to the CEO; • <u>Section 46(1)(b)</u>: Decision to amend or revoke a delegation; • <u>Section 70</u>: Dealing with objections to decisions made under sections 9, 10, 37 or 38; and • <u>Section 79</u>: Making local laws. This delegation must be exercised in accordance with any relevant Council policies or local laws as approved from time to time. Sub-delegations to certain officers are limited as listed above.	
Compliance links	<i>Cat Regulations 2012</i> <i>Cat (Uniform Local Provisions) Regulations 2013</i>	
Policy Reference	CP-114 Compliance and Enforcement Policy Compliance and Enforcement Guideline	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P Appropriate subject index relevant to decision	
Period of Validity	Ongoing	
Adopted by Council	Ordinary Meeting of Council – 16 June 2020 – M20/5749 Replaces former DA-106, DA-107, DA-108, DA-109, DA-110, DA-111, DA-112, DA-113, DA-114.	
Substantive Amendments		

Division 5 - Dog Act 1976 and Regulations

2.5.1 Enabling legislative provisions

Council may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under the *Dog Act 1976* (section 10AA(1)).

Nothing in section 10AA limits the ability of the CEO to perform a function through an officer or agent.

2.5.2 Matters that may not be delegated

The following powers must be exercised by Council by absolute majority and therefore cannot be delegated:

- Section 31(2B) – specify a public place under the care, control or management of the local government to be a place where dogs are prohibited.
- Section 31(3A) – specify a public place under the care, control or management of the local government to be a dog exercise area.
- Section 31(3B) – specify a public place under the care, control or management of the local government to be a rural leashing area.
- Sections 26, 27(3), 49 and 51 deal with the making of local laws, which under the *Local Government Act 1995* must be made by Council by absolute majority.

2.5.3 Sub-delegation

The CEO may delegate to another person the exercise of any of the powers or discharge of any of the duties delegated to the CEO (section 10AA(1)) provided the instrument of delegation expressly authorises that the power or duty may be further delegated (section 10AA(3)).

2.5.4 Making delegations

1. An absolute majority decision of Council is required to delegate powers and duties to the CEO (section 10AA(1)).
2. A delegation made under section 10AA(1) must be in writing (section 10AA(2)).

2.5.5 Recording and Review Obligations

1. The CEO is to keep a register of the delegations made under section 10AA(1) and any further delegations made under the authority of such delegations (section 10AB(1)).
2. At least once every financial year delegations made under section 10AA(1) and further delegations made under the authority of such delegations are to be reviewed by the delegator (section 10AB(2)).

DA-122 Delegation of Duties and Powers under the Dog Act 1976

Delegator: Council Process Owner: Director Community Development		Delegation: DA – 122 Last Review Date: 17 June 2025
Description	Perform any function or duty and exercise any power of the local government under the <i>Dog Act 1976</i> and the <i>Dog Regulations 2013</i> .	
Statutory Power or Duty Delegated	All operational powers and duties of the local government under the <i>Dog Act 1976</i> other than those excluded below.	
Statutory Power to Delegate	<i>Dog Act 1976</i> <u>Section 10AA</u> : Delegation of local government powers and duties	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Dog Act 1976</i> <u>Section 10AA(3)</u> : The delegation may expressly authorise the delegate to further delegate Council permits sub-delegation of delegated powers and duties under the <i>Dog Act 1976</i>	
Sub Delegated to:	• Director Community Development • Head of Community Safety • Service Lead – Community Safety Investigations • Senior Ranger	
Conditions on Delegation/Sub Delegation	This delegation excludes functions in the Act reserved to Council, specifically: • Delegation of powers and duties to the CEO (section 10AA(1)); • Specifying a public place where dogs are prohibited (section 31(2B)); • Specifying a public place to be a dog exercise area (section 31(3A)); and • Making local laws (section 49A). This delegation must be exercised in accordance with the <i>City of Melville Dog Local Law 2021</i> and any relevant Council Policies as approved from time to time.	
Compliance links	<i>Dog Regulations 2013</i> <i>City of Melville Dog Local Law 2021</i>	
Policy Reference	CP-114 Compliance and Enforcement Policy Compliance and Enforcement Guideline	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P Appropriate subject index relevant to decision	
Period of Validity	Ongoing	
Adopted by Council	Ordinary Meeting of Council – 10 December 2019 – M19/5722	
Substantive Amendments		

Division 6 - Food Act 2008 and Regulations

2.6.1 Enabling legislative provisions

- 1) The CEO of the administering State agency may:
 - a) delegate any power or duty of the CEO under another provision of the *Food Act 2008* to a local government (section 117(1)(c)) with the written consent of the enforcement agency (section 117(6)); and
 - b) expressly authorise the delegate to further delegate the power or duty to another person specified in section 117(1) (section 117(4)).
- 2) The local government as an enforcement agency may delegate a function conferred or imposed on it, subject to sections 117(3)-(4), ~~and~~ in accordance with the *Food Act Regulations 2009* (section 118(2)(b)).

2.6.2 Matters that may not be delegated

Nil.

~~Sub-delegation is permitted only where expressly provided for in the *Food Act Regulations 2009*. The Regulations do not currently prescribe any functions that may be sub-delegated.~~

2.6.3 Sub-delegation

~~Permitted only if prescribed in regulations (section 118(4)). No sub-delegation has currently been prescribed.~~ There is no sub-delegation power provided for in the *Food Act 2008*.

2.6.4 Making delegations

A delegation made by the CEO of the administering State agency must be in writing signed by the CEO (section 117(3)).

A delegation made by an enforcement agency under section 118(2)(b) is subject to conditions or limitations on those functions imposed on it under section 119 and the performance of those functions in accordance with guidelines required by the CEO of the administering State agency under section 120, and in accordance with the *Food Act Regulations 2009* (section 118(2)(b)).

2.6.54 Recording and Review Obligations

None specified.

DA-073 Delegations Under the Food Act 2008

Delegator: Council as enforcement agency Process Owner: Director Planning		Delegation: DA – 073 Last Review Date: 17 June 2025
Description	Any function conferred or imposed on the local government as an enforcement agency under the <i>Food Act 2008</i> .	
Statutory Power or Duty Delegated	All functions conferred or imposed on the local government as an enforcement agency under the <i>Food Act 2008</i> , subject to limitations or conditions below.	
Statutory Power to Delegate	<i>Food Act 2008</i> <u>Section 118(2)(b)</u> : A function conferred or imposed on an enforcement agency may be delegated	
Delegated to	• Chief Executive Officer • Manager Health and Compliance (sections 65, 66; 110 and 112 only) • Coordinator Environmental Health • Senior Environmental Health Officer	
Statutory Power to sub delegate:	~~Not sub-delegation power is provided for in the <i>Food Act 2008</i>. permitted. The <i>Food Regulations 2009</i> do not allow for sub-delegation~~	
Sub Delegated to:	Not applicable	
Conditions on Delegation/Sub Delegation	Any conditions or limitations imposed on the performance of functions by the enforcement agency by the Chief Executive Officer of the department principally assisting in the administration of the Act	
Compliance links	Any guidelines required to be adopted by enforcement agencies under section 120(1) (food standards) or section 122(2) (qualifications of authorised officers) of the Act. <u>Section 53(2)</u> : Destroy, sell or dispose of forfeited item <u>Section 56</u> : Compensation for seized item <u>Section 65(1)</u> : Prohibition order <u>Section 66</u> : Certificate of clearance to be given <u>Section 70</u> : Determine application for compensation <u>Section 100</u> : Priority classification system and frequency of auditing <u>Section 110(1)</u> : Registration of food businesses <u>Section 112</u> : Variation of conditions or cancellation of registration of food businesses Part 10, Division 2: Functions of enforcement agencies <u>Section 122(1)</u> : Appointment of authorised officers <u>Section 126(13)</u> : Appointment of designated officers	
Policy Reference	CP-114 Compliance and Enforcement Policy Compliance and Enforcement Guideline	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P PUBLIC HEALTH – Food (subject index relevant to the decision)	
Period of Validity	Ongoing	
Adopted by Council	Ordinary Meeting of Council – 15 June 2010 – C10/5116	
Substantive Amendments	~~Ordinary Meeting of Council – 16 June 2020 – M20/5749 Amended to extend delegation to Manager Environmental Health and Compliance, Coordinator Environmental Health and Senior~~	

Part 2 - Register of Statutory Delegations by Council

	Environmental Health Officer.

CONFIRMED

Division 7 - Graffiti Vandalism Act 2016 and Regulations

2.7.1 Enabling legislative provisions

- 1) Council may delegate to:
The CEO the exercise of any of its powers or the discharge of any of its duties under another provision of Part 3 of the *Graffiti Vandalism Act 2016* (section 16(1)).
- 2) *The CEO may delegate to:*
Any employee of the local government – the exercise of any of the CEO's powers or discharge of any of the CEO's duties under the *Graffiti Vandalism Act 2016* (section 17(1)).

2.7.2 Matters that may not be delegated

Section 17(1) provides that the CEO may not delegate the power of delegation.

2.7.3 Sub-delegation

The CEO's power to delegate under section 17(1) extends to the delegation of any powers and duties delegated to the CEO, subject to any conditions imposed in the delegation to the CEO (section 17(3)).

2.7.4 Making delegations

1. An absolute majority decision of Council is required to delegate powers and duties to the CEO (section 16(3)).
2. A delegation made under sections 16(1) or 17(1) must be in writing, and may be general or as otherwise provided (section 16(2), section 17(2)).

2.7.5 Recording and Review Obligations

None specified.

DA-121 Graffiti Vandalism

Delegator: Council Process Owner: Director Environment and Infrastructure		Delegation: DA – 121 Last Review Date: 17 June 2025
Description	The exercise of local government powers and the discharge of local government duties under Part 3 of the <i>Graffiti Vandalism Act 2016</i> .	
Statutory Power or Duty Delegated	<i>Graffiti Vandalism Act 2016</i> <u>Section 18:</u> Notice requiring removal of graffiti <u>Section 19:</u> Additional powers when notice is given <u>Section 25:</u> Local government graffiti powers on land not local government property <u>Section 28:</u> Notice of entry <u>Section 29:</u> Entry under warrant	
Statutory Power to Delegate	<i>Graffiti Vandalism Act 2016</i> <u>Section 16:</u> Delegation by local government	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Graffiti Vandalism Act 2016</i> <u>Section 17:</u> Delegation by CEO of local government	
Sub Delegated to:	- Director Environment and Infrastructure - Manager City Buildings and Projects	
Conditions on Delegation/Sub Delegation	This delegation excludes section 22(3), which is a matter reserved to Council	
Compliance links	<i>Graffiti Vandalism Act 2016</i> <i>Local Government Act 1995, Part 9, Division 1:</i> Objections and review	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P PROPERTY MAINTENANCE – Graffiti 21.02 7D	
Period of Validity	Ongoing	
Adopted by Council	Ordinary Meeting of Council 20 June 2017 M17/5552	
Substantive Amendments	~~Ordinary Meeting of Council—16 June 2020—M20/5749~~ ~~Amended to cover all Part 3 powers and duties of local government.~~	

Division 8 - Health (Miscellaneous Provisions) Act 1911 and (Health (Asbestos) Regulations 1992

2.8.1 Enabling legislative provisions

The *Health (Miscellaneous Provisions) Act 1911* does not explicitly provide for local governments to have the power of delegation.

Section 26(1) of the Act authorises and directs every local government to carry out within its district the provisions of that Act and the regulations, local laws and orders made under it.

Section 26(2) provides that a local government may 'appoint and authorise any person to be its deputy and in that capacity exercise and discharge all or any of the functions of the local government'. Section 26(2) is technically a statutory appointment, not a delegation.

Since there is no power of delegation, there is no capacity within this Act to sub-delegate. The appointment of deputies is set out in Part 4.

Section 344(2) of the Act provides for a regulation or local law made under the Act to be made so as to delegate or confer a discretionary authority on a specified person or body or class of person or body.

Regulation 15D(7) of the *Health (Asbestos) Regulations 1992* provides that a local government may delegate a power or duty conferred or imposed on it by regulation 15D (Infringement Notices) to its CEO. No sub-delegation power is provided.

2.8.2 Matters that may not be authorised for performance by a deputy

Council is not fettered in the functions or powers it may authorise any deputy to carry out.

2.8.3 Recording and Review Obligations

None specified with respect to appointment of deputies. Local governments are required to report annually to the Health Department on the performance of their functions under the *Health (Miscellaneous Provisions) Act 1911*.

DA-123 Authority to Appoint Approved and Authorised Officers for the Purposes of the Criminal Procedure Act

Delegator: Council Process Owner: Director Planning		Delegation: DA – 123 Last Review Date: 17 June 2025
Description	Authority to appoint authorised and approved officers for the purposes of issuing and dealing with infringements under section 6 of the <i>Criminal Procedure Act 2004</i> , in accordance with the requirements of the <i>Health (Asbestos) Regulations 1992</i> .	
Statutory Power or Duty Delegated	<i>Health (Asbestos) Regulations 1992</i> <u>Regulation 15D(5)</u> : A local government may appoint persons or classes of persons to be authorised or approved officers for the purposes of the <i>Criminal Procedure Act 2004</i> Part 2.	
Statutory Power to Delegate	<i>Health (Miscellaneous Provisions) Act 1911</i> Section 26: A local government may appoint and authorise any person to exercise and discharge its powers and functions <i>Health (Asbestos) Regulations 1992</i> <u>Regulation 15D(7)</u> : A local government may delegate a power or duty under this regulation to the chief executive officer of the local government	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	No sub-delegation power	
Sub Delegated to:	Not applicable	
Conditions on Delegation/Sub Delegation	None	
Compliance links	<i>Criminal Procedure Act 2004</i> , Part 2 <i>Health (Asbestos) Regulations 1992</i> , Schedule 1	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P	
Period of Validity	Ongoing	
Adopted by Council	Ordinary Meeting of Council – 17 March 2020 – M20/5724	
Substantive Amendments	~~Ordinary Meeting of Council – 16 June 2020 – M20/5749~~ ~~Amended to remove delegation under regulation 70 of the <i>Building Regulations 2012</i> (transferred to DA-098).~~	

Division 9 - Planning and Development Act 2005 and Planning and Development (Local Planning Schemes) Regulations 2015

2.9.1 Enabling legislative provisions

The *Planning and Development Act 2005* does not grant any powers of delegation to local governments.

- 1) Council may delegate to:
 - a) The CEO:
 - (i) the exercise of any of its powers or the discharge of any of its duties under the *Planning and Development Act 2005*, section 214(2), (3) or (5) (*Local Government Act 1995* section 5.42(1)(b));
 - (ii) the exercise of any of the local government's powers or discharge of any of the local government's duties under its Local Planning Scheme (*Planning and Development (Local Planning Schemes) Regulations 2015*, Schedule 2, clause 82(1)).
 - (b) A committee – the exercise of any of the local government's powers or discharge of any of the local government's duties under its Local Planning Scheme (*Planning and Development (Local Planning Schemes) Regulations 2015*, Schedule 2, clause 82(1)).
 - (c) A Development Assessment Panel – the power of the local government to determine a development application of a class prescribed under regulation 19(1) and to amend or cancel determinations of applications of that kind (*Planning and Development (Development Assessment Panels) Regulations 2011*, regulation 19(2)).
- 2) The CEO may delegate to any employee of the local government – the exercise of any of the CEO's powers or discharge of any of the CEO's duties under its Local Planning Scheme other than the power of delegation (*Planning and Development (Local Planning Schemes) Regulations 2015*, Schedule 2, clause 83(1)).

2.9.2 Matters that may not be delegated

The CEO may not delegate the power of delegation (*Local Government Act 1995*, section 5.44(1); *Planning and Development (Local Planning Schemes) Regulations*, Schedule 2, clause 83(1)).

2.9.3 Sub-delegation

- 1) The CEO may delegate to any employee of the local government the power or duty delegated by a local government under section 5.42 of the *Local Government Act 1995*, subject to any conditions imposed in the original delegation related to section 214(2), (3) or (5) of the *Planning and Development Act* (section 5.44(3)).
- 2) The CEO's power to delegate to an employee under clause 83(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015* extends to the delegation of any powers and duties delegated to the CEO under clause 82(1), subject to any conditions imposed in the original delegation to the CEO.

2.9.4 Making delegations

1. The power to delegate can only be exercised by a Council by or in accordance with a decision of an absolute majority (*Local Government Act 1995*, section 5.42(1); *Planning and Development (Local Planning Schemes) Regulations 2015*, Schedule 2, clause 82(2); *Planning and Development (Development Assessment Panels) Regulations 2011*, regulation 19(3)).
2. Delegations must be in writing (*Local Government Act 1995*, section 5.42(2); *Planning and Development (Local Planning Schemes) Regulations 2015*, Schedule 2, clause 82(3); *Planning and Development (Development Assessment Panels) Regulations 2011*, regulation 19(2)).
3. Delegations made under the *Local Government Act 1995*, section 5.42 and the *Planning and Development (Local Planning Schemes) Regulations 2015* have effect indefinitely unless otherwise specified (*Local Government Act 1995*, section 5.45(1)(a); *Planning and Development (Local Planning Schemes) Regulations 2015*, Schedule 2, clause 84).
4. Delegations made under the *Local Government Act 1995*, section 5.42 and the *Planning and Development (Local Planning Schemes) Regulations 2015* can only be amended or revoked by absolute majority (*Local Government Act 1995*, section 5.45(1)(b); *Planning and Development (Local Planning Schemes) Regulations 2015*, Schedule 2, clause 84).

2.9.5 Recording and Review Obligations

1. The CEO is to keep a register of the delegations made under Part 5 Division 4 to the CEO and to employees (*Local Government Act 1995*, section 5.46(1)).
2. At least once every financial year delegations made under Part 5 Division 4 are to be reviewed by the delegator (*Local Government Act 1995*, section 5.46(2)).
3. Every person to whom a power or duty is delegated under the *Local Government Act 1995* is to keep records in accordance with the *Local Government (Administration) Regulations 1996* in relation to the exercise of the power or discharge of the duty (*Local Government Act 1995*, section 5.46(3)).

Regulation 19 of the *Local Government (Administration) Regulations 1996* specifies that where a power or duty has been delegated under the *Local Government Act 1995* to the CEO or any other employee, the person to whom the power or duty has been delegated must keep a written record of:

- How the person exercised the power or discharged the duty;
- When the person exercised the power or discharged the duty; and
- The persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.

The *Planning and Development (Local Planning Schemes) Regulations 2015*, Schedule 2, clause 84 provides that *Local Government Act 1995* sections 5.45 and 5.46 apply to any delegation made under clauses 82 and 83 of those regulations.

2.9.6 Other obligations on delegates

The following requirements apply to employees who hold a delegation or sub-delegation given under section 5.42 of the *Local Government Act 1995* to exercise the powers or discharge the duties of the local government under section 214(2), (3) or (5) of the *Planning and Development Act 2005* (i.e., DA-061).

Part 2 - Register of Statutory Delegations by Council

Under section 5.71, an employee who has been delegated a power or duty under Part 5 Division 4 relating to a matter, must not exercise that power or discharge that duty if they have an interest in the matter as defined in sections 5.60A or 5.60B, and must disclose the nature of the interest to the Mayor (if the CEO) or to the CEO (any other employee).

Employees holding delegated authority (including sub-delegations) under Part 5 Division 4 of the *Local Government Act 1995* must lodge a primary financial return under section 5.75 of the Act within three months of receiving the delegation and must thereafter, while holding the delegated authority, lodge an annual return under section 5.76 of the Act.

The above requirements do not apply to employees only holding delegations (including (sub-delegations) granted under the *Planning and Development (Local Planning Scheme) Regulations 2015*.

DA-020 Planning and Related Matters

Delegator: Council Process Owner: CEO		Delegation: DA – 020 Last Review Date: 17 June 2025
Description	Authority to: - consider and determine all planning applications for approval to commence and carry out development within the district under the City of Melville's local planning scheme; - Consider and provide recommendations on all applications relating to liquor licence and gambling compliance, in accordance with local planning requirements; - amend or cancel development approval on application by the landowner; - make recommendations to the Western Australian Planning Commission, Department of Biodiversity, Conservation and Attractions (for Swan River Trust), Heritage Council, State Heritage Office, Metro Inner Development Assessment Panel and other government departments and instrumentalities on matters associated with the subdivision and/or development of land; and - determine the extent and nature of public consultation required for all planning matters having regard for the statutory requirements of Local Planning Scheme No. 6, the Residential Design Codes of Western Australia and relevant Local Planning Policy.	
Statutory Power or Duty Delegated	Powers and duties of local government provided for in Schedule 2 Part 8 and Schedule 2 Part 9 of the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i>	
Statutory Power to Delegate	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2, clause 82: Delegations by local government	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2, clause 83: Local government CEO may delegate powers	
Sub Delegated to:	See attached sub-delegation matrix	
Conditions on Delegation/Sub Delegation	The exercise of delegation is subject to the following restrictions and conditions: - The provisions of Local Planning Policy 1.1 Planning Process and Decision Making apply (excluding Single House development as per Part 4 s.257C of Planning and Development Amendment Act 2023 and Planning and Development (Local Planning Schemes) Amendment (Single House Development) Regulations 2024); - The delegation to determine an application under clause 68 of the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> is not to be exercised where the delegated officer has undertaken the assessment of the application unless the assessment and recommendation is first checked by another appropriate delegated officer listed in this delegation; and	

Part 2 - Register of Statutory Delegations by Council

	3. The delegation is limited in accordance with the following Delegated Authority (Sub-Delegation) Matrix for Planning Matters; and ~~4. Should a development application be called up by Council, the Chief Executive Officer may not make recommendations to the Metro Inner Development Assessment Panel without first seeking Council's comment on the application and the planning officer's recommendations in the Responsible Authority Report, and attaching to the RAR the Council's comments as approved by Council.~~ This delegation excludes the following powers: • Adopting or amending a Local Planning Policy other than minor administrative changes to reflect grammatical or numbering changes; • Amendments to the Local Planning Scheme; • Determination of an application for the modification or closure of a Public Access Way; and • Adopting or amending a Local Development Plan; and • Development applications which are call up for Council determination as part of the DAU process under LPP 1.1; and • Providing planning comment on a development application which is to be determined by the Statutory Planning Committee under Part 11B of the Planning and Development Act 2005.
Compliance links	Local Planning Scheme #6 <i>Planning and Development (Local Planning Schemes) Regulations 2015, ~~Schedule 2~~</i> <i>Planning and Development (Planning Codes) Regulations 2024</i> <i>Local Government (Development Assessment Panels) Regulations 2025</i> <i>Metropolitan Region Scheme</i> <i>Planning and Development Act 2005</i> <i>Planning and Development Regulations 2009</i> <i>State Planning Policies</i> ~~WAPC Delegation 2017/02, as amended (development on land zoned under the MRS)~~ ~~WAPC Delegation 2009/03 (section 25 of the Strata Titles Act 1985)~~ <i>WAPC Delegation 2025/04 – Powers of Local Governments relating to the Metropolitan Region Scheme</i> <i>WAPC Delegation 2020/01 (Powers relating Local Governments relating to the Strata Titles Act 1985)</i> <i>City of Melville Local Law Relating to Street Numbering 2006</i> <i>City of Melville By-Laws Relating to Fences 1996</i>
Policy Reference	All Local Planning Policies State Planning Policies
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P Relevant subject index according to decision
Period of Validity	Ongoing
Adopted by Council	Planning & Development Services Committee – 12 November 2007 – P96/7023

Part 2 - Register of Statutory Delegations by Council

Substantive Amendments	~~Ordinary Meeting of Council — 10 December 2019 — M19/5723 Amended with respect to RAR submitted to JDAP. Ordinary Meeting of Council — 16 June 2020 — M20/5749 Amended to align description to WAPC delegation and to relevant legislative provisions. Ordinary Meeting of Council — 15 June 2021 — M21/5842 Amended sub-delegation matrix to remove redundant entries Ordinary Meeting of Council — 18 June 2024 — C24/157 Amended sub-delegation matrix to reflect changes to the decision-making pathway for single house developments, and to add a new line in regards to liquor licensing and gaming compliance.~~

Part 2 - Register of Statutory Delegations by Council

DA-020 Delegated Authority (Sub-delegation) Matrix for Planning Matters

	Director Planning	Manager Development Approvals	Principal Statutory Planner	Senior Statutory Planners
Applications which satisfy all of the requirements of LPS6, the Deemed-to Comply provisions of the Residential Design Codes Volume 1 (R-Codes Volume 1) and Local Planning Policies.	✓	✓	✓	✓
Provide recommendations and information on applications pertaining to liquor licence and gaming compliance.	✓	✓		
Development which involves departures from the requirements of LPS6, the Deemed-to-Comply provisions of the R-Codes Volume 1 and Local Planning Policies and where no objection(s) which raise relevant planning matters have been received.	✓	✓	✓	✓
Development which involves departures from the requirements of LPS6 the Deemed-to-Comply provisions of the R-Codes Volume 1 and Local Planning Policies and where objection(s) which raise relevant planning matters have been received.	(DAU**)	(DAU)		
Development which satisfies the Element Objectives and Acceptable Outcomes contained in Residential Design Codes Volume 2 Apartments (R-Codes Volume 2)	✓	✓	✓	✓
Development which satisfies the Element Objectives and Acceptable Outcomes contained in R-Codes Volume 2 and where objection(s) which raise relevant planning matters have been received.	(DAU)	(DAU)		
Refusal of applications which do not satisfy all of the requirements of LPS6, the Deemed-to-Comply provisions of the R-Codes, the element objectives and acceptable outcomes of R-Codes Volume 2 and Local Planning Policies.	✓	✓	✓	
SAT matters relating to attendance at Directions Hearings, Mediations, Hearings, and the preparation of Witness Statements and other documents ordered by the SAT.	✓	✓	✓	
Reconsideration requests made by the SAT.	✓*	✓*	✓*	
Recommendations to the WAPC relating to subdivisions resulting in less than 10 lots (approvals and refusals).	✓	✓	✓	✓
Subdivision clearances.	✓	✓	✓	✓
Recommendations to government agencies (whether to approve or refuse) where no objection(s) which raise relevant planning matters have been received.	✓	✓	✓	✓
Single House Development which meets the design principles and objectives of relevant Local Planning	✓	✓		

Part 2 - Register of Statutory Delegations by Council

	Director Planning	Manager Development Approvals	Principal Statutory Planner	Senior Statutory Planners
Policies where objections have been received (noting Single House development as per Part 4 s.257C of Planning and Development Act 2005 and Planning and Development (Local Planning Schemes) Regulations 2015 is automatically delegated to the CEO)				
Recommendations to other government agencies (whether to approve or refuse) where objection(s) which raise relevant planning matters have been received.	✓	✓	✓	
Allocation of new or amending existing street numbers.	✓	✓	✓	✓
Modification or removal of existing restrictive covenants.	✓	✓	✓	✓
~~To make minor administrative changes to local planning policies to reflect grammatical or numbering changes to the State Planning framework.~~	~~✓~~	~~✓~~		

* Where the State Administrative Tribunal requests that the City reconsider its previous decision the matter is to be reconsidered at the same level at which the previous determination was made, i.e., if the matter was refused by the Council, the application returns to the Council for determination; if the matter was determined by the Manager Development Approvals, the application returns to the Manager Development Approvals for determination.

** Delegation following consideration by Development Advisory Unit (DAU) in accordance with Council Policy.

~~Note: Single House development must be dealt with in accordance with the Planning and Development Amendment Act 2023 and the Planning and Development (Local Planning Schemes) Amendment (Single House Development) Regulations 2024.~~

DA-061 ~~Enforcement and Legal Proceedings – Planning Matters~~
Authority to Issue Written Directions in Relation to Illegal Development

Delegator: Council (as responsible authority) Process Owner: Director Planning		Delegation: DA – 061 Last Review Date: 17 June 2025
Description	Authority to ~~give~~ issue written directions under section 214(2), (3) and (5) ~~of the Planning and Development Act 2005 and~~ issue notices ~~to repair advertisements under Part Schedule 2, Part 10, Division 1, clause 80 of the Planning and Development (Local Planning Schemes) Regulations 2015~~ ~~40 of the Planning and Development (Local Planning Scheme) Regulations 2015.~~	
Statutory Power or Duty Delegated	Planning and Development Act 2005 – Part 13 Section 214(2), (3) and (5): Illegal development, responsible authority's powers Planning and Development (Local Planning Scheme) Regulations 2015 Schedule 2, Part 10, Division 1, clause 80: Powers of local government ~~Repair of existing advertisements~~	
Statutory Power to Delegate	Local Government Act 1995 Section 5.42(1)(b): Delegation to CEO of powers and duties under the Planning and Development Act 2005 section 214(2), (3) or (5) Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, ~~clause 82:~~ Delegations by local government	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	Local Government Act 1995 Section 5.44: CEO may delegate powers and duties to other employees. Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, clause 83: Local government CEO may delegate powers	
Sub Delegated to:	• Director Planning • Manager Health and Compliance • Coordinator Compliance Services • Senior Development Compliance Officer • Manager Development Approvals • Principal Statutory Planner ~~Senior Statutory Planner~~	
Conditions on Delegation/Sub Delegation		
Compliance links	Planning and Development Act 2005, Part 13 ~~Criminal Procedure Act 2004, Part 3~~	
Policy Reference	Planning Compliance – Directorate Procedure Planning Compliance – Work Instruction CP-114 Compliance and Enforcement Policy Compliance and Enforcement Guideline	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P	

Part 2 - Register of Statutory Delegations by Council

	Relevant subject index according to decision
Period of Validity	Ongoing
Adopted by Council	Ordinary Meeting of Council – 12 May 2015 – M15/5418
Substantive Amendments	~~Ordinary Meeting of Council – 16 June 2020 – M20/5749~~ ~~Amended to remove non-delegable powers~~ ~~Ordinary Meeting of Council – 18 June 2024 – C24/157~~ ~~Amended sub-delegation to extend to Manager Environmental Health and Compliance.~~

Division 10 - Public Health Act 2016 and Regulations

2.10.1 Enabling legislative provisions

- 1) Council may delegate to:
 - a) The CEO:
 - (i) A power or duty imposed on the local government as an enforcement agency (section 21(1)(b)(i)); and
 - b) An authorised officer designated by the local government:
 - (i) A power or duty imposed on the local government as an enforcement agency (section 21(1)(b)(ii)).

2.10.2 Matters that may not be delegated

Section 21(4) provides that sub-delegation is permitted only when the regulations expressly authorise a delegable power or duty to be further delegated. No sub-delegation has been authorised in the *Public Health Regulations 2017*.

2.10.3 Sub-delegation

Permitted only if expressly authorised in regulations in relation to a delegated power or duty (section 21(4)). No sub-delegation has currently been authorised.

2.10.4 Making delegations

1. A delegation must be in writing (section 21(2)).
2. The delegation may be subject to any condition or restriction imposed on the exercise or performance of the enforcement agency by the Chief Health Officer under section 20 (section 21(3)).
3. The Act does not require that a delegation must be made by absolute majority.

2.10.5 Recording and Review Obligations

Section 22 requires reporting, at intervals determined by the Chief Health Officer, by an enforcement agency on the performance of its functions under the Act, including those performed under delegated authority.

DA-124 Designation of Authorised Officers (Public Health Act)

Delegator: Council Process Owner: CEO		Delegation: DA – 124 Last Review Date: 17 June 2025
Description	Authority to designate persons or classes of persons under the <i>Public Health Act 2016</i> as authorised officers for the purposes of certain Acts.	
Statutory Power or Duty Delegated	<i>Public Health Act 2016</i> <u>Section 24</u> : Designation of authorised officers for the purposes of specified Acts	
Statutory Power to Delegate	<i>Public Health Act 2016</i> <u>Section 21(1)(b)</u> : Local government as enforcement agency may delegate to the CEO or a designated authorised officer	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	No sub-delegation permitted under <i>Public Health Act 2016</i> .	
Sub Delegated to:	Not applicable	
Conditions on Delegation/Sub Delegation	Persons designated as authorised officers must be issued with a certificate or card stating they are authorised in accordance with section 30 of the <i>Public Health Act 2016</i> .	
Compliance links	<i>Public Health Act 2016</i> Sections 18, 24(4), 25-32	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P	
Period of Validity	Ongoing	
Adopted by Council	Ordinary Meeting of Council – 13 May 2016 – P16/3733	
Substantive Amendments	~~Ordinary Meeting of Council – 16 June 2020 – M20/5749~~ ~~Record of delegation transferred from instrument DA-055 to DA-124.~~	

Part 3 - Register of Statutory Delegations by the CEO (excluding sub-delegations)

Reviewed annually by the CEO under section 5.46(2) of the *Local Government Act 1995*.

Powers delegated to the CEO by the Council and further delegated by the CEO to other officers are included as sub-delegations in the Register of Council delegations in Part 2 of this document.

Division 1 - *Local Government Act 1995* and Regulations and Local Laws

3.1.1 *Enabling legislative provisions*

Section 5.44(1) permits the CEO to delegate to any employee of the local government the exercise of any of the CEO's powers or discharge of any of the CEO's duties under the Act, other than the power of delegation. This extends to powers and duties delegated to the CEO, subject to any conditions imposed by the local government on its delegation to the CEO.

The power to delegate does not prevent the CEO from performing any of their functions by acting through another person.

3.1.2 *Matters that may not be delegated*

Regulation 6 of the *Local Government (Financial Management) Regulations 1996* prohibits the delegation of the duty to conduct an internal audit to an employee (including a CEO) who has been delegated the duty of maintaining the local government's day to day accounts or financial management operations.

Section 5.44(1) of the Act provides that the CEO may not delegate the power of delegation.

3.1.3 *Making delegations*

1. A delegation made under section 5.44 must be in writing and may be general or as otherwise provided (section 5.44(2)).
2. A delegation has effect indefinitely unless otherwise specified in the delegation (section 5.45(1)(a)).

3.1.4 *Recording and Review Obligations*

1. The CEO to keep a register of the delegations made under Part 5 Division 4 to the CEO and to employees (section 5.46(1)).
2. At least once every financial year delegations made under Part 5 Division 4 are to be reviewed by the delegator (section 5.46(2)).
3. Every person to whom a power or duty is delegated under the *Local Government Act 1995* is to keep records in accordance with the *Local Government (Administration) Regulations 1996* in relation to the exercise of the power or discharge of the duty (section 5.46(3)).

Regulation 19 of the *Local Government (Administration) Regulations 1996* specifies that where a power or duty has been delegated under the *Local Government Act 1995* to the CEO or any other employee, the person to whom the power or duty has been delegated must keep a written record of:

- How the person exercised the power or discharged the duty;
- When the person exercised the power or discharged the duty; and
- The persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.

3.1.5 Other obligations

Under section 5.71, an employee who has been delegated a power or duty under Part 5 Division 4 relating to a matter, must not exercise that power or discharge that duty if they have an interest in the matter as defined in sections 5.60A or 5.60B, and must disclose the nature of the interest to the Mayor (if the CEO) or to the CEO (any other employee).

Employees holding delegated authority (including sub-delegations) under Part 5 Division 4 of the *Local Government Act 1995* must lodge a primary financial return under section 5.75 of the Act within three months of receiving the delegation and must thereafter, while holding the delegated authority, lodge an annual return under section 5.76 of the Act.

DA-003C Destruction of Records

Delegator: CEO Process Owner: Director Corporate Services		Delegation: DA – 003C Last Review Date: 17 June 2025
Description	Authority to approve the destruction of records in accordance with the 2010 General Disposal Authority for Local Government Records (RD 2010046), published by the State Records Office of Western Australia.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> <u>Section 5.41:</u> Functions of CEO – ... (h) ensure that records and documents of the local government are properly kept; and (i) any other function imposed under any other written law	
Statutory Power to Delegate	<i>Local Government Act 1995</i> <u>Section 5.44:</u> CEO may delegate powers and duties to other employees	
Delegated to	• Director Corporate Services • Chief Information Officer	
Conditions on Delegation	None	
Compliance links	<i>State Records Act 2000</i>	
Policy Reference	City of Melville Recordkeeping Plan 2019 as approved by the State Records Commission under section 23 of the <i>State Records Act 2000</i>	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P COUNCIL ADMINISTRATION – Records Management	
Period of Validity	Ongoing	
Granted by CEO	16 June 2009	
Substantive Amendments		

DA-004C Rates or Service Charge Payment Agreements

Delegator: CEO Process Owner: Director Corporate Services		Delegation: DA – 004C Last Review Date: 17 June 2025
Description	Authority to accept payment of a rate or service charge due and payable by a person in accordance with an agreement made with the person.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> <u>Section 6.49</u> : Agreement as to payment of rates and service charges <i>Local Government (Financial Management) Regulations 1996</i> <u>Regulation 5(1)(a)</u> : Proper collection of all money owing to the local government	
Statutory Power to Delegate	<i>Local Government Act 1995</i> <u>Section 5.44</u> : CEO may delegate powers and duties to other employees	
Delegated to	• Director Corporate Services – up to \$100,000 outstanding for each ratepayer • Chief Financial Officer – up to \$50,000 outstanding for each ratepayer	
Conditions on Delegation	The agreed re-payment amount and period must ensure that the amount paid over a 12-month period substantially exceeds the estimated value of rates and service charges that will become due over the ensuing 12-month period.	
Compliance links	<i>Local Government Act 1995</i> <u>Section 5.41(d)</u> : Functions of the CEO – ... (d) day to day operations <i>Local Government (Financial Management) Regulations 1996</i> <u>Regulation 5(1)(a)</u> : CEO's duties - proper collection of all money owing to the local government	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P FINANCIAL MANAGEMENT – Rates Payment Arrangements 11.53 7D	
Period of Validity	Ongoing	
Granted by CEO	16 June 2009	
Substantive Amendments	~~19 June 2020 – Delegates restricted to Director Corporate Services and Manager Financial Services. Function performed by acting through other staff.~~	

DA-006C Authority to Approve Deputations

Delegator: CEO Process Owner: Director Corporate Services		Delegation: DA – 006C Last Review Date: 17 June 2025
Description	Authority to approve applications for deputations.	
Statutory Power or Duty Delegated	<i>City of Melville Local Government (Meeting Procedures) Local Law 2022</i> Clause 6.12(5): The CEO may approve the request to make a deputation or refer the request to the Mayor or Presiding Member for decision.	
Statutory Power to Delegate	<i>Local Government Act 1995</i> Section 5.44: CEO may delegate powers and duties to other employees	
Delegated to	• Director Corporate Services • Head of Governance	
Conditions on Delegation	A deputation must be relevant to a report on the agenda.	
Compliance links	<i>City of Melville Local Government (Meeting Procedures) Local Law 2022</i> Clause 1.5: deputation means an oral submission by one or more members of the public at an agenda briefing forum or at a Council or committee meeting on an item listed on the agenda of that meeting	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P	
Period of Validity	Ongoing	
Granted by CEO	1 November 2010	
Substantive Amendments	~~19 June 2020 – Amended to apply to all meetings to which deputations may be made.~~	

DA-007C Access to Electoral or Ratepayer Details

Delegator: Chief Executive Officer Process Owner: Director Corporate Services		Delegation: DA – 007C Last Review Date: 17 June 2025
Description	Authority to determine that information requested relating to the provision of rate record, electoral or ratepayer details will not be used for a commercial purpose.	
Statutory Power or Duty Delegated	<i>Local Government (Administration) Regulations 1996</i> Regulation 29A : the request for the information is made in the manner and form approved by the CEO of the local government; Regulation 29B(b) : the CEO of the local government is satisfied, by statutory declaration or otherwise, that the information will not be used for commercial purposes.	
Statutory Power to Delegate	<i>Local Government Act 1995</i> <u>Section 5.44</u> : CEO may delegate powers and duties to other employees	
Delegated to	• Director Corporate Services • Chief Financial Officer • Head of Governance	
Conditions on Delegation	None	
Compliance links	<i>Local Government Act 1995</i> <u>Section 5.94</u> : Public can inspect certain information – ... (m) any rate record (s) any register of owners and occupiers under section 4.32(6) <u>Section 5.95(2),(6)</u> : Limits on right to inspect	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P	
Period of Validity	Ongoing	
Granted by CEO		
Substantive Amendments	~~19 June 2020 – Amended to limit delegates to Manager level and above.~~	

DA-008C Authority to Extend Time to Pay and to Withdraw Infringement Notices

Delegator: CEO Process Owner: Director Corporate Services		Delegation: DA – 008C Last Review Date: 17 June 2025
Description	1. Authority to extend the period of 28 days within which a modified penalty may be paid; and 2. Authority to withdraw an infringement notice within one year of the notice being given, whether or not the modified penalty has been paid.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> <u>Section 9.19:</u> Extension of time <u>Section 9.20:</u> Withdrawal of notice <i>Cat Act 2011</i> <u>Section 64:</u> Extension of time <u>Section 65:</u> Withdrawal of notice	
Statutory Power to Delegate	<i>Local Government Act 1995</i> <u>Section 5.44:</u> CEO may delegate powers and duties to other employees	
Delegated to	• Director Community Development • Head of Community Safety • Service Lead – Community Safety Investigations • Director Environment and Infrastructure • Director Planning • Manager Health and Compliance • Coordinator Compliance Services • Coordinator Environmental Health • ~~Manager Development Approvals~~	
Conditions on Delegation	Each delegate may exercise these powers only with respect to infringements issued by officers who report directly or indirectly to them. Delegates may not issue infringement notices.	
Compliance links	None	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P COMMUNITY SAFETY, SECURITY AND LAW ENFORCEMENT – Infringement Notices 4.13 7D	
Period of Validity	Ongoing	
Granted by CEO	13 November 2019	
Substantive Amendments	~~24 March 2020 – Added Director Technical Services.~~ ~~Ordinary Meeting of Council – 18 June 2024 – C24/157~~ ~~Amended delegation to extend to Manager Statutory Planning and Building and Building Compliance Coordinator.~~	

DA-009C Appointment of Authorised Persons (Local Government Act)

Delegator: CEO Process Owner: Director Corporate Services		Delegation: DA – 009C Last Review Date: 17 June 2025
Description	Authority to appoint authorised persons under: 1. the <i>Local Government Act 1995</i>; 2. the <i>Caravan Parks and Camping Grounds Act 1995</i> 3. the <i>Cat Act 2011</i>; 4. the <i>Cemeteries Act 1986</i>; 5. the <i>Control of Vehicles (Off-road Areas) Act 1978</i>; 6. the <i>Dog Act 1976</i>; 7. Any subsidiary legislation made under the above Acts; and 8. Any written law prescribed for the purposes of section 9.10 of the <i>Local Government Act 1995</i>.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> <u>Section 9.10(2)</u> : The CEO may, in writing, appoint persons or classes of persons to be authorised persons for the purposes of 1 or more specified laws or specified provisions of 1 or more specified laws	
Statutory Power to Delegate	<i>Local Government Act 1995</i> <u>Section 5.44</u> : CEO may delegate powers and duties to other employees	
Delegated to	• All Directors for functions for which they are responsible. • ~~Head of Community Safety and Coordinator Rangers and Emergency Management for authorisation for the purposes of appointing authorised persons for sections 3.39 and 3.40A(1) of the <i>Local Government Act 1995</i>.~~	
Conditions on Delegation	Persons appointed as authorised persons must be issued with an identity card in accordance with the requirements of section 9.10(4) of the <i>Local Government Act 1995</i> .	
Compliance links	<i>Local Government Act 1995</i> , section 9.10 <i>Caravan Parks and Camping Grounds Act 1995</i> , section 17 <i>Cat Act 2011</i> , section 3(1) <i>Cemeteries Act 1986</i> , section 64 <i>Control of Vehicles (Off-road Areas) Act 1978</i> , section 38 <i>Dog Act 1976</i> , section 11A	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercised 5.119 P	
Period of Validity	Ongoing	
Granted by CEO	22 June 2022 – Note this delegation replaced Council delegation DA-055 revoked on 15 June 2021 as a result of amendments to section 9.10 of the <i>Local Government Act 1995</i> .	
Substantive Amendments		

DA-010C Receive, Determine and Process Electoral Eligibility and Maintain Owner Occupier Register

Delegator: CEO Process Owner: CEO		Delegation: DA – 010C Last Review Date: 17 June 2025
Description	Authority to receive, determine and process electoral eligibility and maintain the owner and occupier register.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> <u>Section 4.32(4)</u>: power to determine the eligibility of enrolment under section 4.30(1)(a) and (b) and accept or reject the claim accordingly <u>Section 4.32(5A)</u>: power to accept or reject a claim made before the close of enrolments, not less than 14 days before the close of nominations accordingly <u>Section 4.32(5)</u>: power to make any enquiries necessary in order to make a decision of an eligibility claim <u>Section 4.32(6)</u>: duty to record the decisions made under sections 4.32(4) and (5A) in a register (owner and occupiers register), and to give notice of the decision to the claimant without delay <u>Section 4.32(7)</u>: duty to, if a claim is rejected, provide reasons for the rejection in the notice sent to the claimant <u>Section 4.34</u>: duty to maintain details recorded from enrolment eligibility claim forms in an up-to-date and accurate form (duty to maintain the owner and occupiers register) <u>Section 4.35</u>: power to determine a person is no longer eligible under section 4.30 to be enrolled to vote under section 4.30(1)(a) and (b) for the reasons given in section 4.35(1) <u>Section 4.35(2)</u>: duty to give relevant person written notice before making a decision under section 4.35(1)(c) and receive and consider any submissions made <u>Section 4.35(3)</u>: duty to give relevant person written notice of a decision under subsection 4.35(1)(c) (a decision that a person is no longer eligible to be enrolled) <u>Section 4.35(6)</u>: duty to give relevant person written notice that they are still eligible under section 4.30 <u>Section 4.35(7)</u>: duty to record any decision made under section 4.35(1) or (6) in the owner and occupiers register <u>Sections 4.3(9) and 4.35(5)</u>: power to determine and take any action necessary to give effect to advice received/decision made from or by the Electoral Commissioner <i>Local Government (Elections) Regulations 1997</i> <u>Regulation 13(1A)(c)</u>: power to confirm with the WAEC that a person is a silent elector <u>Regulation 13(2)-(3)</u>: power to omit from the owner and occupiers register, details specified in regulation 13(1)(a)(ii) and (ii) and (d)(ii) and to instead of that information, include the notation “address omitted under regulation 13(2)” where the delegatee is satisfied that a person is a silent elector <u>Regulation 13(4)</u>: power to amend the owner and occupiers register so as to ensure the information is up to date <u>Regulation 13(5)</u>: duty to amend the owner and occupiers register	

Part 4 - Statutory Authorisations and Appointments

	to include the previously omitted information, where the delegatee believes a person is not, or is no longer, a silent elector. <u>Regulation 13A</u> : duty to amend the owner and occupiers register when notice given of change of name or enrolment address <u>Regulation 13B</u> : duty to amend owner and occupiers register when notice given of change to postal address
Statutory Power to Delegate	<i>Local Government Act 1995</i> <u>Section 5.44</u> : CEO may delegate powers and duties to other employees
Delegated to	• Head of Governance • Chief Financial Officer
Conditions on Delegation/Sub Delegation	Nil
Compliance links	<i>Local Government Act 1995</i> , Part 4, Division 8 <i>Local Government (Elections) Regulations 1997</i> , Part 3
Policy Reference	None
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMIN – Elections – Electoral Roll COUNCIL ADMIN – Elections – Accepted Electoral Enrolments COUNCIL ADMIN – Elections – Rejected Electoral Enrolments COUNCIL ADMIN – Elections – Requests for Addresses not to be shown on Electoral Roll <i>Local Government (Elections) Regulations 1997</i> <u>Regulation 17</u> : enrolment eligibility claims and notices given must be kept for 2 years after either the claim expires (if accepted) or the claim is rejected.
Period of Validity	Ongoing
Granted by CEO	XXX

Part 4 - Statutory Authorisations and Appointments by Council

Division 1 - *Local Government Act 1995* and Regulations and Local Laws

4.1.1 *Legislative provisions*

Certain powers and functions may only be exercised or performed by persons explicitly authorised by the local government to do so.

Two types of authorisation of persons to perform functions are reserved to the Council:

1. Section 9.6(1) – authorisation of a committee to deal with an objection to a local government decision made by Council or under delegated authority regarding:
 - a) A licence, permit, approval or other authorisation granted, renewed, varied or cancelled under Part 3 of the Act;
 - b) A notice given under section 3.25 of the Act; and
 - c) A decision made under a local law which states that it is one to which Part 9 Division 1 of the Act applies and that the person specified in it is an affected person as defined in section 9.2 of the Act.

There are no committees that currently hold this authorisation. Council will authorise a committee under section 9.6(1) as required on receipt of an objection under Part 9 Division 1 of the Act.

2. Section 9.49A(4) – authorisation, by resolution, of the CEO, another employee or an agent of the local government to sign documents on behalf of the local government, including (if specified) deeds. Section 5.43(ha) specifically prohibits this power being delegated to the CEO.

For other functions and powers that are required to be performed by persons specifically authorised to exercise them, section 9.10(2) of the *Local Government Act 1995* provides that the CEO of the local government may, in writing, appoint persons or classes of persons to be authorised persons for the purposes of one or more specified laws or specified provisions of one or more specified laws as defined in section 9.10(1):

- (a) the *Local Government Act 1995*;
- (b) the *Caravan Parks and Camping Grounds Act 1995*;
- (c) the *Cat Act 2011*;
- (d) the *Cemeteries Act 1986*;
- (e) the *Control of Vehicles (Off-road Areas) Act 1978*;
- (f) the *Dog Act 1976*;
- (g) subsidiary legislation made under an Act referred to in any of paragraphs (a) to (f); and
- (h) a written law prescribed for the purposes of this section.

The Act also separately provides for the CEO to authorise employees to certify certain documents as being true copies or statements of fact (sections 9.31, 9.41 and 9.48).

Persons Authorised by Council to Sign Documents on Behalf of the City

Authorising Body: Council Process Owner: CEO		Statutory Authorisation: CSA-Local-01 Last Reviewed: 17 June 2025
Function Authorised	Sign documents of behalf of the local government.	
Statutory power to authorise	<i>Local Government Act 1995</i> Section 9.49A(4): A local government may, by resolution, authorise the ~~Chief Executive Officer~~ CEO , another employee or an agent of the local government to sign documents on behalf of the local government.	
Authorised officer(s)	- Chief Executive Officer – any document that is necessary or appropriate to sign in carrying out the CEO's functions under any written law. All Directors ~~Director Community Development~~ - any document where the matter is specifically resolved by Council, ~~inclusive of~~ excluding a resolution to execute the document under the Common Seal, or any document necessary for the betterment of the daily operations of the City, under the guidance of the CEO. ~~Director Corporate Services – any document where the matter is specifically resolved by Council, inclusive of a resolution to execute the document under the Common Seal, or any document necessary for the betterment of the daily operations of the City, under the guidance of the CEO.~~ ~~Director Environment and Infrastructure – any document where the matter is specifically resolved by Council, inclusive of a resolution to execute the document under the Common Seal, or any document necessary for the betterment of the daily operations of the City, under the guidance of the CEO.~~ - Manager Engineering – signing/initialling construction plans and pages of accepted tenders and related contract documents. - Manager Natural Areas and Parks – signing/initialling construction plans and pages of accepted tenders and related contract documents. - Manager City Buildings and Projects - signing/initialling construction plans and pages of accepted tenders and related contract documents. ~~Director Planning – any document where the matter is specifically resolved by Council, inclusive of a resolution to execute the document under the Common Seal, or any document necessary for the betterment of the daily operations of the City, under the guidance of the CEO.~~	
Conditions on authorisation	- A person authorised by this instrument to sign a document that may be classified as a deed is authorised to execute that document as a deed (section 9.49A(5)). - For the purposes of this authorisation, document means any paper or electronic document, including communications such as letters and emails, which: - conveys a decision;	

Part 4 - Statutory Authorisations and Appointments

	(b) establishes an obligation on the City; or (c) is ceremonial. 3. Where a City employee holds a delegated authority, a statutory authority or an operational authorisation, to make a decision, that person also has the authority to sign documents which give effect to that decision. 4. Financial limits (goods and services contracts which are not the subject of a tender process): • CEO: \$550,000 +GST per contract, per financial year • Directors: \$250,000 + GST per contract, per financial year
Compliance references	<i>Local Government Act 1995</i> ~~Section 5.41(d): CEO's duty to manage day-to-day operations~~ ~~Section 9.38: Evidence of documents coming from local government~~ Section 9.49A(1)(b): Execution of documents Section 9.49A(5): Document not regarded as deed unless executed as a deed ~~Section 9.49B: Contract formalities~~ ~~Section 9.49: Documents, how authenticated~~ ~~Section 9.54: Defects in documents~~
Policy reference	
Recordkeeping	All records to be retained in ECM under appropriate subject index
Resolved by Council	Ordinary Meeting of Council – 16 June 2020 – M20/5749 Delegations DA-012 and DA-117 were revoked and replaced by this authorisation.
Term of Authorisation	Ongoing

Division 2 - Health (Miscellaneous Provisions) Act 1911 and Regulations and Local Laws made thereunder

4.2.1 Enabling legislative provisions

Section 26(1) of the *Health (Miscellaneous Provisions) Act 1911* authorises and directs every local government to carry out within its district the provisions of that Act and the regulations, local laws and orders made under it.

Section 26(2) provides that a local government may 'appoint and authorise any person to be its deputy and in that capacity exercise and discharge all or any of the functions of the local government, subject to such conditions and limitations (if any) that the local government shall see fit to prescribe'.

The appointment of a deputy or deputies does not affect the exercise or discharge by the local government itself of any power or function (section 26(2)).

Section 26(2) is technically not a delegation power, although in practice the role of a deputy and the role of a delegate are essentially the same. There is no capacity within this Act to sub-delegate or sub-deputise.

Section 344(2) of the Act provides for a regulation or local law made under the Act to be made so as to delegate or confer a discretionary authority on a specified person or body or class of person or body.

Section 374 of the Act provides for a local government to authorise by resolution any officer or member to appear before any court or in any legal proceeding.

4.2.2 Matters that may not be undertaken by deputy

Council is not fettered in the functions or powers it may authorise any deputy to carry out.

4.2.3 Recording and Review Obligations

None specified with respect to appointment of deputies.

Local governments are required to report annually to the Health Department on the performance of their functions under the Act.

Appointment of Deputies under the Health (Miscellaneous Provisions) Act 1911

Appointing Body: Council Process Owner: Chief Executive Officer		Statutory Appointment: CSA-Health-01 Last Reviewed: 17 June 2025
Statutory power to appoint and authorise	<i>Health (Miscellaneous Provisions) Act 1911</i> Section 26: A local government may appoint and authorise any person to be its deputy, and in that capacity to exercise and discharge all or any of the powers and functions of the local government granted or imposed under <i>Health (Miscellaneous Provisions) Act 1911</i> and the regulations, local laws and orders made thereunder.	
Persons appointed and authorised as deputies	• Chief Executive Officer • Director Corporate Services (section 353 – take possession of land) • Director Environment and Infrastructure (Part IV – Sanitary provisions) • Coordinator Environmental Health • Senior Environmental Health Officer	
Statutory powers and functions authorised to be exercised and discharged by deputies	<i>Health (Miscellaneous Provisions) Act 1911</i> <u>Section 38:</u> Report annually to the Chief Health Officer <u>Part IV:</u> Sanitary provisions <u>Part V:</u> Dwellings <u>Part VI:</u> Public buildings <u>Part VII:</u> Nuisances and offensive trades <u>Section 353:</u> Take possession of land where expenses are due and unpaid for 3 years <u>Section 357:</u> Suspend or cancel any licence or registration of persons convicted for any offence under the Act <u>Section 358(1):</u> Prosecution of offences <u>Section 374:</u> Appearance of local government in legal proceedings	
Conditions and limitations on appointment	The authority held by the deputies appointed above excludes the following powers reserved to Council: • <u>Part III:</u> Financial • <u>Section 342:</u> Make, repeal, amend or suspend local laws with the consent or at the direction of the Chief Health Officer • <u>Section 344C:</u> Fix fees and charges	
Compliance references	<i>Health (Miscellaneous Provisions) Act 1911</i> Section 36: Review of orders and decisions by local governments by SAT <u>Section 354:</u> Service of notice <i>Health (Asbestos) Regulations 1992</i> <i>Health (Offensive Trades Fees) Regulations 1976</i> <i>Health (Public Buildings) Regulations 1992</i> <i>City of Melville Health Local Laws 1997</i>	
Policy reference		
Recordkeeping	All records to be retained in ECM under appropriate subject index	
Appointment Approved by Council	Ordinary Meeting of Council – 16 June 2020 – M20/5749	

Part 4 - Statutory Authorisations and Appointments

	Delegations DA-065, DA-067, DA-069, DA-070 and DA-071 were revoked and replaced by this appointment of deputies on 16 June 2020.
Term of Appointment	Ongoing

CONFIRMED

Division 3 - *Litter Act 1979*

4.3.1 *Enabling legislative provisions*

Section 30(4) of the *Litter Act 1979* provides that an infringement notice issued under section 30(1) of the Act may be withdrawn at any time within 28 days after the service of the notice by sending a notice in the prescribed form advising that the infringement notice has been withdrawn.

Section 30(4a) specifies that a withdrawal notice sent under section 30(4) must be signed by 'a person appointed in writing to withdraw infringement notices by the public authority on behalf of which the infringement notice was served.'

The definition of the term 'public authority' under the *Litter Act 1979* includes 'a local government within its district'. By convention, unless otherwise specified or made obvious by the context, the term 'local government' in legislation is generally interpreted as referring to the Council when it is used in relation to a decision-making power.

The *Litter Act 1979* does not confer a delegation power on local governments, so an appointment under section 30(4a) giving authority to sign withdrawal notices must be made by the Council.

**Appointment of Person Authorised to Withdraw Infringement
Notices Issued under Part V of the *Litter Act 1979***

Authorising Body: Council Process Owner: Director Community Development		Statutory Appointment: CSA-Litter-01 Last Reviewed: 17 June 2022
Function or Power Authorised	<i>Litter Act 1979</i> Section 30(4): Withdraw infringement notices issued under section 30(1) of the <i>Litter Act 1979</i> .	
Statutory power to authorise	<i>Litter Act 1979</i> Section 30(4)(a): A withdrawal notice sent under subsection (4) shall be signed by a person appointed in writing to withdraw infringement notices by the public authority on behalf of which the infringement notice was served	
Person(s) appointed	• Chief Executive Officer • Director Community Development • Head of Community Safety • Service Lead – Community Safety Investigations	
Conditions on appointment		
Compliance references	<i>Litter Act 1979</i>	
Policy reference	CP-114 Compliance and Enforcement Policy Compliance and Enforcement Guideline	
Recordkeeping	All records to be retained in ECM under appropriate subject index	
Appointment approved by Council	Ordinary Meeting of Council – 20 September 2022 – C22/5931	
Term of Appointment	Ongoing	

Part 5 - Statutory Delegations and Authorisations to the City of Melville from External Agencies

CONFIRMED

Division 1 - Environmental Protection Act 1986

5.1.1 Noise Control – Environmental Protection Notices

19 March 2004

GOVERNMENT GAZETTE, WA

919

ENVIRONMENT

EV401

ENVIRONMENTAL PROTECTION ACT 1986

SECTION 20

Delegation No. 52

Pursuant to section 20 of the *Environmental Protection Act 1986*, the Chief Executive Officer hereby delegates as follows—

Powers and duties delegated—

All the powers and duties of the Chief Executive Officer, where any noise is being or is likely to be emitted from any premises not being premises licensed under the Act, to serve an environmental protection notice under section 65(1) in respect of those premises, and where an environmental protection notice is so served in such a case, all the powers and duties of the Chief Executive Officer under Part V of the Act in respect of that environmental protection notice.

Persons to whom delegation made—

This delegation is made to any person for the time being holding or acting in the office of Chief Executive Officer under the *Local Government Act 1995*.

Pursuant to section 59(1)(e) of the *Interpretations Act 1984*, Delegation No. 32, dated 4 February 2000 is hereby revoked.

Dated this 9th day of January 2004.

Approved—

FERDINAND TROMP, A/Chief Executive Officer.
Dr JUDY EDWARDS MLA, Minister for the Environment.

EXERCISE OF THIS DELEGATION WITHIN THE CITY OF MELVILLE

~~The Chief Executive Officer to whom powers and duties have been delegated in this instrument nominates the holders from time to time of the following positions (including under acting arrangements) to exercise those powers and discharge those duties on the Chief Executive Officer's behalf and under their authority:~~

- ~~• Coordinator Environmental Health~~
- ~~• Senior Environmental Health Officer~~

~~Note that section 114(4) of the *Environmental Protection Act 1986* states that~~

~~(1) — If the CEO has delegated a power under section 65(1) to a local government or the chief executive officer or an employee of a local government, a prosecution for an offence under section 65(5) in respect of a failure to comply with a requirement contained in an environmental protection notice caused to be served under section 65(1) by that local government, chief executive officer or employee may be instituted by the chief executive officer of the local government.~~

5.1.2 Noise Management Plans in relation to Specific Works or Venues, Keeping Log Books, Noise Control Notices, Calibration and Approval of Non-Complying Events

6282

GOVERNMENT GAZETTE, WA

20 December 2013

EV402*

ENVIRONMENTAL PROTECTION ACT 1986

DELEGATION NO. 112

I, Jason Banks, in my capacity as Acting Chief Executive Officer of the Department of Environment Regulation responsible for the administration of the *Environmental Protection Act 1986* ("the Act"), and pursuant to section 20 of the Act, hereby delegate to any person for the time being holding or acting in the office of a Chief Executive Officer under the *Local Government Act 1995*, my powers and duties under the *Environmental Protection (Noise) Regulations 1997*, other than this power of delegation, in relation to—

- (a) waste collection and other works—noise management plans relating to specified works under regulation 14A or 14B;
- (b) bellringing or amplified calls to worship—the keeping of a log of bellringing or amplified calls to worship requested under regulation 15(3)(c)(vi);
- (c) community activities—noise control notices in respect of community noise under regulation 16;
- (d) motor sport venues—noise management plans in relation to motor sport venues under Part 2 Division 3;
- (e) shooting venues—noise management plans in relation to shooting venues under Part 2 Division 4;
- (f) calibration results—requesting, under regulation 23(b), details of calibration results undertaken and obtained under Schedule 4;
- (g) sporting, cultural and entertainment events—approval of events or venues for sporting, cultural and entertainment purposes under Part 2 Division 7, subject to the following limitation—
 - (i) Subregulation 18(13)(b) is not delegated.

Under section 59(1)(e) of the *Interpretation Act 1984*, Delegation No. 68, gazetted 22 June 2007 is hereby revoked.

Dated the 12th day of December 2013.

JASON BANKS, Acting Chief Executive Officer.

Approved by—

JOHN DAY, Acting Minister for Environment, Heritage.

EXERCISE OF THIS DELEGATION WITHIN THE CITY OF MELVILLE

~~The Chief Executive Officer to whom powers and duties have been delegated in this instrument nominates the holders from time to time of the following positions (including under acting arrangements) to exercise those powers and discharge those duties on the Chief Executive Officer's behalf and under his their authority:~~

- ~~• Coordinator Environmental Health~~
- ~~• Senior Environmental Health Officer~~

5.1.3 Noise Management Plans

1548

GOVERNMENT GAZETTE, WA

16 May 2014

EV405*

ENVIRONMENTAL PROTECTION ACT 1986

DELEGATION NO. 119

I, Jason Banks, in my capacity as the Acting Chief Executive Officer of the Department responsible for the administration of the *Environmental Protection Act 1986* ("the Act"), and pursuant to section 20 of the Act, hereby delegate to the holder for the time being of the offices of—

- (a) Chief Executive Officer under the *Local Government Act 1995*; and
- (b) to any employee of the local government under the *Local Government Act 1995* who is appointed as an Authorised Person under section 87 of the Act,

all my powers and duties in relation to noise management plans under regulation 13 of the *Environmental Protection (Noise) Regulations 1997*, other than this power of delegation.

Under section 59(1)(e) of the *Interpretation Act 1984*, Delegation No. 111, gazetted 20 December 2013, is hereby revoked.

Dated the 1st day of May 2014.

JASON BANKS, Acting Chief Executive Officer.

Approved by—

Hon ALBERT JACOBS JP MLA, Minister for Environment: Heritage.

~~EXERCISE OF THIS DELEGATION WITHIN THE CITY OF MELVILLE~~

~~The powers and duties delegated Delegation 119 may only be exercised and discharged by the Chief Executive Officer and City employees holding the following positions provided they have been appointed as Authorised Persons under section 87 of the *Environmental Protection Act 1986*:~~

- ~~• Coordinator Environmental Health~~
- ~~• Senior Environmental Health Officer~~
- ~~• Environmental Health Officers~~

Division 2 - Planning and Development Act 2005

5.2.1 Instrument of Authorisation – Sign Development Applications for Crown Land as Owner

DoL FILE 1738/2002v8; 858/2001v9

PLANNING AND DEVELOPMENT ACT 2005

INSTRUMENT OF AUTHORISATION

I, **Donald Terrence Redman MLA**, Minister for Lands, a body corporate continued by section 7(1) of the *Land Administration Act 1997*, under section 267A of the *Planning and Development Act 2005*, HEREBY authorise, in respect of each local government established under the *Local Government Act 1995* and listed in Column 2 of the Schedule, the person from time to time holding or acting in the position of Chief Executive Officer of the relevant local government, to perform the powers described in Column 1 of the Schedule subject to the conditions listed in Column 3 of the Schedule.

Dated the 2nd day of June 2016



HON DONALD TERRENCE REDMAN MLA
MINISTER FOR LANDS

Part 5 Statutory Delegations and Authorisations from External Agencies

SCHEDULE

This is the Schedule referred to in an Instrument of Authorisation relating to Development Applications under the *Planning and Development Act 2005*

Column 1	Column 2	Column 3
The power to sign as owner in respect of Crown land that is: - a reserve managed by the local government pursuant to section 48 of the <i>Land Administration Act 1997</i> and the development is consistent with the reserve purpose and the development is not for a commercial purpose; or - the land is a road of which the local government has the care, control and management under section 55(2) of the <i>Land Administration Act 1997</i> and where there is no balcony or other structure proposed to be constructed over that road unless that structure comes within the definition of a "minor encroachment" in the Building Regulations 2012 (Regulation 45A), or is an "awning, verandah or thing" (Regulation 45B), or is a ground anchor, and where the development is consistent with the use of the land as a road, in respect of development applications being made under or referred to in: (i) section 99(2) of the <i>Planning and Development Act 2005</i> in respect of development for which approval is required under a regional interim development order (as that term is defined in that Act); (ii) section 103(2) of the <i>Planning and Development Act 2005</i> in respect of development for which approval is required under a local interim development order (as that term is defined in that Act); (iii) section 115 of the <i>Planning and Development Act 2005</i> in respect of development within a planning control area (as that term is defined in that Act); (iv) section 122A of the <i>Planning and Development Act 2005</i> in respect of which approval is required under an improvement scheme (as that term is defined in that Act); (v) section 182 of the <i>Planning and Development Act 2005</i> in respect of developments for which approval is required under a planning scheme or interim development order (as those terms are defined in that Act);	City of Albany City of Armadale Shire of Ashburton Shire of Augusta-Margaret River Town of Bassendean City of Bayswater City of Belmont Shire of Beverley Shire of Boddington Shire of Boyup Brook Shire of Bridgetown-Greenbushes Shire of Brooking Shire of Broome Shire of Broomehill-Tambellup Shire of Bruce Rock City of Bunbury Shire of Busselton Town of Cambridge City of Canning Shire of Capel Shire of Carnamah Shire of Carnarvon Shire of Chapman Valley Shire of Chittering Shire of Christmas Island Town of Claremont City of Cockburn Shire of Cocos (Keeling) Islands Shire of Collie Shire of Coolgardie Shire of Coorow Shire of Corrigin Town of Cottesloe Shire of Cranbrook Shire of Cuballing Shire of Cue Shire of Cunderdin Shire of Dalwallinu Shire of Dandaragan Shire of Dardanup Shire of Denmark Shire of Derby/West Kimberley Shire of Donnybrook-Balingup Shire of Downin Shire of Dumbleyung Shire of Dundas Town of East Fremantle Shire of East Pilbara Shire of Esperance Shire of Exmouth City of Fremantle City of Greater Geraldton	In accordance with and subject to approved Government Land policies. Any signature subject to the following endorsement: Signed only as acknowledgement that a development application is being made in respect of a proposal that includes Crown land, Crown reserves under management for the purpose, or a road and to permit this application to be assessed under the appropriate provision of the <i>Planning and Development Act 2005</i> (including any planning scheme). The signature does not represent approval or consent for planning purposes. Further, in the event that development approval is granted for the proposal, the above signature should not be taken as an acknowledgement of or consent to the commencement or carrying out of the proposed development or to any modification of the tenure or reservation classification of the Crown land component.
(vi) section 163 of the <i>Planning and Development Act 2005</i> in respect of development on land which is comprised within a place entered in the Register maintained by the Heritage Council under the <i>Heritage of Western Australia Act 1990</i>, or of which such a place forms part; (vii) section 171A of the <i>Planning and Development Act 2005</i> in respect of a prescribed development application (as that term is defined in that section of that Act).	Shire of Gingin Shire of Gnowangerup Shire of Goomalling City of Gosnells Shire of Halls Creek Shire of Harvey Shire of Irwin Shire of Jerramungup City of Joondalup Shire of Kalamunda City of Kalgoorlie-Boulder Shire of Katanning Shire of Kellerberrin Shire of Kent Shire of Kojonup Shire of Kondinin Shire of Koorda Shire of Kulin City of Kwinana Shire of Lake Grace Shire of Laverton Shire of Leonora City of Mandurah Shire of Manjimup Shire of Meekatharra City of Melville Shire of Menzies Shire of Merredin Shire of Mingenew Shire of Moora Shire of Morawa Town of Mosman Park Shire of Mount Magnet Shire of Mt Marshall Shire of Mukinbudin Shire of Murchison Shire of Murchison Shire of Murray	

Part 5 Statutory Delegations and Authorisations from External Agencies

Shire of Nannup
Shire of Narembean
Shire of Narrogin
Town of Narrogin
City of Nedlands
Shire of Ngaanyatjaraku
Shire of Northam
Shire of Northampton
Shire of Nungarin
Shire of Peppermint Grove
Shire of Perenjori
City of Perth
Shire of Pingelly
Shire of Plantagenet
Town of Port Hedland
Shire of Qualtrading
Shire of Ravensthorpe
City of Rockingham
Shire of Roebourne
Shire of Sandstone
Shire of Serpentine Jarrahdale
Shire of Shark Bay
City of South Perth
City of Stirling
City of Subiaco
City of Swan

Shire of Temmin
Shire of Three Springs
Shire of Toodyay
Shire of Trayning
Shire of Upper Gascoyne
Town of Victoria Park
Shire of Victoria Plains
Town of Vincent
Shire of Wagin
Shire of Wandering
City of Warreroo
Shire of Waroona
Shire of West Arthur
Shire of Westonia
Shire of Wickiepin
Shire of Williams
Shire of Wiluna
Shire of Wongan-Ballidu
Shire of Woodanilling
Shire of Wyalkatcham
Shire of Wyndham-East Kimberley
Shire of Yalgoo
Shire of Yilgarn
Shire of York



HON DONALD TERRENCE REDMAN MLA
MINISTER FOR LANDS

2nd day of June 2016

EXERCISE OF THIS AUTHORISATION WITHIN THE CITY OF MELVILLE

Consistent with the Minister's Instrument of Authorisation, only the Chief Executive Officer or an officer given explicit written authority to sign on the CEO's behalf in these matters may exercise the powers in Column 1 of this Instrument.

5.2.2A WA Planning Commission – Resolution under Clause 32 of the Metropolitan Region Scheme

~~The following resolution by the WA Planning Commission is not a delegation to the local government but places conditions on the preceding WAPC Delegation 2022/03 in accordance with clause 1(a) of that delegation:~~

~~INSTRUMENT OF DELEGATION
SECTION A Types of Development~~

~~1. Development on zoned land~~

~~Applications for development on land zoned under the MRS except
(a) where the land is subject to a resolution under Clause 32 of the MRS~~

18 January 2022

GOVERNMENT GAZETTE, WA

115

PL406

PLANNING AND DEVELOPMENT ACT 2005

NOTICE OF RESOLUTION

Resolution under Clause 32 of the MRS

RES 2021/01

Notice of resolution made under clause 32 of the Metropolitan Region Scheme (MRS) regarding development control powers of the Western Australian Planning Commission

Under clause 32 of the MRS, the WAPC may, by resolution, identify land and require that applications for all or certain classes of development on that land, be referred to the WAPC for determination.

Resolution under clause 32 of the MRS

On 8 December 2021, pursuant to clause 32 of the MRS, the WAPC RESOLVED—

- A TO REVOKE its resolutions made under clause 32 of the MRS as detailed in a notice published in the *Government Gazette* of 12 June 2015 at pages 2062 and 2063 and as published in the *Government Gazette* of 11 December 2011 concerning Lots 202 and 203, Corner Kwinana Freeway, Beeliar Drive and Wentworth Parade, Success.
- B TO REQUIRE all local governments within the MRS area to refer applications for development of the classes and in the locations specified in clauses 1 to 4 of Schedule 1 to the WAPC for determination.
- C TO REQUIRE that local governments specified in clauses 5 to 8 of Schedule 1 to refer applications for development of the classes and in the locations specified in clauses 5 to 8 of Schedule 1 to the WAPC for determination.
- D TO CONFIRM that words used in the schedules to this resolution have the meanings given to them in the *Planning and Development Act 2005* (the Act) and the MRS and, unless the context otherwise requires, the meanings defined in schedule 3. In the case of any inconsistency, the Act prevails;
- E TO DECLARE that this resolution takes effect when notice of it is published in the *Government Gazette*.

SAM FAGAN, Secretary, Western Australian Planning Commission.

Schedule 1

All Local governments in the area covered by the MRS**1. Development of State or Regional Significance**

Development in respect of which the WAPC, by notice in writing in each case, advises the local government that the development is of state or regional significance or that, in the public interest, the development should be the subject of an application determined by the WAPC.

2. Development in the rural zone

Extractive Industry applications and any other uses which in the opinion of the WAPC or the local government may not be consistent with the rural zone.

3. Poultry Farms

Applications made under clause 28 of the MRS for approval to commence and carry out development of new poultry farms or any extension or addition in excess of 100 square metres to the improvements of an existing poultry farm in the Rural, Urban or Urban Deferred zones in the MRS

4. Development in Activity Centres

Applications made under clause 28 of the MRS for approval to commence and carry out development relating to a building or extension/s to an existing building for shop-retail purposes—

- (a) where the local government or the WAPC considers that the development proposed may be of State or regional significance;
- (b) where the development proposed is major development which the local government considers is appropriately located in an activity centre of a higher level of the Activity Centre Hierarchy that the activity centre in which it is proposed to be located;
- (c) where the development proposed is major development which the WAPC (after consulting the relevant local government) considers is appropriately located in an activity centre of a higher level of the Activity Centre Hierarchy that the activity centre in which it is proposed to be located;
- (d) for Strategic metropolitan centre or Secondary centre developments where the development proposed is major development;
- (e) for District centre developments, where the development is major development and where approval of the proposal would result in the shop/retail floorspace exceeding 20 000m² of shop/retail floorspace (net lettable area); or
- (f) where the development proposed is wholly or partly located in zoned land in specialised centres; except where the application complies with an activity centre structure plan or equivalent plan or strategy for the activity centre endorsed by the WAPC.

Referral arrangements for specific local governments**5. Stirling and Glendalough Station Precinct**

Unless a structure plan is in place for the areas defined in WAPC plan No. 4.1495/1, the City of Stirling is to refer for determination by the WAPC the following classes of applications under clause 28 of the MRS for approval to commence and carry out development on land—

- (a) Applications that include non-residential uses and/or development;
- (b) Applications for 5 or more residential dwellings.

6. Kwinana Industrial Area

The City of Kwinana is to refer for determination by the WAPC all applications made under clause 28 of the MRS for all classes of development for the area shown on WAPC plan No. 4.1489/1, except where development is estimated by the applicant to be less than \$250,000 in respect of which the council may decide at its discretion to submit or not to the WAPC.

7. North Coogee Industrial Area

The City of Cockburn is to refer for determination by the WAPC all applications made under clause 28 of the MRS for all classes of development for the area shown on WAPC plan 4.1622.

8. Parliament House Precinct 6

The City of Perth is to refer for determination by the WAPC all applications for approval to commence and carry out development within—

- (a) The area depicted as the Inner Precinct on WAPC plan 3.2096; and
- (b) The area depicted as the Outer Precinct on WAPC plan 3.2096, where the development proposed will exceed the specified height limits, previously determined by the WAPC.

Interpretation

In this notice of resolution, words have the meanings given to them in the Act and the MRS. Unless the context otherwise requires—

“activity centre” is defined in section 9 of State Planning Policy 4.2;

“activity centre hierarchy” means the categories of activity centres set out in Appendix 1 of State Planning Policy 4.2, namely—

- Capital City;
- Strategic centres;
- Specialised centres;
- Secondary centres;
- District centres;
- Neighbourhood centres; and
- Local centres.

“Advice agency” means a department, public authority or body which is requested to provide advice and recommendations on applications for planning approval under the GBRs as an agency responsible for reserved land or to which local governments refer applications under the terms of schedule 3.

“Category A activity centre uses” means land uses as defined in section 9 of State Planning Policy 4.2;

“Forward to the WAPC” and similar expressions mean convey by mail, by hand or electronically to the office of the Department of Planning Lands and Heritage.

“major development” means development as defined in section 9 of State Planning Policy 4.2;

“net lettable area” is defined in section 9 of State Planning Policy 4.2;

“precinct structure plan or equivalent” means a precinct structure plan prepared for an activity centre as required under 7.2 of State Planning Policy 4.2, and includes what were previously referred to as an activity centre plan;

“Planning approval” means the planning approval of the WAPC as required under the MRS and this resolution, whether granted by the WAPC or by delegates of the WAPC including committees, or officers.

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

3 November 2023

GOVERNMENT GAZETTE, WA

3615

PL402

PLANNING AND DEVELOPMENT ACT 2005

NOTICE OF AMENDMENT TO INSTRUMENT OF DELEGATION—POWERS OF LOCAL GOVERNMENTS

Notice of amendment to the Instrument of Delegation 2020/01 Powers of Local Governments gazetted on 29 January 2021 (and as amended).

Preamble

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

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

Resolution under s16 of the Act (delegation)

On 31 August 2022, pursuant to section 16 of the Act, the WAPC RESOLVED—

- A. TO AMEND the Instrument of Delegation 2020/01 Powers of Local Governments as gazetted on 29 January 2021 (and as amended), as set out in Schedule 1 below.

SAM FAGAN, Secretary, Western Australian Planning Commission.

Schedule 1

1. Instrument of delegation amended

The amendments within this Schedule are to the Schedules set out in the Instrument of Delegation 2020/01 Powers of Local Governments as gazetted on 29 January 2021, and as amended.

2. Amendments to clause 1 of Schedule 1

Add the following immediately after 1(e)—

- (f) in the opinion of the relevant local government as notified to the WAPC in writing, propose development of a type which the local government considers would warrant the imposition of a condition requiring the ceding of land for public open space or payment in lieu thereof.

29 January 2021

GOVERNMENT GAZETTE, WA

449

PL402

PLANNING AND DEVELOPMENT ACT 2005**INSTRUMENT OF DELEGATION****Del 2020/01 Powers of Local Governments**

Delegation to local governments of certain powers and functions of the Western Australian Planning Commission relating to certain applications under the *Strata Titles Act 1985*

Preamble

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

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

Resolution under section 16 of the Act (delegation)

On 20 January 2021, pursuant to section 16 of the Act, the WAPC RESOLVED—

- A. TO DELEGATE to local governments, and to members and officers of those local governments, its powers and functions under section 15 of the *Strata Titles Act 1985* as set out in clause 1 of Schedule 1, within their respective districts, subject to the conditions set out in clause 3 of Schedule 1;
- B. TO DELEGATE to local governments, and to members and officers of those local governments, its powers and functions under sections 21 and 22 of the *Strata Titles Act 1985* as set out in clause 2 of Schedule 1, within their respective districts, subject to the conditions set out in clause 3 of Schedule 1;
- C. TO AMEND “Del 2020/01—Powers of Local Governments” to give effect to its resolution and to publish an updated, consolidated instrument.

SAM FAGAN, Western Australian Planning Commission.

Schedule 1**1. Applications made under section 15 of the *Strata Titles Act 1985***

Power to determine applications under section 15 of the *Strata Titles Act 1985*, except those applications that—

- (a) propose the creation of a vacant lot;
- (b) propose vacant air stratas in multi-tiered strata scheme developments;
- (c) propose the creation or postponement of a leasehold scheme;
- (d) propose a type 1 (a) subdivision or a type 2 subdivision (as defined in section 3 of the *Strata Titles Act 1985*);
- (e) in the opinion of the WAPC as notified to the relevant local government in writing, or in the opinion of the relevant local government as notified to the WAPC in writing, relate to—
 - i. a type of development; and/or
 - ii. land within an area,

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

2. Applications under sections 21 and 22 of the *Strata Titles Act 1985*

Power to determine applications under—

- (a) section 21 of the *Strata Titles Act 1985*;
- (b) section 22 of the *Strata Titles Act 1985* where the amendment or repeal of scheme by-laws requires the approval of the WAPC.

3. Reporting requirements

A local government that exercises the powers referred to in clause 1 and/or clause 2, is to provide the WAPC with data on all applications determined under this Instrument of Delegation. This must be provided at the conclusion of each financial year in the format prescribed by the WAPC.

EXERCISE OF THIS DELEGATION WITHIN THE CITY OF MELVILLE

The powers delegated in WAPC Instrument of Delegation 2020/01, gazetted on 29 January 2021, may only be exercised by the Chief Executive Officer, Director Planning, Manager Development Approvals, Principal Statutory Planner and Senior Statutory Planners.

The Director Planning is responsible for meeting the reporting requirements.

5.2.4 Powers of Local Governments – Metropolitan Region Scheme

NOTE: WAPC Delegation 2025/04 must be read in conjunction with the conditions set out in WAPC Resolution 2021/01 (reproduced in section 5.2.2A of this document).

Planning and Development Act 2005

INSTRUMENT OF DELEGATION

Del 2025/04 Powers of Local Governments Metropolitan Region Scheme

Delegation of certain powers and functions of the Western Australian Planning Commission relating to the Metropolitan Region Scheme.

Preamble

Unless exempted by clause 29 and 30, under clause 27 of the Metropolitan Region Scheme (MRS), on reserved land, a person must not commence or carry out development unless that person has planning approval. Development on zoned land requires planning approval if it is of a kind or class set out in a resolution of the Western Australian Planning Commission (WAPC) under clause 28 of the MRS.

Under section 16 of the *Planning and Development Act 2005* (the Act) the Western Australian Planning Commission (the WAPC) may, by resolution published on a website maintained by, or on behalf of, the WAPC, delegate any function to an officer of a public authority or to a local government, a committee established under the *Local Government Act 1995* or an employee of a local government

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

Resolution under section 16 of the Act (delegation)

On 19 FEBRUARY 2025, pursuant to section 16 of the Act, the WAPC resolved—

- A. TO DELEGATE to local governments, and to members and officers of those local governments, its functions in respect of the determination, in accordance with Parts 8, 9 and 10 of the Metropolitan Region Scheme, of applications (within their respective districts) for approval to commence and carry out development of the type specified in Column 1 of Schedule 1, subject to the conditions specified in Column 2 of Schedule 1 and the requirements in Schedule 2.
- B. TO REVOKE its delegation of powers and functions to local governments as detailed in the notice entitled “DEL 2022/03 Powers of local governments (MRS)” published in the *Government Gazette* on 18 January 2022, to give effect to this delegation.
- C. TO RESOLVE that this resolution takes effect on 31 March 2025.

Sam Boucher Secretary,

Western Australian Planning Commission.

SCHEDULE 1 – TYPES OF DEVELOPMENT AND LOCATION

Column 1 (Land and Application type)	Column 2 (Conditions)
1. Proposals concerning <u>reserved land</u> and for which approval is required.	
1.1. Application concerns land on or abutting a regional road reservation.	Power may be exercised: 1. if the delegate complies with referral requirements set out in Schedule 2 below; 2. all public authorities consulted, concur; and 3. the delegate accepts the advice and/or recommendations (if any received) of the public authority/s. 4. the application is <u>not</u> for public works undertaken by a public authority.
2. Proposals concerning <u>zoned land</u> and for which approval is required. <u>Does not apply</u> to public works undertaken by a public authority, the Kwinana Industrial Area, North Coogee Area and Parliament House - Inner Precinct.	
2.1. Application concerns zoned land which abuts a primary regional road reservation.	Power may be exercised if the delegate: 1. complies with the referral requirements set out in Schedule 2 below; and 2. accepts and applies the advice and/or recommendation (if any) from the public authority specified in cl.2, Schedule 2 below.
2.2. Application concerns zoned land which abuts an other regional road reservation	
2.3. Application concerns zoned land which abuts a regional open space reservation.	
2.4. Application concerns zoned land which is adjacent to a railway reservation or abuts a port installation reservation	
2.5. Application concerns zoned land within a Bush Forever Area	Power may be exercised if the delegate: 1. consults the DPLH; 2. provides DPLH at least 30 days within which to respond; and

Part 5 Statutory Delegations and Authorisations from External Agencies

	3. accepts the advice and / or recommendation received (if any) from DPLH.
2.6. Application concerns development within an Activity Centre	Power may be exercised if the delegate: 1. consults the DPLH; 2. provides DPLH at least 30 days within which to respond; and 3. accepts the advice and / or recommendation received (if any) from DPLH.
2.7. Application concerns zoned land which is in or abuts the Swan and Canning Development Control Area	Power may be exercised if the delegate: 1. consults the Swan River Trust in accordance with clause 45; and 2. accepts the advice and / or recommendation (if any) received from the Swan River Trust.
2.8. Application to extend or change a non-conforming use on zoned land.	Power may be exercised if the delegate: 1. consults the DPLH; 2. provides DPLH at least 30 days within which to respond; and 3. accepts the advice and / or recommendation received (if any) from DPLH.

Part 5 Statutory Delegations and Authorisations from External Agencies

SCHEDULE 2

Referral Requirements

- 1) An application for development in or abutting land reserved under the Metropolitan Region Scheme must be referred to the public authority responsible for that reserved land within 7 days of the delegate receiving the application or, if further information or material is required, within 7 days of the process in clause 38 to 40 concluding.
- 2) For the purposes of paragraph (1) of this delegation, the public authority responsible for reserved land is:
 - (a) In the case of reservation for regional open space: the Department of Planning Lands and Heritage;
 - (b) In the case of reservation for primary regional roads: Main Roads Western Australia;
 - (c) In the case of reservation for other regional roads: the Department of Planning Lands and Heritage;
 - (d) In the case of other reservations: the public authority for which the land is reserved or that owns or manages the reserved land.
 - (e) In the case of a development in or adjacent to a Bush Forever area (as defined in the Metropolitan Region Scheme): the Department of Planning Lands and Heritage.
- 3) Each public authority to which the application is referred must be:
 - (a) provided at least 30 days within which to respond; and
 - (b) informed that if no response is received within that time, the application may be determined on the information available.
- 4) Where the advice and/or recommendation provided by the public authority specified in clause 2 above, is not acceptable to the delegate, the application, together with the advice and/or recommendations provided by all public authorities consulted and the reasons why the recommendation is not acceptable to the delegate, shall be referred immediately to the WAPC for determination.

Interpretation and Guidance

In this Instrument of Delegation, unless the context otherwise requires—

- Powers delegated under this instrument may only be exercised by a member or officer who has been delegated power from the local government to consider and determine applications for approval to commence and carry out development within the local government district under the local government's local planning scheme
- "*development*" has the same meaning given to it in and for the purposes of the *Planning and Development Act 2005*.

Part 5 Statutory Delegations and Authorisations from External Agencies

- “other regional roads” are delineated in blue and identified on plan SP 694, as amended from time to time (copy attached).
- “primary regional roads” are delineated in red and identified on plan SP 693, as amended from time to time (copy attached).
- “public authority” has the meaning given in the *Planning and Development Act 2005*.
- If the conditions set out in Column 2 cannot be met, the power cannot be exercised by the delegate and the application, together with the advice and/or recommendations provided by all public authorities consulted and the reasons why the recommendation is not acceptable to the delegate, must be sent to the WAPC for determination.
- Note, clause 45 applies where development is of land affecting the Swan and Canning Development Control Area.
- The Kwinana Industrial Area covers land within WAPC plan No. 3.2859, as per the WAPC’s Notice of resolution made under clause 28 of the Metropolitan Region Scheme
- North Coogee Area covers land within WAPC plan No. 4.1675 as per the WAPC’s Notice of resolution made under clause 28 of the Metropolitan Region Scheme
- Parliament House Inner Precinct covers land within WAPC plan No. 3.2858 as per the WAPC’s Notice of resolution made under clause 28 of the Metropolitan Region Scheme

EXERCISE OF THIS DELEGATION WITHIN THE CITY OF MELVILLE

Consistent with the WAPC Instrument of Delegation 2025/04, the powers delegated in this instrument, may only be exercised by a member or officer who has been delegated powers from the local government to consider applications for approval to commence and carry out development within the local government district under the local government’s local planning scheme, in accordance with the delegated authority matrix listed in Council Instrument of Delegation DA-020.

Division 3 - Main Roads Act 1930

1. Parking

Section 15(2) of the *Main Roads Act 1930* provides that the Commissioner (of Main Roads) has the care, control and management of the land over which a highway or main road is declared.

Section 16(2) of the *Main Roads Act 1930* states that the exercise of any local government over any highway or main road shall be subject to the control and direction of the Commissioner.

2. Signs and Signals

Under clause 297(1) of the *Road Traffic Code 2000*, the Commissioner of Main Roads may erect, establish, or display, alter or take down any road sign or traffic signal signals on the State's road network.

Under clause 297(2) of the Code, the Commissioner can delegate this authority to 'Authorised Bodies' such as local governments, subject to the conditions set out in an Instrument of Authorisation.

3. Unattended Animals and Vehicles

Clause 275(3) of the Code provides for local government officers to seize and impound any stock that are unattended on or obstructing any portion of a road.

4. Advertisements

Section 33B of the *Main Roads Act 1930* provides for regulations to control or prohibit the erection of hoardings or other advertising structures on or in the vicinity (including on private land) of highways, main roads and controlled-access roads; and to enforce the removal of those deemed hazardous or exceptionable.

Section 33C of the *Main Roads Act 1930* permits the Commissioner of Main Roads to delegate powers under section 33B to a local government.

Main Roads WA has published a [Policy and Application Guidelines for Advertising Signs Within and Beyond State Road Reserves](#) which provides a framework for the Commissioner's powers under s.33B to be delegated to local governments. At the time of preparing this manual, the Commissioner had not delegated these powers to the City of Melville.

5.3.1 Parking Regulation on Verges of Main Roads and Highways

Enquiries: Theo Hazebroek on 9323 4545
Our Ref: 04/9019 (D04#23029)
Your Ref:

29 October 2004

Mr J. J. McNally
Chief Executive Officer
City Of Melville
Locked Bag 1
BOORAGOON WA 6954

Dear Mr McNally

VEHICLES PARKED ON VERGES OF MAIN ROADS AND HIGHWAYS.

Recently I have been approached by more than one metropolitan Local Government for a delegation to enable those local governments to issue parking infringements for vehicles offered for sale on Main Roads and Highways verges (where these form part of the Main Road or Highway).

I understand that the Local Laws of most Metropolitan Local Governments for regulating parking exclude from the Parking Region to which those Local Laws apply:

"...any road which comes under the control of the Commissioner of Main Roads unless the control of parking and parking facilities on that road has been delegated by the Commissioner of Main Roads to the local government."

I understand that this exclusion is based on Schedule 1 of the Model Local Laws for Parking developed in conjunction with WALGA. Those Model Local Laws have been enacted by most, if not all of the metropolitan Local Governments.

Subsection 16(2) of the Main Roads Act provides:

"Subject to the provisions of section 15[], the powers of any local government over any highway or main road shall not be deemed to be taken away by this Act, but the exercise of such powers shall be subject to the control and direction of the Commissioner."*

* Section 15 doesn't appear to have any impact in the current scenario.

The effect of section 16(2) of the Main Roads Act is that the Commissioner may control and direct the powers of Local Governments in respect of highways and main roads but the provision does not otherwise prohibit the exercise of such powers. The power of local governments to regulate parking on Main Roads or Highways is one of those powers.

There has been some confusion between some Metropolitan Local Governments and Main Roads about whether a delegation is actually required under 16(2) of the Main Roads Act. Main Roads officers have discussed this issue with WALGA with a view to resolving the confusion in so far as section 16(2) relates to parking.

Don Aitken Centre, Waterloo Crescent, East Perth or PO Box 6202 EAST PERTH Western Australia 6892
Telephone: (08) 9323 4111 Facsimile: (08) 9323 4136 TTY: (08) 9428 2230
Email: dao@mainroads.wa.gov.au Website: www.mainroads.wa.gov.au

Part 5 Statutory Delegations and Authorisations from External Agencies

In order to clarify the powers of your Local Government in relation to regulating parking on Main Roads or Highways and to avoid the need for amendment of each metropolitan local government's local laws on parking, a direction under section 16(2) of the Main Roads Act is warranted.

Please accept this as a direction under section 16(2) of the Main Roads Act that:

- a) Council may control parking on the verges of any Main Roads and Highways in your district (where these verges form part of the Main Road or Highway) other than those mentioned in paragraph "b" below but only for the purposes of:
 - i) prohibiting parking on those verges including any parked vehicles offered for sale on those verges; and
 - ii) enforcing any such prohibition.
- b) Council may not control parking on any part of any freeways in your district.

This direction is not intended to affect any existing arrangements Council has for the regulation of parking on the carriageway of any Main Roads or Highways in your district.

Please note that I do not mean to suggest that any Local Government is required to exercise any relevant powers.

If you require any further information please contact Theo Hazebroek on 9323 4545. In reply please quote file reference 04/9019 (D04#23029).

Yours faithfully

M Henneveld
COMMISSIONER OF MAIN ROADS

5.3.2 Traffic Management Signs – Road Works



Government of
Western
Australia



MAIN ROADS
Western Australia

ARN : 40 663 676 021

Enquiries: Kamal Weeratunga on (08) 9323 4604
Our Ref: 04/1706-02
Your Ref:

CITY OF MELVILLE
LOCAL GOVERNMENT
916454

13 October 2004

Chief Executive Officer
City of Melville
Locked Bag 1
BOORAGOON WA 6954

Dear Sir/Madam

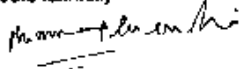
**AUTHORITY TO USE TRAFFIC SIGNS AND DEVICES AT ROADWORKS
NEW INSTRUMENT OF AUTHORISATION**

Please find herewith enclosed an Instrument of Authorisation executed by the Commissioner of Main Roads, for your retention. This Instrument of Authorisation enables the City of Melville and its Representatives to use traffic signs and devices for works on roads within its jurisdiction, subject to the conditions attached to the Instrument of Authorisation, without further approval from Main Roads. The City of Melville will be added to the list of Authorised Bodies on Main Roads' website at www.mainroads.wa.gov.au (Traffic < Roadworks < Administration).

I thank you for taking the opportunity to become an Authorised Body by signing the Instrument of Authorisation and trust that the City of Melville will use traffic signs and devices for works on roads in a safe and appropriate manner as per the Main Roads' Traffic Management for Works on Roads Code of Practice.

If you require any further information please contact Kamal Weeratunga on (08) 9323 4604. In reply please quote file reference 04/1706-02.

Yours faithfully


Kamal Weeratunga
ROAD SAFETY ENGINEER

Enc - Instrument of Authorisation executed by the Commissioner of Main Roads

Don Atkinson Centre, Waterloo Crescent, East Perth or PO Box 6292 EAST PERTH Western Australia 6892
Telephone: (08) 9323 4111 Facsimile: (08) 9323 4182 TTY: (08) 9426 2230
Email: dec@mainroads.wa.gov.au Website: www.mainroads.wa.gov.au
X:\RSE\Letter\Letter Out_2004\RSE_118_CelMelv.doc

**WESTERN AUSTRALIA
ROAD TRAFFIC CODE 2000
REGULATION 297(2)
INSTRUMENT OF AUTHORISATION**

Pursuant to Regulation 297(2) of the Road Traffic Code 2000 the Commissioner of Main Roads ("the Commissioner") hereby authorises City of Melville ("Authorised Body") by itself, its employees, consultants, agents and contractors (together "Representatives") to, from the date indicated below, erect, establish, display, alter or take down such traffic signs and traffic control devices of whatsoever type or class (except for permanent traffic control signals) as may be required for the purpose and duration of any works, survey or inspection, associated with the construction, maintenance or repair on a road (other than a main road or highway), any adjoining land or any portion thereof within its jurisdiction, SUBJECT ALWAYS to the following terms and conditions:

- (a) the Authorised Body shall at all times observe, perform and comply with the provisions of the "Traffic Management for Works on Roads Code of Practice" (as amended or replaced from time to time in consultation with the Traffic Management for Roadworks Advisory Group) issued by Main Roads Western Australia ("the Code") referring to the version which is current at the time of the relevant works, a copy of which can be obtained from Main Roads Western Australia from www.mainroads.wa.gov.au or by contacting Main Roads by phone;
- (b) the Authorised Body shall develop and implement procedures that will satisfy the Commissioner that traffic management implemented by the Authorised Body, its employees, agents and contractors will in all respects conform to and comply with the requirements of the Code; and
- (c) the Authorised Body shall ensure that its Representatives comply with the terms and conditions identified above at paragraphs (a) and (b) as if they were named in those paragraphs in place of the Authorised Body.

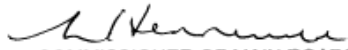
By executing and returning the acknowledgment at the foot of this authorisation, the Authorised Body agrees to observe, perform and comply with the above terms and conditions.

This Instrument of Authorisation replaces any prior Instrument of Authorisation under Regulation 297(2) of the Road Traffic Code 2000 between the Commissioner and the Authorised Body. The Commissioner's delegation dated 17 July 1975 to a number of Local Governments outside the Perth metropolitan area, is not affected by this Instrument of Authorisation except that this Instrument of Authorisation prevails wherever roadworks are concerned. That 1975 delegation was made under Regulation 301 of the Road Traffic Code 1975 and related to non-regulatory signage.

File No. 04/1706
Document No. DOH# 23142
Date Due NA
Action Officer NA

Dated: 24/9/04

THE COMMON SEAL OF THE
COMMISSIONER OF MAIN ROADS
WAS AFFIXED BY



COMMISSIONER OF MAIN ROADS
FOR THE TIME BEING IN THE PRESENCE OF:



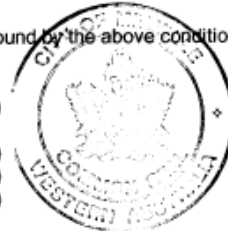

Signature of Witness

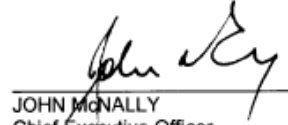

Name of Witness

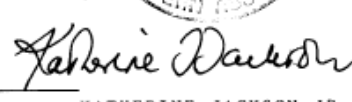
ACKNOWLEDGMENT BY AUTHORISED BODY

City of Melville agrees to observe, perform and be bound by the above conditions.

THE COMMON SEAL OF THE
CITY OF MELVILLE
WAS AFFIXED PURSUANT TO A RESOLUTION
OF THE COUNCIL IN THE PRESENCE OF




JOHN McNALLY
Chief Executive Officer


KATHERINE JACKSON JP
MAYOR


Witness

EXERCISE OF THIS AUTHORISATION WITHIN THE CITY OF MELVILLE

The powers delegated in this Instrument of Authorisation dated 24 September 2004 may only be exercised by the Chief Executive Officer and the officers from time to time holding the following positions:

- Director Environment and Infrastructure
- Manager Engineering

5.3.3 Traffic Management Signs – Events on Roads



Government of
Western
Australia

Enquiries: John Moore on 9323 4604
Our Ref: 06/7845 (D07#11342)
Your Ref: 1596009



mainroads
WESTERN AUSTRALIA

ABN: 50 860 675 021

10 April 2007

Mr R Willis
Director Technical and Development Services
City of Melville
Locked Bag 1
BOORAGOON WA 6964

Dear Sir

AUTHORITY TO USE TRAFFIC SIGNS AND DEVICES AT EVENTS INSTRUMENT OF AUTHORISATION

I refer to your letter of 19 January 2007 regarding the above.

Please find enclosed an Instrument of Authorisation executed by the Commissioner of Main Roads, for your retention. This Instrument of Authorisation enables the City of Melville and its Representatives to use traffic signs and devices on roads within its jurisdiction for the purposes of managing traffic for events, subject to the conditions attached to the Instrument of Authorisation, without further approval from Main Roads. The City of Melville will be added to the list of Authorised Bodies on Main Roads' website at www.mainroads.wa.gov.au (go to 'Traffic' > 'Events').

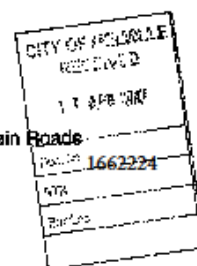
I thank you for taking the opportunity to become an Authorised Body relating to traffic management for events by signing the Instrument of Authorisation and trust that the City of Melville will use traffic signs and devices in a safe and appropriate manner as per Main Roads' Traffic Management for Events Code of Practice.

If you require any further information please contact me on 9323 4604. In reply please quote file reference 06/7845.

Yours faithfully

J A Moore
ROAD SAFETY OFFICER

Enc – Instrument of Authorisation executed by the Commissioner of Main Roads



Don Aiken Centre, Waterloo Crescent, East Perth or PO Box 6202 EAST PERTH Western Australia 6862
Telephone: (08) 9323 4111 Facsimile: (08) 9323 4174 TTY: (08) 9428 2290
Email: roadinfo@mainroads.wa.gov.au Website: www.mainroads.wa.gov.au
C:\Documents and Settings\1373\Local Settings\Application Data\POWER Government\All\TEMP\CONTEXT 4682\WVVL83.DOC

**WESTERN AUSTRALIA
ROAD TRAFFIC CODE 2000
REGULATION 297(2)
INSTRUMENT OF AUTHORISATION**

**RELATING TO
TRAFFIC MANAGEMENT FOR EVENTS**

Pursuant to Regulation 297(2) of the *Road Traffic Code 2000* the Commissioner of Main Roads ("the Commissioner") hereby authorises City of Melville..... (Authorised Body") by itself, its employees, consultants, agents and contractors (together "Representatives") to, from the date indicated below, erect, establish, display, alter or take down such road signs of whatsoever type or class (except for permanent traffic control signals) as may be required for the purpose and duration of any:

- i) "event" subject to an order from the Commissioner of Police pursuant to Part VA of the *Road Traffic Act 1974*;
- ii) race meeting or speed test for which the Minister referred to in section 83 of the *Road Traffic Act 1974* has, under that provision, temporarily suspended the operation of any provisions of the *Road Traffic Act 1974* or regulations made under that Act; or
- iii) public meeting or procession the subject of a permit granted by the Commissioner of Police under the *Public Order in Streets Act 1984*;

or as may be required for the purpose of controlling traffic on a road adjacent to, or in the vicinity of, any event or organised activity approved by the Authorised Body under its local laws, on a road (other than a main road or highway) within its jurisdiction, SUBJECT ALWAYS to the following terms and conditions:

- (a) the Authorised Body shall at all times observe, perform and comply with the provisions of the "Traffic Management for Events Code of Practice" (as amended or replaced from time to time in consultation with the Traffic Management for Events Advisory Group) issued by Main Roads Western Australia ("the Code") referring to the version which is current at the time of the event, a copy of which can be obtained from Main Roads Western Australia from www.mainroads.wa.gov.au or by contacting Main Roads by phone;
- (b) the Authorised Body shall develop and implement procedures that will satisfy the Commissioner that traffic management implemented by the Authorised Body, its employees, agents and contractors will in all respects conform to and comply with the requirements of the Code; and
- (c) the Authorised Body shall ensure that its Representatives comply with the terms and conditions identified above at paragraphs (a) and (b) as if they were named in those paragraphs in place of the Authorised Body.

By executing and returning the acknowledgment at the foot of this authorisation, the Authorised Body agrees to observe, perform and comply with the above terms and conditions.

The powers in this Instrument of Authorisation do not change or replace:

- 1) any prior Instrument of Authorisation from the Commissioner of Main Roads for the purposes of undertaking traffic management for works on roads; and
- 2) any powers and responsibilities of a local government provided in regulation 9 of the *Road Traffic (Events on Roads) Regulations 1991*.

Part 5 Statutory Delegations and Authorisations from External Agencies

Dated: 27 MAR 2007

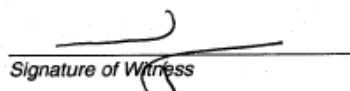
THE COMMON SEAL OF THE
COMMISSIONER OF MAIN ROADS

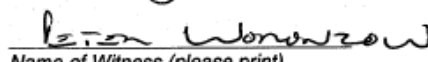
WAS AFFIXED BY


COMMISSIONER OF MAIN ROADS

FOR THE TIME BEING IN THE
PRESENCE OF:




Signature of Witness


Name of Witness (please print)

ACKNOWLEDGMENT BY AUTHORISED BODY

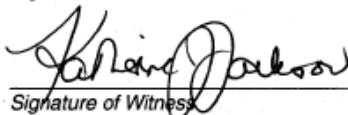
City of Melville agrees to unconditionally observe,
perform and be bound by the above conditions.

THE COMMON SEAL of

City of Melville
[Insert name of Local Government]

Was hereunto affixed pursuant to a
resolution of the Council in the
presence of:


Signature of Chief Executive Officer


Signature of Witness



KATHERINE J JACKSON
Name of Witness (please print)

Page 2 of 2

EXERCISE OF THIS AUTHORISATION WITHIN THE CITY OF MELVILLE

The powers delegated in this Instrument of Authorisation dated 27 March 2007 may only be exercised by the Chief Executive Officer and the officers from time to time holding the following positions:

- Director Environment and Infrastructure
- Manager Engineering

5.3.4 Removal of Unattended Animals and Unattended Vehicles from the Main Roads Network

WESTERN AUSTRALIA Main Roads Act 1930 INSTRUMENT OF AUTHORISATION

As the Commissioner of Main Roads ("Main Roads") I hereby authorise the City of Melville (the "City of Melville") by itself, its employees, consultants, agents and contractors to, from the date indicated below, remove any Unattended Vehicles or Unattended Animals from the State Road Network, and store and dispose of those vehicles and animals (when unclaimed), SUBJECT ALWAYS to the following terms and conditions:

- (a) In this Instrument of Authorisation:
 - (i) "Control of Access Highway" means any main road or highway within the district of the City of Melville which has been proclaimed as being subject to control of access under section 28A of the *Main Roads Act 1930*;
 - (ii) "State Road Network" means any road or portion of road proclaimed as either a main road or highway under the *Main Roads Act 1930* within the district of the City of Melville and including any Control of Access Highway and all adjoining road reserves which are under the care, control and management of Main Roads;
 - (iii) "Unattended Animal" means any live animal which is unattended on the State Road Network;
 - (iv) "TNC7" means Main Roads's Term Network contractor [Currently CSR Emoleum: Contact through our Customer Contact Centre on 138 138]
 - (v) "Unattended Vehicle" means a vehicle which is left unattended on the State Road Network and:
 - I) the presence of which has been reported to the Police; or
 - II) which any officer of Main Roads, the City of Melville or TNC7 reasonably considers to have been abandoned;
- (b) Subject to the terms of this Instrument (including the attached documents entitled "Annexure 'A'"), the City of Melville shall respond within a reasonable time to remove and store any Unattended Vehicles or Unattended Animals from the State Road Network whenever notified by either Main Roads, TNC7 or the Police as if the State Road Network was part of the road networks for which the City of Melville is responsible.
- (c) Main Roads shall provide assistance to the City of Melville for the management of traffic associated with the removal of any Unattended Vehicle or Unattended Animal from the State Road Network wherever requested by the City of Melville
- (d) In cases where the Police are not present, or alternatively the Police present are not in a position to manage traffic, the City of Melville shall contact TNC7 prior to attempting to remove any Unattended Vehicles or Unattended Animals from the land within the boundaries of any Control of Access Highway;
- (e) Nothing in this instrument shall be construed as requiring the City of Melville to monitor the State Road Network for the presence of Unattended Vehicles or Unattended Animals.
- (f) In the course of exercising its authority under this Instrument, the City of Melville shall comply with its own policies, procedures and practices for the removal, storage and disposal of any Unattended Vehicle or Unattended Animal and ensure that those policies, procedures and practices:
 - (i) comply with all applicable laws;
 - (ii) require the recording of the identifying features, serial numbers, name tags, animal implanted microchips and number plates (as applicable) of any relevant vehicle or animal prior to disposal including taking photographs of each animal or vehicle; and
 - (iii) require for the City of Melville to liaise with the Western Australia Police Service prior to removing or disposing of any relevant vehicle;
- (g) The City of Melville may claim reimbursement from Main Roads on an annual basis for the difference between:
 - (i) the reasonable collection storage and disposal costs incurred by the City of Melville in respect of;
 - and

MAIN ROADS Western Australia

Part 5 Statutory Delegations and Authorisations from External Agencies

- (ii) any proceeds from the sale by the City of Melville of;
any Unattended Vehicles and Unattended Animals removed from the State Road Network by the
City of Melville in accordance with this Instrument.
- (h) Main Roads shall reimburse the City of Melville for a claim under paragraph "g" of this instrument within 30 days of the receipt of an invoice from the City of Melville for that claim together with suitable substantiating documentation showing the basis of the amount claimed. When the City of Melville is claiming reimbursement for the first time under paragraph "g" of this Instrument, Main Roads is required to reimburse within 45 days of the notice. The City of Melville shall comply with Main Roads's reasonable request for information regarding the subject matter of a claim under paragraph "g".
- (i) There is no requirement for the City of Melville to reimburse Main Roads for any surplus amount after offsetting their annual costs.
- (j) The right of reimbursement in paragraphs "g" and "h" of this Instrument only applies for claims for reimbursement made by the City of Melville within 3 months of the end of the calendar year to which the subject matter of the claims relate.
- (k) Either party may terminate the arrangements under this Instrument by 14 days notice in writing to the other party. Any obligations accrued under paragraphs "g", "h" and "j" survives the termination of this Instrument.
- (l) Any variation to the instrument must be agreed in writing by both parties.

By executing this Instrument both the Commissioner of Main Roads and the City of Melville respectively agree to observe, perform and comply with their respective obligations as set out in this Instrument.

Dated:

THE COMMON SEAL OF THE)
COMMISSIONER OF MAIN ROADS)
WAS AFFIXED BY)
)
COMMISSIONER OF MAIN ROADS)
FOR THE TIME BEING IN THE PRESENCE OF:

Signature of Witness

Name of Witness (please print)

THE COMMON SEAL of the)
City of Melville was affixed pursuant)
to a resolution of the Council)
in the presence of:)

Chief Executive Officer

Witness

Annexure “A”

Arrangements for the City of Melville Unattended Animals & Unattended Vehicles on State Road Network

Authority for Removal

Authority for the removal of unattended animals and unattended vehicles is contained within the Instrument of Authorisation.

Removal of Unattended Animals from Main Roads network:

Ordinary Main Roads & Highways

During ranger /pound hours – City to remove from network and admit animal/s to City pound and follow procedures that would be applied for animals on a local road.

Outside of ranger/pound hours – Main Roads may arrange for removal of animal/s where circumstances warrant the urgent removal of an animal from Main Roads network, and liaise to have the animal admitted to the pound during operating hours.

Main Roads Term Network Contractor (who is currently CSR Emoleum Roads Services can be contacted through our Customer Contact Centre on 138 138) may be contacted in any circumstances in which the City requires assistance for traffic management.

Control of Access Highways (including Freeways)

During ranger /pound hours – City to remove from network and admit animal/s to City pound, and follow procedures that would be applied for animals on a local road.

Outside of ranger/pound hours – Main Roads may arrange for removal of animal/s where circumstances warrant the urgent removal of an animal from Main Roads network, and liaise to have the animal admitted to the pound during operating hours.

Main Roads Term Network Contractor (who is currently CSR Emoleum Road Services can be contacted through our Customer Contact Centre on 138 138) may be contacted in any circumstances in which the City requires assistance for traffic management.

It is essential that Main Roads Term Network Contractor be contacted prior to access onto a control of access road where the Police are not in attendance or where the activities of any police in attendance prevents them from satisfactorily undertaking traffic management.

Removal of unattended vehicles from Main Roads network:

Timing of removal of unattended vehicles to be governed by requirements of local laws unless the unattended vehicle in question pose an urgent hazard to safety or the free movement of traffic. Queries on Day to Day operational issues with regard to this, can be made to the Traffic Operational Centre on 9 428 2222.

It is essential that Main Roads Term Network Contractor be contacted prior to access onto a control of access road where the Police are not in attendance or where the activities of any police in attendance prevents them from satisfactorily undertaking traffic management.



C07/5000 – COMMON SEAL REGISTER (REC)

Section 70A Notification	Chui Heng Yip	21 Tweeddale Road, Applecross	1594548
Deed of Licence	Minister for Education	Shared Use of Facilities for Melville Primary School	1479409
Instrument of Authorisation	Main Roads WA	West Australian Road Traffic Code Regulation 297(2) Instrument of Authorisation relation to Traffic Management for events.	1596009
Section 70A Notification		Lots 137-139 Brentwood	
Withdrawal of Caveat	Starworld Holdings Pty Ltd	26 Kintail Road and 13 Tweeddale Road, Applecross	1604106
Instrument of Authorisation	Main Roads WA	Removal of unattended animals and unattended vehicles from the Main Roads Network	1593887

EXERCISE OF THIS AUTHORISATION WITHIN THE CITY OF MELVILLE

The powers delegated in this Instrument of Authorisation may only be exercised by the Chief Executive Officer and the officers from time to time holding the following positions:

- [Service Lead – Community Safety Investigations](#)
- Senior Ranger
- Rangers

Division 4 – Road Traffic (Vehicles) Act 2012

5.4.1 Approval under Regulation 327(4) for Certain Local Government Vehicles as Special Use Vehicles



Government of Western Australia
Department of Transport
Driver and Vehicle Services

ROAD TRAFFIC (VEHICLES) ACT 2012

Road Traffic (Vehicles) Regulations 2014

RTVR-2017-202046

APPROVAL UNDER REGULATION 327(4)(f) FOR CERTAIN LOCAL GOVERNMENT VEHICLES AS SPECIAL USE VEHICLES

Pursuant to the *Road Traffic (Vehicles) Regulations 2014* (the *Regulations*), I, Christopher Davers, Assistant Director Strategy and Policy, Driver and Vehicle Services, Department of Transport, and delegate of the Chief Executive Officer of the Department of Transport by way of a delegation instrument dated 7 August 2017, hereby approve vehicles owned by a local government and ordinarily used by persons authorised or appointed by that local government to perform functions on its behalf under:

- (a) the *Local Government Act 1995*;
- (b) regulations made under the *Local Government Act 1995*;
- (c) a local law;
- (d) any other legislation empowering a local government to authorise or appoint persons to perform functions on the behalf of the local government (including but not limited to the *Dog Act 1976*); or
- (e) any combination of the above paragraphs (a) to (d);

as special use vehicles for the purposes of paragraph "f" of the definition of "special use vehicle" in regulation 327(4) of the *Regulations*, with the effect that those vehicles may be fitted with one or more yellow flashing lights under regulation 327(3)(b) of the *Regulations*, subject to the following conditions:

CONDITIONS

1. Those lights must emit rotating, flashing yellow coloured light(s) and must not be a strobe light.
2. At least one flashing light shall be mounted on top of the vehicle and when lit, shall be visible in normal daylight up to a distance of not less than 200 metres to vehicles approaching from any direction.
3. No part of the lens of the flashing lights is visible either directly or indirectly to the driver when seated in the normal driving position.
4. If more than one flashing light is fitted, they must be placed symmetrically about the centre line of the vehicle or combination of vehicles.
5. An on/off switch for the flashing lights must be installed so as to be easily operated from the driver's seat.
6. Any additional equipment fitted to the vehicle must not interfere with the overall safe operation of the vehicle.
7. Any vehicle fitted with flashing lights for the purposes of this approval must:

Part 6 Guidance Notes



Government of Western Australia
Department of Transport
Driver and Vehicle Services

- (a) have words clearly set out on the sides of the vehicle which state the name of the local government in question together with the words "Ranger", "Ranger Services", or words to similar unambiguous effect; and
- (b) where the vehicle is a station wagon or van, have the words "Ranger", "Ranger Services", or words to similar unambiguous effect clearly set out on the back of the vehicle.

This condition 7 is not intended to prevent the use of additional words on the vehicle.

Christopher Davers
Assistant Director, Strategy and Policy
Driver and Vehicle Services
Department of Transport

Dated the 5th day of September 2017

5.4.2 Approval Under Regulation 289(1)(a)(ii) to Display Flashing Warning Lights on Ranger Vehicles



Government of Western Australia
Department of Transport
Driver and Vehicle Services

ROAD TRAFFIC ACT 1974

Road Traffic Code 2000

RTC-2017-202046.2

APPROVAL UNDER REGULATION 289(1)(a)(ii) TO DISPLAY YELLOW FLASHING WARNING LIGHTS ON RANGER VEHICLES

Pursuant to regulation 289(1)(a)(ii) of the *Road Traffic Code 2000* (the Code), I, Christopher Davers, Assistant Director Strategy and Policy, Driver and Vehicle Services, Department of Transport, and delegate of the Chief Executive Officer of the Department of Transport by way of a delegation instrument dated 7 August 2017, hereby approve vehicles ("Approved Vehicles"), owned by a local government while used by a person authorised or appointed by that local government ("Authorised Person") to perform functions on the behalf of the local government under:

- (a) the *Local Government Act 1995*;
- (b) regulations made under the *Local Government Act 1995*;
- (c) a local law;
- (d) any other legislation empowering a local government to authorise or appoint persons to perform functions on the behalf of the local government (including but not limited to the *Dog Act 1976*); or
- (e) any combination of the above paragraphs (a) to (d);

in the course of carrying out their duties, to use yellow flashing warning lights subject to the following conditions:

CONDITIONS

1. The yellow flashing warning lights may only be used when the Authorised Person is using the vehicle in the course of carrying out their duties.
2. The yellow flashing warning lights may only be used while the vehicle is occupying a hazardous position on a road, while stationary, or while manoeuvring at a speed not exceeding 20 km/h.
3. Approved Vehicles must only use yellow flashing warning lights and no other colours of flashing warning lights.
4. The yellow flashing warning lights must be removed or covered when an Approved Vehicle is not being operated in accordance with the conditions of this approval.
5. This approval only applies to a vehicle if it:
 - (a) has words clearly set out on the sides of the vehicle which state the name of the local government in question together with the words "Ranger", "Ranger Services", or words to similar unambiguous effect; and

Part 6 Guidance Notes



Government of Western Australia
Department of Transport
Driver and Vehicle Services

- (b) where the vehicle is a station wagon or van, has the words "Ranger", "Ranger Services", or words to similar unambiguous effect clearly set out on the back of the vehicle.

This condition 5 is not intended to prevent the use of additional words on the vehicle.

Christopher Davers
Assistant Director, Strategy and Policy
Driver and Vehicle Services
Department of Transport

Dated the 5th day of September 2017

Part 6 - Guidance Notes for the Granting and Exercise of Delegations of Authority

In managing delegations and sub-delegations the following principles apply:

- (a) A statutory power, duty or function may only be delegated if the relevant legislation provides for its delegation and may only be delegated by the person or body on whom it is conferred or imposed by the legislation. Delegated powers may only be sub-delegated if the legislation provides for sub-delegation.
- (b) Where an Act provides for a power of delegation, that power may only be exercised in relation to powers and duties provided for in that Act, unless otherwise specified in the provision.
- (c) Delegations cannot authorise anything to be done that could not be done by the person or body delegating the function.
- (d) Prior to making a delegation, consideration should be given to whether the power, duty or function is already included in the statutory functions or duties of the CEO, or whether it could be effectively undertaken by authorisation or by acting through, particularly where decision-making discretion is limited by rules or statutory requirements.
- (e) All delegations and sub-delegations must be made in writing and in accordance with the relevant legislation (including Acts, Regulations, Local Laws).
- (f) Delegations are to be worded so that they are exercisable by the holder of a position (or by a class of persons or positions), including anyone acting in that role, not by a specified individual. Delegations may be made to certain committees.
- (g) A delegator may at any time, regardless of their delegation:
 - (i) Exercise the delegated function; or
 - (ii) Revoke or vary the delegation, in writing, in accordance with the relevant legislation
- (h) A delegate exercises a delegated function in their own right, in accordance with section 58 of the *Interpretation Act 1984* and is not expected to seek prior or retrospective approval for their decisions from the delegator or any other person or body.
- (i) The exercise of delegations and sub-delegations must be consistent with any conditions or limitations set by the delegator, including qualifications and exceptions, and with relevant City policies, procedures and work instructions.
- (j) A delegation authorising the expenditure of City funds is to be limited to authorising expenditure within the budget approved by the Council. A delegate who incurs expenditure beyond that listed in the budget or without an approved source of funds may be liable for that expenditure.
- (k) Sub-delegations should reflect the City's organisational structure, responsibility and accountability.

Part 6 Guidance Notes

- (l) Sub-delegation should only be made to roles that will regularly be expected to make that decision and that are occupied by personnel who are qualified to make that decision. Unless the function requires the significant exercise of discretion in non-standard circumstances, acting through is preferred to sub-delegation.
- (m) All conflicts of interest must be declared by delegates and sub-delegates in accordance with the Local Government Act and the “Local Government Operational Guidelines – Disclosure of Interests Affecting Impartiality” published by the Department of Local Government, Sport and Cultural Industries and managed in accordance with the document “Conflicts of Interest – Guidelines for the WA Public Sector” published by the WA Integrity Coordinating Group.

Revision History (Major Changes/Amendments)

Title	Amendments
DA-006	Ordinary Meeting of Council – 16 June 2020 – M20/5749 Amended title to clarify function.
DA-007	Ordinary Meeting of Council – 16 June 2020 – M20/5749 Amended to incorporate delegations previously recorded in DA009, DA011 and DA-087. XX – DATE OF CEO ADOPTION OF REVIEW (2025) Sub-delegation to CEO amended to clarify conditions of delegation/sub-delegation apply to renewals and lease extensions.
DA-008	Ordinary Meeting of Council – 15 June 2021 – M21/5842 Amended sub-delegation thresholds for Manager Financial Services and Manager City Buildings. 8 August 2023 Amended sub-delegation to extend to Director Community Development.
DA-015	Ordinary Meeting of Council – 16 June 2020 – M20/5749 Amend to clarify circumstances when delegation exercised. Ordinary Meeting of Council – 18 June 2024 – C24/157 Amended sub-delegation to extend to Manager Environmental Health and Compliance.
DA-016	Ordinary Meeting of Council – 16 June 2020 – M20/5749 Amended to align with legislative provisions, add policy and legislative references. 24 June 2020 Updated sub-delegate position titles, add sub-delegation for purposes of Parking Local Law to Manager Engineering, and sub-delegation for purposes of Thoroughfares Local Law to Manager Cultural Services; revoke sub-delegation to Manager Natural Areas and Parks in relation to Street Numbering Local Law. 22 August 2024 Amended sub-delegation for the Thoroughfares, Fencing and Street Numbering local laws in accordance with re-structure in Planning directorate. 3 September 2024 Amended sub-delegation for Activities in Thoroughfares, Public Places and Trading and Health Local Laws to extend to Senior Environmental Health Officer. XX – DATE OF CEO ADOPTION OF REVIEW (2025) Amended sub-delegation for the Street Numbering, Health, Fencing and Thoroughfares local law in accordance with operational responsibilities in the Planning directorate.

	Amended sub-delegation for the Parking Local Law so Manager Healthy Melville and Healthy Melville Coordinator (Recreation Development) can exercise the powers of the local government under clauses 5.4 and 5.8(b).
DA-024	Nil
DA-026	Nil
DA-027	Ordinary Meeting of Council – 16 June 2020 – M20/5749 Amended to remove reference to expressions of interest (covered in DA-030) and unnecessary reference to 'capital projects'.
DA-028	Ordinary Meeting of Council – 16 June 2020 – M20/5749 Simplified description. 22 August 2024 Addition of Research and Liaison Advisor, which is a new position. XX – DATE OF CEO ADOPTION OF REVIEW (2025) Addition of Executive Manager and Chiefs and Heads reporting to a director to list of sub-delegates.
DA-030	Nil
DA-031	Ordinary Meeting of Council – 15 June 2021 – M21/5842 Amended title to clarify function. 22 August 2024 Addition of Research and Liaison Advisor, which is a new position. XX – DATE OF CEO ADOPTION OF REVIEW (2025) Addition of Executive Manager and Chiefs and Heads reporting to a director, and addition of all Directors, to list of sub-delegates.
DA-032	Ordinary Meeting of Council – 16 June 2020 – M20/5749 Amended conditions to differentiate from waivers and concessions granted under the Community Partnership Fund under DA-115. XX – DATE OF CEO ADOPTION OF REVIEW (2025) Amended sub-delegation to extend to Manager Healthy Melville and Revenue Coordinator to allow these positions to offer concessions as a customer service measure.
DA-033	Ordinary Meeting of Council – 20 June 2023 – C23/25 Manager Organisational Development removed as position no longer exists. 17 September 2024 Amended sub-delegation to extend to Director Environment and Infrastructure.
DA-035	Nil 17 September 2024 Position IDs added to Senior Accountant (Management) and Management Accountant as only select position IDs exercise this power.
DA-038	Nil
DA-044	Ordinary Meeting of Council – 16 June 2020 – M20/5749 Amended to insert a requirement to consult with Mayor before referring a dispute and to prohibit sub-delegation.

DA-046	Ordinary Meeting of Council – 16 June 2020 – M20/5749 Amended to consolidate delegated powers under sections 3.25 and 3.26 by incorporating powers previously recorded in DA-047 and DA-048. XX – DATE OF CEO ADOPTION OF REVIEW (2025) Revoked from delegation manual – Section 3.24 of the Local Government Act 1995 requires this to be an authorisation and not a delegation.
DA-049	XX – DATE OF CEO ADOPTION OF REVIEW (2025) Revoked from delegation manual – Section 3.24 of the Local Government Act 1995 requires this to be an authorisation and not a delegation.
DA-050	Ordinary Meeting of Council – 16 June 2020 – M20/5749 Added power to enter in an emergency under section 3.34. XX – DATE OF CEO ADOPTION OF REVIEW (2025) Amended sub-delegation to extend to Manager Health and Compliance, Coordinator Compliance Services and Coordinator Environmental Health. Update to delegation title, description and statutory powers / duty delegated.
DA-051	Nil
DA-053	Ordinary Meeting of Council – 16 June 2020 – M20/5749 Amended to remove redundant reference to authorising officers. 24 June 2020 Amended to restrict sub-delegates to coordinator/manager level and above. XX – DATE OF CEO ADOPTION OF REVIEW (2025) Update to delegation title and description. Addition of Service Lead – Community Safety Investigations to sub-delegates.
DA-054	Ordinary Meeting of Council – 16 June 2020 – M20/5749 Amended to delegate power under section 3.46. 24 June 2020 Amended to restrict sub-delegates to coordinator/manager level and above. XX – DATE OF CEO ADOPTION OF REVIEW (2025) Amended title to clarify function. Removed any reference to arranging to humanely dispose of an animal, as this is covered by new delegation DA-130. Extended sub-delegation to extend to Manager Health and Compliance, Coordinator Compliance Services and Coordinator Environmental Health.
DA-130	XX – DATE OF COUNCIL MEETING WHERE DELEGATIONS CONSIDERED BY COUNCIL Delegation created. Initial sub-delegates are the Director Community Development, Head of Community Safety and Service Lead – Community Safety Investigations.
DA-062	Ordinary Meeting of Council – 16 June 2020 – M20/5749 Amended to restrict to notices and permissions under the <i>Local Government (Uniform Local Provisions) Regulations</i>.

	24 June 2020 Approved sub-delegations. XX – DATE OF CEO ADOPTION OF REVIEW (2025) Amended sub-delegation to extend to Manager Development Approvals, Principal Building Surveyor and Senior Building Surveyor, who issue Materials of Verges permits under these regulations. Also added Manager Health and Compliance, Coordinator Compliance Services and Senior Development Compliance Officer to enable compliance activities.
DA-063	Nil
DA-074	Nil
DA-075	Nil
DA-076	Nil
DA-077	Ordinary Meeting of Council – 16 June 2020 – M20/5749 Amended to remove reference to lodging caveats which is covered in DA-076.
DA-079	Nil
DA-081	Nil
DA-083	Nil
DA-085	Ordinary Meeting of Council – 16 June 2020 – M20/5749 Amended title and description to align with the power as described in the Parking Local Law. Ordinary Meeting of Council – 18 June 2024 – C24/157 Amended delegation to read Parking Local Law 2023, not Parking Local Law 2016 in line with adoption of new Parking Local Law 2023.
DA-088	Ordinary Meeting of Council – 20 June 2023 – C23/25 \$10,000 limit added to delegates and sub-delegates.
DA-115	Ordinary Meeting of Council – 16 June 2020 – M20/5749 Amended to clarify statutory power being delegated. XX – DATE OF CEO ADOPTION OF REVIEW (2025) Sub-delegates updated to revoke Manager Customer and Community Participation and replace with Manager Healthy Melville.
DA-129	Nil
DA-131	XX – DATE OF COUNCIL MEETING WHERE DELEGATIONS CONSIDERED BY COUNCIL Delegation created.
DA-098	Ordinary Meeting of Council – 16 June 2020 – M20/5749 Amended to incorporate delegation of appointment of approved and authorised officers under regulation 70 of the <i>Building Regulations 2012</i>, previously recorded in DA-123.
DA-103	Ordinary Meeting of Council – 16 June 2020 – M20/5749 Amended to include authority under section 129 to provide copies of documents on register. Ordinary Meeting of Council – 19 March 2024 – UP24/35 Inclusion of new condition. XX – DATE OF CEO ADOPTION OF REVIEW (2025) Amended sub-delegation to extend to Coordinator Compliance Services and Senior Development Compliance Officer, and Principal

	Building Surveyor in accordance with operational responsibilities. Also added Manager Development Approvals.
DA-105	Ordinary Meeting of Council – 16 June 2020 – M20/5749 Amended to remove redundant matters and provide for authorising a person to commence prosecution in accordance with s 133. 24 June 2020 Approved sub-delegation to Building Compliance Officer. Ordinary Meeting of Council – 18 June 2024 – C24/157 Amended sub-delegation to extend to Building Compliance Coordinator and Building Services Coordinator. 22 August 2024 Amended sub-delegation to include Coordinator Compliance Services and Senior Building Surveyor – Compliance in accordance with re-structure in Planning directorate. Also revoked delegation to Building Compliance Officer. 3 September 2024 Amended sub-delegation to include Senior Building Surveyor. XX – DATE OF CEO ADOPTION OF REVIEW (2025) Sub-delegation to Director Corporate Services revoked. Also extended sub-delegation to Manager Development Approvals.
DA-126	Ordinary Meeting of Council – 16 June 2020 – M20/5749 Amended to incorporate delegations formerly recorded in DA-089, DA-090, DA-091, DA-092, DA-097, DA-104, add delegation of power to seek further information under section 18. XX – DATE OF CEO ADOPTION OF REVIEW (2025) Sub-delegation to Manager Environmental Health and Compliance revoked as position is not involved in the issuing of building and demolition permits. Manager Development Approvals added as manager responsible for the team issuing building and demolition permits.
DA-127	Ordinary Meeting of Council – 16 June 2020 – M20/5749 Amended to incorporate delegations formerly recorded in DA-093, DA-094, DA-095, DA-096. Ordinary Meeting of Council – 18 June 2024 – C24/157 Amended sub-delegation to extend to Manager Statutory Planning and Building. XX – DATE OF CEO ADOPTION OF REVIEW (2025) Sub-delegation to Manager Environmental Health and Compliance revoked as position is not involved in the issuing of occupancy and building approval certificates.
DA-128	Ordinary Meeting of Council – 16 June 2020 – M20/5749 Amended to incorporate delegations recorded in instruments DA-097, DA-099, DA-100, DA-101, DA-102. Ordinary Meeting of Council – 18 June 2024 – C24/157 Amended sub-delegation to extend to Building Compliance Coordinator

	and Manager Statutory Planning and Building. 22 August 2024 Amended sub-delegation to include Coordinator Compliance Services and Senior Building Surveyor – Compliance in accordance with re-structure in Planning directorate.
DA-022	Ordinary Meeting of Council – 16 June 2020 – M20/5749 Amended to remove delegation from CEO and grant it to the Chief and Deputy Chief Bush Fire Control Officers in accordance with section 59(3).
DA-023	Nil
DA-125	XX – DATE OF CEO ADOPTION OF REVIEW (2025) Addition of Service Lead – Community Safety Investigations to sub-delegates
DA-122	XX – DATE OF CEO ADOPTION OF REVIEW (2025) Addition of Service Lead – Community Safety Investigations to sub-delegates
DA-073	Ordinary Meeting of Council – 16 June 2020 – M20/5749 Amended to extend delegation to Manager Building and Environmental Health Services, Coordinator Environmental Health and Senior Environmental Health Officer. XX – DATE OF CEO ADOPTION OF REVIEW (2025) Statutory power to sub delegate updated to note no sub-delegation power is provided for in the Food Act 2008
DA-121	Ordinary Meeting of Council – 16 June 2020 – M20/5749 Amended to cover all Part 3 powers and duties of local government.
DA-123	Ordinary Meeting of Council – 16 June 2020 – M20/5749 Amended to remove delegation under regulation 70 of the <i>Building Regulations 2012</i> (transferred to DA-098).
DA-020	Ordinary Meeting of Council – 10 December 2019 – M19/5723 Amended with respect to RAR submitted to JDAP. Ordinary Meeting of Council – 16 June 2020 – M20/5749 Amended to align description to WAPC delegation and to relevant legislative provisions. 24 June 2020 Amended sub-delegation matrix to remove redundant entries. Ordinary Meeting of Council – 18 June 2024 – C24/157 Amended sub-delegation matrix to reflect changes to the decision-making pathway for single house developments, and to add a new line in regards to liquor licensing and gaming compliance. XX – DATE OF CEO ADOPTION OF REVIEW (2025) New WAPC2025/04 in effect from 1 May 2025 added, therefore conditions on delegations updated to revoke point 4 (Call up by Council) as no longer able to be implemented. Compliance links also updated to reflect these changes and removed some delegations resolved by the WAPC to be revoked. Sub-delegation matrix updated.

DA-061	Ordinary Meeting of Council – 16 June 2020 – M20/5749 Amended to remove non-delegable powers. Ordinary Meeting of Council – 18 June 2024 – C24/157 Amended sub-delegation to extend to Manager Environmental Health and Compliance. 3 September 2024 Amended sub-delegation to extent to Senior Statutory Planner. XX – DATE OF CEO ADOPTION OF REVIEW (2025) Revoked sub-delegation to Senior Statutory Planner. Granted sub-delegation Coordinator Compliance Services, Senior Development Compliance Officer and Principal Statutory Planner.
DA-124	Ordinary Meeting of Council – 16 June 2020 – M20/5749 Record of delegation transferred from instrument DA-055 to DA-124.
DA-003C	Nil
DA-004C	19 June 2020 Delegates restricted to Director Corporate Services and Manager Financial Services. Function performed by acting through other staff.
DA-006C	19 June 2020 Amended to apply to all meetings to which deputations may be made.
DA-007C	19 June 2020 – Amended to limit delegates to manager level and above. XX – DATE OF CEO ADOPTION OF REVIEW (2025) Amended to include Regulations 29A and 29B and new delegate, Head of Governance.
DA-008C	24 March 2020 Added Director Technical Services. Ordinary Meeting of Council – 18 June 2024 – C24/157 Amended delegation to extend to Manager Statutory Planning and Building and Building Compliance Coordinator. 22 August 2024 Amended sub-delegation to include Coordinator Compliance Services in accordance with re-structure in Planning directorate. XX – DATE OF CEO ADOPTION OF REVIEW (2025) Revoked sub-delegation to Manager Development Approvals. Added delegation to Service Lead – Community Safety Investigations
~~DA-007C~~	~~19 June 2020 – Amended to limit delegates to manager level and above.~~
DA-009C	Nil XX – DATE OF CEO ADOPTION OF REVIEW (2025) Revoked sub-delegation to Head of Community Safety and Service Lead – Community Safety Investigations.
DA-010C	XX – DATE OF CEO ADOPTION OF REVIEW (2025) Delegation created. Initial sub-delegate is the Head of Governance.
CSA-Local-01	Ordinary Meeting of Council – 18 June 2024 – C24/157

	Director Corporate Services, Director Community Development, Director Planning, Manager City Buildings authorised to sign certain documents. Existing authorisation to Director Environment and Infrastructure amended to match other director authorisations. XX – DATE OF COUNCIL MEETING WHERE DELEGATIONS CONSIDERED BY COUNCIL Added financial limit for goods and services contracts not the subject of a tender process. Consolidated authorised officers into one bullet point for Directors. Updates to compliance references.
CSA-Health-01	Nil
CSA-Litter-01	XX – DATE OF COUNCIL MEETING WHERE DELEGATIONS CONSIDERED BY COUNCIL Added person(s) appointed – Service lead – Community Safety Investigations.

Revoked Delegations

(from June 2020)

Number	Title	Date of Revocation	Notes
DA-009	Negotiation of community/sporting leases and licences	16/06/2020	Incorporated into DA-007
DA-011	Assignment of commercial leases	16/06/2020	Incorporated into DA-007
DA-012	Authority to sign documents	16/06/2020	Replaced with authorisation under s.9.49A of Local Government Act
DA-036	Release of confidential information	19/07/2022	Not required – part of CEO function
DA-039	Boundary review consultation	16/06/2020	Not required – part of CEO function
DA-047	Additional powers when notice is given	16/06/2020	Incorporated into DA-046
DA-048	Recovery of costs in performing unactioned notice requirements	16/06/2020	Incorporated into DA-046
DA-052	Authorise persons for removal and impoundment of goods	16/06/2020	Covered under DA-055
DA-055	Appointment of authorised persons under Local Government Act	14/06/2021	Superseded by amendments to s.9.10 of Local Government Act
DA-065	Establishment of offensive trades premises	16/06/2020	The Act does not contain delegation powers. Replaced with the appointment of deputies under s.26 of the Health (Miscellaneous Provisions) Act
DA-067	Connection to sewer mains	16/06/2020	
DA-068	Prosecutions under the Health Act	16/06/2020	
DA-069	Health orders	16/06/2020	
DA-070	Health Act licences and registrations	16/06/2020	
DA-071	Public building occupancy	16/06/2020	Regulatory head of power ceased to have effect
DA-082	Revoke an order to close a thoroughfare	16/06/2020	
DA-084	Residential parking permits under local law	16/06/2020	Duplicates part of DA-016
DA-087	Commercial parking leases	16/06/2020	Incorporated into DA-007
DA-089	Grant of building permit	16/06/2020	Consolidated into DA-126
DA-090	Grant of demolition permit	16/06/2020	
DA-091	Refuse an application for a building or demolition permit	16/06/2020	
DA-092	Impose conditions on a building or demolition permit	16/06/2020	
DA-093	Seek further information	16/06/2020	Consolidated into DA-127
DA-094	Grant occupancy permit or building approval	16/06/2020	
DA-095	Impose conditions on occupancy permits and building approval	16/06/2020	
DA-096	Extend period of duration	16/06/2020	Incorporated into DA-126 and DA-128
DA-097	Finishes of walls close to boundaries	16/06/2020	
DA-099	Building orders	16/06/2020	Consolidated into DA-128
DA-100	Notice of proposed building orders	16/06/2020	
DA-101	Revocation of building orders	16/06/2020	
DA-102	Give effect to building orders	16/06/2020	
DA-104	Extend period of duration for building or demolition permit	16/06/2020	Incorporated into DA-126
DA-106	Authority to appoint authorised persons under the Cat Act	16/06/2020	Consolidated into DA-125, but delegation rendered

Number	Title	Date of Revocation	Notes
			invalid in 2021 by amendments to s.9.10 of the Local Government Act
DA-107	Authority to notify person of a decision in relation to breeding cats	16/06/2020	Consolidated into DA-125
DA-108	Authority to recover costs of having a cat destroyed	16/06/2020	
DA-109	Authority to require an applicant to submit information re cat registration	16/06/2020	
DA-110	Authority to cancel registration of a cat	16/06/2020	
DA-111	Authority to refuse application to breed cats if applicant has had an infringement	16/06/2020	
DA-112	Authority to grant, renew or refuse application to breed cats	16/06/2020	
DA-113	Authority to issue a cat control notice	16/06/2020	
DA-114	Authority to approve an operator of a cat management facility	16/06/2020	
DA-117	Authority to sign documents	16/06/2020	Not a delegable power: replaced by authorisation in accordance with s.9.49A of Local Government Act
DA-123	Appointment of authorised and approved officers for the purpose of the Criminal Procedure Act	16/06/2020	Incorporated into DA-098
DA-046	Notice to owner requiring certain actions to be undertaken	TBC	Section 3.24 of the Local Government Act requires this to be an authorisation
DA-049	Power to carry out works on Private Land	TBC	

STATEMENT OF FINANCIAL ACTIVITY
For the period 1 July 2024 to 30 April 2025

	<i>April Actual \$</i>	<i>YTD Rev. Budget \$</i>	<i>YTD Actual \$</i>	<i>Variance \$</i>	<i>Variance %</i>	<i>Annual Budget \$</i>
OPERATING ACTIVITIES						
Revenue from operating activities						
Grants & Contributions	50,960	690,936	706,069	15,134	2%	5,189,900
Fees & Charges	1,271,626	14,558,759	14,620,466	61,707	0%	16,575,696
Service Charges	9,857	2,774,369	2,801,745	27,377	1%	2,774,702
Investment Earnings	1,173,538	7,327,847	7,647,073	319,226	4%	9,845,000
Other Revenue	(40,682)	1,541,888	1,198,825	(343,063)		983,826
	2,465,299	26,893,798	26,974,178	80,380		35,369,124
Expenditure from operating activities						
Employee Costs	(5,129,127)	(53,708,143)	(52,636,326)	1,071,817	-2%	(66,069,699)
Materials & Contracts	(2,899,965)	(34,513,588)	(31,595,436)	2,918,152	-8%	(40,574,699)
Utilities	(383,855)	(3,534,280)	(3,413,062)	121,218	-3%	(4,344,401)
Insurance	1,250	(1,423,816)	(1,342,832)	80,985	-6%	(1,410,843)
Depreciation	(2,987,872)	(30,034,541)	(30,371,525)	(336,984)	1%	(32,666,459)
Finance Costs	-	(44,076)	(53,596)	(9,520)	22%	(51,068)
Other Expenditure	(124,963)	428,394	135,360	(293,034)	-68%	(1,294,824)
	(11,524,532)	(122,830,051)	(119,277,418)	3,552,633		(146,411,994)
Non-cash amounts excluded from operating activities						
(Profit)/Loss on Asset Disposals	144,917	(428,972)	186,940	615,912	-144%	-
Depreciation on Assets	2,987,872	31,674,542	30,371,525	(1,303,017)	-4%	33,029,753
Plant Capital Charge	-	-	-	-	100%	-
Plant Investment Provision						235,305
Movement in Deferred Rates	40,907	-	304,962	304,962	100%	-
	3,173,695	31,245,570	30,863,427	(382,143)		33,265,058
Investing Activities						
Capital grants, subsidies and contributions	222,210	3,925,335	4,072,443	147,108		5,378,411
Proceeds from Disposal of Assets	52,782	428,972	417,687	(11,284)	-3%	467,715
Recoup from self-supporting loans	13,873	177,645	177,646	1	0%	197,280
Purchase of Furniture & Equipment	(172,537)	(1,954,603)	(1,890,463)	64,141	-3%	(3,765,400)
Purchase of Plant & Equipment	(37,531)	(1,218,172)	(1,195,771)	22,400	-2%	(2,028,650)
Purchase of Land & Buildings	(2,329,745)	(16,930,677)	(17,511,767)	(581,090)	3%	(29,111,189)
Purchase of Infrastructure Assets	(2,094,903)	(18,776,576)	(17,897,702)	878,874	-5%	(35,020,727)
	(4,345,851)	(34,348,076)	(33,827,927)	520,149		(63,882,560)
Financing Activities						
Repayment of Carawatha Equity	-	-	-	-		-
Repayment of self supporting loans	-	(170,113)	(182,489)	(12,376)	7%	(197,135)
Transfer to reserve accounts	-	-	-	-	100%	(46,281,137)
Transfer from reserve accounts	-	-	-	-	100%	80,454,277
Carry Forward Funds	-	-	-	-	100%	
	-	(170,113)	(182,489)	#REF!		33,976,005
Estimated surplus / (deficit) - B/Fwd	24,345,609	-	377,219			
Estimated (surplus) / deficit - C/Fwd	(14,487,088)	(9,385,193)	(14,487,088)			
Amount to be raised from general rates	(372,868)	(108,594,065)	(109,560,096)			(107,684,365)

STATEMENT OF COMPREHENSIVE INCOME

For the period 1 July 2024 to 30 April 2025

	<i>April Actual \$</i>	<i>YTD Rev. Budget \$</i>	<i>YTD Actual \$</i>	<i>Variance \$</i>	<i>Variance %</i>	<i>Annual Rev. Budget \$</i>
Revenue						
Rates	372,868	108,594,065	109,560,097	966,032	1%	108,684,365
Grants & Contributions	50,960	690,936	706,069	15,134	2%	5,405,841
Fees & Charges	1,271,626	14,558,759	14,620,466	61,707	0%	16,466,347
Service Charges	9,857	2,774,369	2,801,745	27,377	1%	2,774,702
Interest Earnings	1,173,538	7,327,847	7,647,073	319,226		8,738,780
Other Revenue	104,234	1,112,916	1,385,765	272,849	25%	1,389,185
	2,983,083	135,058,891	136,721,215	1,662,324	1%	143,459,220
Expenses						
Employee Costs	(5,129,127)	(53,708,143)	(52,636,326)	1,071,817	-2%	(66,298,468)
Materials & Contracts	(2,899,965)	(34,513,588)	(31,595,436)	2,918,152	-8%	(43,932,922)
Utilities	(383,855)	(3,534,280)	(3,413,062)	121,218	-3%	(4,255,700)
Insurance	1,250	(1,423,816)	(1,342,832)	80,985	-6%	(1,425,433)
Depreciation	(2,987,872)	(30,034,541)	(30,371,525)	(336,984)	1%	(35,881,457)
Finance Costs	-	(44,076)	(53,596)	(9,520)	22%	(51,068)
Other Expenditure	(124,963)	588,305	135,360	(452,945)	-77%	(379,738)
	(11,524,532)	(122,670,140)	(119,277,418)	3,392,723	-3%	(152,224,787)
	(8,541,449)	12,388,751	17,443,798	5,055,046	41%	(8,765,566)
Grants/Contributions for the Development of Assets						
Non-Operating Grants, Subsidies and Contributions	222,210	3,925,335	4,072,443	147,108	4%	9,631,084
(Profit)/Loss on Disposal of Assets						
Proceeds on Disposal	52,782	428,972	417,687	(11,284)	-3%	2,252,415
Net Book Value from Disposal of Assets	(197,699)	-	(604,628)	(604,628)	100%	(467,715)
	(144,917)	428,972	(186,940)	(615,912)	-144%	1,784,700
NET RESULT	(8,464,155)	16,743,058	21,329,300	4,586,242	27%	2,650,218
Other Comprehensive Income	-	-	-			-
Total Other Comprehensive Income	-	-	-			-
TOTAL COMPREHENSIVE INCOME	(8,464,155)	16,743,058	21,329,300			2,650,218

REPRESENTATION OF NET WORKING CAPITAL				
AS AT 30 APRIL 2025				
Net Current Assets Represented by	30 APRIL 2025		31 MARCH 2025	
Current Assets				
Cash & Cash Equivalents				
Cash in Hand	2,705		2,705	
Cash at Bank/(Overdraft)	1,486,937		963,022	
Investments	173,816,366		183,916,366	
		175,306,009		184,882,094
Trade & Other Receivables				
Debtors - Rates	6,121,155		7,099,145	
Debtors - Security Charge	132,396		134,038	
Debtors - Pool Inspection Fee	21,663		22,814	
Debtors - Instalment Fee	18		18	
Debtors - UGP	72,620		82,445	
Debtors - Refuse	71,559		88,030	
FESA Levy Debtors	1,056,870		1,262,496	
Pensioner Rebates	1,642,492		1,825,534	
Sundry Debtors	463,334		484,514	
Less : Provision for Doubtful Debts	(43,702)		(43,702)	
		9,538,405		10,955,331
Inventories	192,415	192,415	185,334	185,334
Other Financial Assets				
Accrued Income	1,652,004		1,454,216	
Prepayments	180,027		282,070	
Other	0		0	
GST Claim (Net)	678,533		576,954	
		2,510,563		2,313,241
Total Current Assets		187,547,392		198,335,999
Current Liabilities				
Trade & Other Payables				
FESA Levy Payable	1,683,487		3,287,596	
Sundry Creditors	14,807,510		14,600,773	
Amount Received in Advance	1,654,083		1,525,166	
		18,145,080		19,413,534
Provisions				
Provision for Long Service Leave	3,808,009		3,764,173	
Provision for Annual Leave	4,256,673		4,313,623	
Accrued Wages	10,056		10,056	
		8,074,738		8,087,852
Total Current Liabilities		26,219,818		27,501,386
Net Current Assets		161,327,574		170,834,613
Less: Restricted Assets				
Reserves	146,700,966		146,700,966	
		146,700,966		146,700,966
Timing Difference		139,520		(211,962)
Net Working Capital		14,487,088		24,345,609

**NET WORKING CAPITAL RECONCILIATION
FOR THE MONTH OF APRIL 2025**

	YTD Actual \$
Net Result	21,329,300
Add:	
Surplus B/Fwd.	377,219
Proceeds on disposal of Assets	417,687
Carry Forward Reserve Transfers	-
Reserve: Funds to be Used	-
Self Supporting Loans - Principal (Net)	(4,843)
Depreciation Written back	30,371,525
Plant Capital Charge	-
(Profit)/Loss on Asset Disposal	186,940
Sub Total	52,677,828
Less:	
Acquisition of Fixed assets	20,598,001
Proceeds from Carawatha Equity	-
Expenditure on Infrastructure assets	17,897,702
Reserve: Funds to be Set Aside	-
Non Current Adjustments	(304,962)
Sub Total	38,190,741
Net Working Capital	14,487,088

Notes to the Statement of Financial Activity Financial Year-To-Date Ending 30 April 2025

This report provides commentary on the year-to-date variances identified in attachment 6002B – Statement of Financial Activity, for the period ended 30 April 2025.

In accordance with Regulation 34(5) of the Local Government (Financial Management) Regulations 1996, a local government is required each financial year, to adopt a percentage or value to be used in statements of financial activity for the reporting of material variances. The City's Accounting Policy CP-025, indicates that this will occur each year when adopting the annual budget. When adopting the 2024-2025 Annual Budget, a level of 10% or \$100,000 (whichever is the greater) was adopted for the reporting of material variances for the 2024-2025 financial year. Variances less than 10% or \$100,000 are not considered material and are not detailed in this report.

Variances are based on 'Actual' income raised and expenditure incurred, compared to the Year-to-Date Revised Budget and are shown in the Year-to-Date Budget Variance column in the tables below. The main reasons for the variances are outlined in this report.

In the tables below, positive variances are shown in black coloured font, and negative variances are shown in both parentheses and in red coloured font, i.e. (XXX.XX). These tables refer to the applicable nature and type variance.

Operating Revenue

General Rates	YTD Budget \$	YTD Actual \$	YTD Budget Variance \$
	108,594,065	109,560,097	966,032
<i>Commercial Rates shows a positive variance due to various interim rate adjustments across the City, particularly from the following residential developments;</i> • 10 Forbes Road, Applecross • 12 Fiona Wood Road, Murdoch • 44 Barry Marshall Parade, Murdoch <i>Residential Rates shows a positive variance due to various interim rate adjustments across the City, particularly from the following residential developments;</i> • 3 Kintail Road, Applecross • 20 Kintail Road, Applecross • 18 Ogilvie Road, Mount Pleasant			966,032
Investment Earnings	YTD Budget \$	YTD Actual \$	YTD Budget Variance \$
	7,327,847	7,647,073	319,226
<i>Investment earnings show a positive timing variance following budget adjustments at the Mid Year Budget Review.</i>			242,372
<i>Net positive balance made up of minor amounts related to interest on deferred rates, rates late payment interest and rates instalment interest.</i>			76,854

Notes to the Statement of Financial Activity
Financial Year-To-Date Ending 30 April 2025

Operating Revenue (cont.)

Other Revenue	YTD Budget \$	YTD Actual \$	YTD Budget Variance \$
	1,541,888	1,198,825	(343,063)
Other Revenue shows a positive variance of \$272,849 made up of various minor expenditure recoup amounts, offset mainly by \$604,628 in transactions resulting from the disposal of assets. The transactions related to the disposal of assets are considered to be non-cash items and are excluded from the City's net operating position in the Statement of Financial Activity.			(343,063)

Operating Expenditure

Employee Costs	YTD Budget \$	YTD Actual \$	YTD Budget Variance \$
	(53,708,143)	(52,636,326)	1,071,817
The significant underspend in employment costs is mainly related to leave due to staff vacancies across the organisation and the pending leave adjustments that will take place at the end of the financial year. At the organisational level, annual and personal leave shows a \$1,353,390 positive variance, and workers compensation premiums show a \$56,882 positive variance. Labour hire shows a negative variance of \$1,980,107, as contract staff are being used to fill several vacant roles, particularly in Natural Areas and Parks, Resource Recovery and Fleet Services and Engineering and offset a significant underspend in ordinary time earnings. Overtime shows a negative variance of \$404,491. Staff training and development shows an underspend of \$216,473.			
Information Technology shows a positive variance mainly related to a previous vacancies in the Chief Information Officer role and Process Improvement Auditor role.			269,724
Strategic Property and Leasing shows a positive variance mainly related to a vacancy in the Senior Strategic Property Advisor role.			253,352
Governance shows a positive variance related to vacancies in the Senior Governance Officer, Governance Project Officer and Governance Officer roles.			248,770
Community Safety shows a positive timing mainly due to current and previous vacancies in the Coordinator Community Safety Service and Safer Melville Coordinator roles.			164,301
Building and Environmental Health Services shows a positive variance related to previous vacancies in the Manager Environmental Health and Compliance, Coordinator Compliance Services and Environment Health Officer and Senior Building Surveyor positions, and a current Business Support Officer vacancy.			137,705

Notes to the Statement of Financial Activity
Financial Year-To-Date Ending 30 April 2025

Operating Expenditure (cont.)

<i>Resource Recovery and Fleet Services shows a negative variance mainly related to labour hire and overtime costs incurred to cover vacant waste driver and mechanic positions.</i>	(363,563)
<i>The remaining net positive variance relates to minor amounts in other service areas.</i>	361,528

Materials and Contracts	YTD Budget \$	YTD Actual \$	YTD Budget Variance \$
	(34,513,588)	(31,595,436)	2,918,152
<i>Resource Recovery and Fleet Services positive variance made up mainly of underspends in stores and materials (\$401,178), fuel expenditure (\$208,851) related to the City's fleet program, and underspends in waste disposal costs (\$256,308).</i>			843,538
<i>Engineering positive variance made up mainly of minor amounts in contractors – adhoc, due to contractor supply shortage affecting specialist plant operator availability and professional consultancies expenditure across various maintenance programs.</i>			701,182
<i>City Buildings and Projects shows a positive variance made up mainly of Contractors Ad-Hoc underspends of \$310,404 across the City's various facilities, in particular, the Civic Centre (\$193,235) and Blue Gum Recreation Centre (\$33,137).</i>			333,637
<i>Cultural Development positive timing variances in contractors ad-hoc related mainly to underspends in Community Development Administration (\$56,194), Noongar Place Names (\$54,349), and Write Club Caralee & Melville (\$27,764).</i>			220,605
<i>Natural Areas and Parks positive variance is made up of minor amounts across the City's parks and reserves.</i>			183,051
<i>Library Services positive variance made up of minor amounts in contract payments (\$73,009) due to delays to deep cleaning to be undertaken at AH Bracks, Bull Creek and Civic Square libraries, and underspends in memberships, subscriptions and online resources (\$19,296), due mainly to the implementation of the Patron Point project not going ahead as expected.</i>			140,765

Notes to the Statement of Financial Activity
Financial Year-To-Date Ending 30 April 2025

Operating Expenditure (cont.)

<i>Community Safety positive variance is made up of minor amounts across the City's car parking sites.</i>	104,539
<i>People and Culture positive timing variances in professional consultancies related to ER & IR Advisory & Projects (\$36,566), Wellness Program (\$26,222) and We Belong Initiatives (\$22,168).</i>	103,305
<i>The remaining net positive variance relates to minor amounts in other service areas.</i>	287,530

Utilities	YTD Budget \$	YTD Actual \$	YTD Budget Variance \$
	(3,534,280)	(3,413,062)	121,218
<i>Street lighting shows a positive timing variance of \$165,567.</i>			165,567
<i>The remaining negative balance is made up of minor amounts in electricity, gas and water expenditure across the City's facilities.</i>			(44,349)

Other Expenditure	YTD Budget \$	YTD Actual \$	YTD Budget Variance \$
	428,394	135,360	(293,034)
<i>Negative variance made up mostly of minor amounts in internally charged expenditure.</i>			(293,034)

Capital Income

Non-Operating Grants, Subsidies and Contributions	YTD Budget \$	YTD Actual \$	YTD Budget Variance \$
	3,925,335	4,072,443	147,108
<i>City Buildings and Projects – Capital grant income for the Point Walter Mountain Bike Trail.</i>			148,844
<i>Other Minor amounts</i>			(1,736)

Notes to the Statement of Financial Activity
Financial Year-To-Date Ending 30 April 2025

Capital Expenditure

Land and Buildings	YTD Budget \$	YTD Actual \$	YTD Budget Variance \$
	(16,930,677)	(17,511,767)	(581,090)
<i>New Library Cultural Centre – Design work</i>			(546,648)
<i>The remaining net positive variance relates to minor amounts in other service areas.</i>			(34,442)

Purchase of Infrastructure Assets	YTD Budget \$	YTD Actual \$	YTD Budget Variance \$
	(18,776,576)	(17,897,702)	878,874
<i>Drainage</i>			31,525
<i>Environmental</i>			15,598
<i>Foreshore Facilities</i>			1,644
<i>Irrigation</i>			20,819
<i>Lighting</i>			6,229
<i>Parks Streetscapes Structures</i>			92,849
<i>Paths – Positive variance mainly in the Stock Road (between Preston Point Road and Lutey Road) (\$98,881), and Emily Main Park Path Renewal (\$82,501) projects.</i>			256,112
<i>Playgrounds</i>			(1,193)
<i>Roads - Positive Variances mainly related to the Engineering Design (\$150,000), and Collinson Way (Hartfield to Matthew) (\$162,126) projects.</i>			455,291

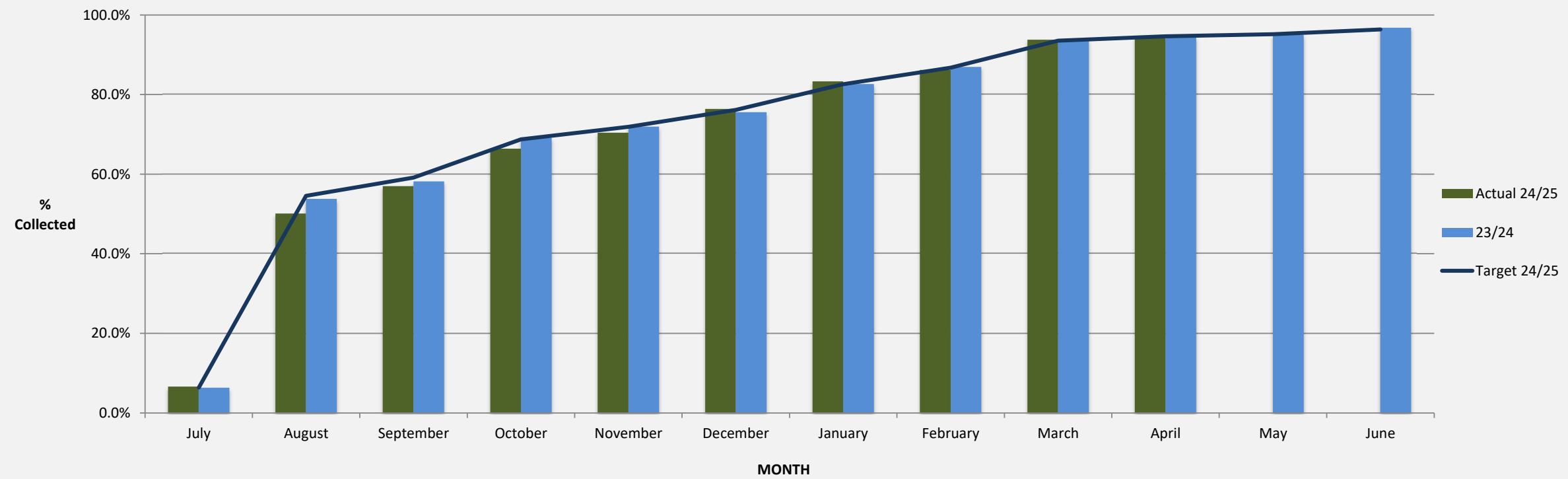
STATEMENT OF FINANCIAL POSITION		
AS AT 30 APRIL 2025		
	2024-2025 30 April 2025 \$	2023-2024 30 June 2024 \$
Current assets		
Cash & cash equivalents	39,605,086	31,231,114
Trade and other receivables	11,909,710	14,575,509
Other financial assets	135,876,603	133,701,973
Inventories	192,415	169,590
Contract assets	-	-
Other assets	180,027	1,931,399
Total current assets	187,763,840	181,609,585
Non current assets		
Trade and other receivables	1,796,060	2,101,022
Other financial assets	15,810,968	15,326,577
Property, plant & equipment	488,752,063	496,497,951
Infrastructure	701,051,685	707,410,134
Investment property	60,846,541	60,846,541
Total non current assets	1,268,257,317	1,282,182,225
TOTAL ASSETS	1,456,021,157	1,463,791,810
Current liabilities		
Trade and other payables	15,250,242	22,539,878
Other liabilities		68,974
Contract liabilities	2,935,606	2,451,905
Borrowings	175,680	209,511
Employee related provisions	8,074,738	9,330,106
Total current liabilities	26,436,266	34,600,374
Non current liabilities		
Trade and other payables	282,642	286,510
Other liabilities		1,160,463
Borrowings	2,260,847	997,621
Employee related provisions	1,211,033	972,066
Other provisions	6,893,140	6,893,140
Total non current liabilities	10,647,662	10,309,800
TOTAL LIABILITIES	37,083,928	44,910,174
NET ASSETS	1,418,937,229	1,418,881,636
Equity		
Retained surplus	369,818,409	369,753,939
Reserve accounts	146,700,966	146,700,966
Revaluation surplus	902,417,853	902,426,731
TOTAL EQUITY	1,418,937,229	1,418,881,636

City of Melville
SUMMARY OF DEBTORS
FOR THE PERIOD ENDING : 30 April 2025

Detail	Actuals Current Month YTD	Actuals Previous Month YTD	% Diff Current Mth to Previous Mth	Actuals This Month Last Year YTD	% Diff Current Mth to Current Mth Last Yr
RATE DEBTORS					
Opening Balance - 1 July	4,269,129	4,269,129	0%	3,379,289	26%
Rates & Charges Raised	109,971,790	109,562,535	0%	103,089,545	7%
Payments Received	(108,119,764)	(106,732,519)	1%	(100,528,707)	8%
Closing Balance	6,121,155	7,099,145	-14%	5,940,128	3%
REFUSE DEBTORS					
Opening Balance - 1 July	55,013	55,013	0%	44,432	24%
Rates & Charges Raised	1,770,052	1,773,958	0%	1,677,833	5%
Payments Received	(1,753,506)	(1,740,940)	1%	(1,660,857)	6%
Closing Balance	71,559	88,030	-19%	61,409	17%
FESA DEBTORS					
Opening Balance - 1 July	813,475	813,475	0%	650,906	25%
Rates & Charges Raised	19,546,831	19,544,389	0%	18,425,249	6%
Payments Received	(19,303,436)	(19,095,369)	1%	(17,965,247)	7%
Closing Balance	1,056,870	1,262,496	-16%	1,110,907	-5%
UNDERGROUND POWER DEBTORS					
Opening Balance - 1 July	166,494	166,494	0%	304,028	-45%
Rates Raised	(24,890)	(21,111)	18%	21,841	-214%
Payments Received	(68,983)	(62,938)	10%	(148,710)	-54%
Closing Balance	72,620	82,445	-12%	177,159	-59%
POOL DEBTORS					
Opening Balance - 1 July	17,903	17,903	0%	16,677	7%
Rates & Charges Raised	495,536	495,524	0%	492,589	1%
Payments Received	(491,776)	(490,614)	0%	(488,362)	1%
Closing Balance	21,663	22,814	-5%	20,904	4%
SECURITY DEBTORS (SECL)					
Opening Balance - 1 July	103,829	103,829	0%	92,407	12%
Rates & Charges Raised	2,803,817	2,793,743	0%	2,627,241	7%
Payments Received	(2,775,251)	(2,763,535)	0%	(2,596,790)	7%
Closing Balance	132,396	134,038	-1%	122,858	8%
INSTALMENT FEE DEBTORS					
Opening Balance - 1 July	22	22	0%	77	-72%
Rates & Charges Raised	0	0	0	4	-100%
Payments Received	(4)	(4)	0%	(59)	-93%
Closing Balance	18	18	0%	22	-19%
SUMMARY OF RATE DEBTOR MOVEMENT					
Detail	Actuals Current Month YTD	Actuals Previous Month YTD	% Diff Current Mth to Previous Mth	Actuals This Month Last Year YTD	% Diff Current Mth to Current Mth Last Yr
Opening Balance - 1 July	5,425,866	5,425,866	0%	4,487,816	21%
Debtors Raised	134,563,135	134,149,038	0%	126,334,303	7%
Payments Received	(132,512,720)	(130,885,919)	1%	(123,388,732)	7%
Closing Balance	7,476,281	8,688,985	-14%	7,433,388	1%
SUMMARY OF SUNDRY DEBTOR MOVEMENT					
Detail	Actuals Current Month YTD	Actuals Previous Month YTD	% Diff Current Mth to Previous Mth	Actuals This Month Last Year YTD	% Diff Current Mth to Current Mth Last Yr
Opening Balance - 1 July	565,184	565,184	0%	901,439	-37%
Invoices Raised	3,515,281	3,121,148	13%	5,128,231	-31%
Receipts	(3,600,022)	(3,185,913)	13%	(5,095,370)	-29%
Prepayments	(16,181)	(14,978)	8%	(9,868)	64%
Closing Balance	464,261	485,441	-4%	924,433	-50%

Rates Collection - Monthly Comparison

Current Year v Prior Year



CONFIDENTIAL

**SUMMARY OF GENERAL DEBTORS AGED 90 DAYS OR GREATER
FOR THE MONTH ENDED 30 APRIL 2025**

Debtor Number	Debtor Name	Amount	Comments and subsequent events
Accounts with Recoveries Legal - There are currently no account with Recoveries Legal.			
Payment arrangements			
832568	Individual	\$12,298	Arrangement to Pay - maintaining \$200.00 per fortnight.
853697	Perth Sup School	\$812	Arrangement to Pay - \$406.00 per month. Email reminder sent 17 April 2025.
861732	Healthcare WA	\$10,162	Two missed payments, email reminder sent sent 30 April 2025.
862151	South Perth Futsal Club	\$4,512	Arrangement to Pay - maintaining \$200.00 per month.
862342	Perth AFC Futsal Club	\$12,737	Arrangement to Pay - maintaining \$1,500 per month.
863209	Individual	\$1,847	Arrangement to Pay - maintaining \$250.00 per fortnight.
864132	Individual	\$4,435	Arrangement to Pay - maintaining \$130.00 per fortnight.
869693	Velovelum Pty Ltd T/As Mastro Pizza	\$1,482	Arrangement to Pay - maintaining \$200.00 per fortnight.
873752	Individual	\$500	Arrangement made with requesting officer to pay in July.
873760	Individual	\$500	Arrangement made with requesting officer to pay in July.
Total on Payment Arrangement		\$49,285	
Ordinary Debtors			
505701	LGISWA Workcare	\$6,794	Email reminder sent 1 April 2025.
507111	All Saints College Inc	\$73	Disputing waste invoice.
508879	LGISWA	\$33,441	Email sent 1 April 2025.
855783	Advanced Traffic Management	\$920	Grant Thornton have advised that they are unable to estimate timing and quantum of a return.
857938	Individual	\$177	Called debtor and they advised payment would be made in April.
858068	Altus Traffic	\$204	Email sent 17 April 2025.
861815	Evolution Traffic	\$204	Email sent 1 April 2025.
862573	Profutsal	\$3,348	Matter is closed with CS Legal. Many attempts have been made to contact debtor with no response to letters or emails.
865212	Beyond Health Chiropractic	\$1	This amount was paid in April but did not apportion to the invoice. This has now been rectified.
866574	Artists Swimming WA	\$19	Email sent 1 May 2025.
869826	WA State Futsal Club	\$33,179	Matter is closed with CS Legal. Debtor cannot be found. Multiple postal and emails addresses tried. Unable to locate.
871632	Kelvar Group	\$204	Email sent 1 April 2025.
872952	Individual	\$2,579	File closed with CS Legal. Not economically viable to pursue.
872986	Double Double Coffee	\$159.03	Email sent 17 April 2025.
873026	Tender Loving Care Dog Grooming	\$77.90	Email sent 1 May 2025.
873331	EVDOMOS Pty Ltd	\$0.01	This will be added to the next waste invoice.
873570	Melville Citizens Relief	\$5,000	Waiting on approval for credit note as invoice should not have been issued.
Total Ordinary Debtors		\$86,379	
Sporting & Community Organisations			
505818	Kardinya Sporting Association	\$440	Email sent 14 March 2025.
506014	Brentwood Karoonda Sporting Association	\$39,756	Called debtor and they advised payment would be made in April.
508960	Melville Water Polo Club	\$8,454	Currently reconciling account.
515510	Melville Mariners Tee-Ball Club	\$3,235	Email sent 17 April 2025.
834549	Melville Cricket Club	\$7,251	Debtor is waiting for WACA funding Grant.
862565	Cockburn Basketball Association Inc	\$464	Email sent 1 May 2025.
865972	Melville Community Men's Shed	\$87,500	Waiting for state government grant.
873901	Bull Creek Leeming Amateur Football Club	\$252	
Total Sporting & Community Organisations		\$147,352	
Loans			
507491	Tompkins Park & Recreational Association	\$89,533	Loan 399.
Total Loans		\$89,533	
GRAND TOTAL			
Total 90 Days and over		\$372,549	
Total Sundry Debts Outstanding		\$464,261	
90 Days and Over % of Total Debt		80%	
90 Days and over -Total No. of Debtors (excl Loans)		36	

PROPOSED BUDGET AMENDMENTS

FOR THE MONTH OF APRIL 2025

					Budget Amendments >\$100,000	Comments
Journal Number	Account Number	Description	DR	CR	Total Amount	
	499-85559-1545-000	Sports Lighting - Tompkins Park	20,000		\$ 20,000	Budget created to represent funding from Department of Health and Aged Care for Sport Participation & Integrity in Sport program to upgrade floodlights at Tompkins Park.
	499-85559-5220-000	Sports Lighting - Grant Income		20,000		
			20,000	20,000	20,000	