



City of Nedlands

# Agenda

## Council Committee Meeting

**4 December 2018**

Dear Council Member

The next meeting of the Council Committee will be held on Tuesday 4 December 2018 in the Council Chambers at the City of Nedlands located at 71 Stirling Highway, Nedlands commencing at 7.00pm.

Greg Trevaskis  
Chief Executive Officer  
29 November 2018

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## City of Nedlands

**Notice of a meeting of the Council Committee to be held in the Council Chambers, Nedlands on Tuesday 4 December 2018 at 7 pm.**

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### **Council Committee Agenda**

#### **Declaration of Opening**

The Presiding Member will declare the meeting open at 7 pm and will draw attention to the disclaimer below.

(NOTE: Council at its meeting on 24 August 2004 resolved that should the meeting time reach 11.00 p.m. the meeting is to consider an adjournment motion to reconvene the next day).

#### **Present and Apologies and Leave Of Absence (Previously Approved)**

**Leave of Absence**                      None.  
**(Previously Approved)**

**Apologies**                      None as at distribution of this agenda.

#### **Disclaimer**

Members of the public who attend Council meetings should not act immediately on anything they hear at the meetings, without first seeking clarification of Council's position. For example by reference to the confirmed Minutes of Council meeting. Members of the public are also advised to wait for written advice from the Council prior to taking action on any matter that they may have before Council.

Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material.

**1. Public Question Time**

A member of the public wishing to ask a question should register that interest by notification in writing to the CEO in advance, setting out the text or substance of the question.

The order in which the CEO receives registrations of interest shall determine the order of questions unless the Mayor determines otherwise. Questions must relate to a matter affecting the City of Nedlands.

**2. Addresses By Members of the Public (only for items listed on the agenda)**

Addresses by members of the public who have completed Public Address Session Forms will be invited to be made as each item relating to their address is discussed by the Committee.

**3. Disclosures of Financial Interest**

The Presiding Member to remind Councillors and Staff of the requirements of Section 5.65 of the *Local Government Act* to disclose any interest during the meeting when the matter is discussed.

A declaration under this section requires that the nature of the interest must be disclosed. Consequently a member who has made a declaration must not preside, participate in, or be present during any discussion or decision making procedure relating to the matter the subject of the declaration.

However, other members may allow participation of the declarant if the member further discloses the extent of the interest. Any such declarant who wishes to participate in the meeting on the matter, shall leave the meeting, after making their declaration and request to participate, while other members consider and decide upon whether the interest is trivial or insignificant or is common to a significant number of electors or ratepayers.



**4. Disclosures of Interests Affecting Impartiality**

The Presiding Member to remind Councillors and Staff of the requirements of Council's Code of Conduct in accordance with Section 5.103 of the *Local Government Act*.

Councillors and staff are required, in addition to declaring any financial interests to declare any interest that may affect their impartiality in considering a matter. This declaration does not restrict any right to participate in or be present during the decision-making procedure.

The following pro forma declaration is provided to assist in making the disclosure.

"With regard to ..... the matter in item x..... I disclose that I have an association with the applicant (or person seeking a decision). As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly."

The member or employee is encouraged to disclose the nature of the association.

**5. Declarations by Members That They Have Not Given Due Consideration to Papers**

Members who have not read the business papers to make declarations at this point.

**6. Confirmation of Minutes**

**6.1 Committee Meeting 13 November 2018**

The Minutes of the Council Committee held 13 November 2018 are to be confirmed.

**7. Matters for Which the Meeting May Be Closed**

In accordance with Standing Orders and for the convenience of the public, the Committee is to identify any matter which is to be discussed behind closed doors at this meeting and that matter is to be deferred for consideration as the last item of this meeting.

**8. Divisional Reports**

Note: Regulation 11(da) of the *Local Government (Administration) Regulations 1996* requires written reasons for each decision made at the meeting that is significantly different from the relevant written recommendation of a committee or an employee as defined in section 5.70, but not a decision to only note the matter or to return the recommendation for further consideration.

**8.1 Planning & Development Report No's PD66.18 to PD75.18**

Planning & Development Report No's PD66.18 to PD75.18 to be dealt with at this point (copy attached yellow cover sheet).

- PD66.18 No. 29A Carrington Street, Nedlands – Proposed Animal Establishment (Dog Day Care) (Use Not Listed)
- PD67.18 No. 2/23 Carrington Street, Nedlands – Proposed Additional Customer Seating (Retrospective) for Brick Alley Café – Change of Use Restaurant
- PD68.18 No. 42 Kirwan Street, Floreat – Additions (Two Carports) to Existing Single Dwelling
- PD69.18 No. 50 Florence Road, Nedlands – Amendment to Existing Approval (DA17/306)
- PD70.18 No. 7 Nardina Crescent, Dalkeith – Proposed Street Boundary Fencing (Retrospective)
- PD71.18 No. 82 Kingsway, Nedlands – Front Fencing addition to Single House
- PD72.18 No. 11B Brockway Road, Mount Claremont – Two Storey Single House
- PD73.18 Scheme Amendment No. 214 – Lot 381 (No.45) Carrington Street, Nedlands
- PD74.18 Christ Church Grammar School - Possible Acquisition of Landfill Site
- PD75.18 West Australian Bridge Club Inc. at Reserve 7804, Swanbourne – Extension to Lease Term

**8.2 Technical Services Report No's TS27.18 to TS29.18**

Technical Services Report No's TS27.18 to TS29.18 to be dealt with at this point (copy attached blue cover sheet).

TS27.18 Leon Road Footpath between Robert Street and Alexander Road

TS28.18 Quintilian Road Traffic Management

TS29.18 Western Metropolitan Regional Council (WMRC) Funding Request

**8.3 Community Development No's CM05.18**

Report No's CM05.18 to be dealt with at this point (copy attached orange cover sheet).

CM05.18 Purchase of Artwork from Sculptures by the Sea

**8.4 Corporate & Strategy Report No's CPS22.18 to CPS24.18**

Report No's CPS22.18 to CPS24.18 to be dealt with at this point (copy attached green cover sheet).

CPS22.18 List of Accounts Paid – October 2018

CPS23.18 Policy Review

CPS24.18 Post Audit Changes to 2018/19 Budget

**9. Reports by the Chief Executive Officer**

**9.1 Lisle Villages Inc - Draft New Rules of Association**

<b>Committee</b>	4 December 2018
<b>Council</b>	18 December 2018
<b>Applicant</b>	Lisle Villages Inc
<b>CEO</b>	Greg Trevaskis
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Extract Council Minutes 26 September 2017</li> <li>2. Lisle Villages Inc Letter – 20 July 2018</li> <li>3. Response letter to Lisle Villages re Draft New Rules of the Association - 24 July 2018</li> <li>4. Lisle Villages Inc Letter – 26 November 2018</li> <li>5. Lisle Villages Inc Final Draft New Rules of Association</li> </ol>

**Executive Summary**

Lisle Villages Inc has requested the City to expeditiously approve the Final Draft of the latest version of the proposed new Rules of Association. There is a deadline for the latest version of the constitution to be submitted to the Commissioner for Consumer Protection within 1 month of passing the special resolution at the Association’s Extraordinary General Meeting held on 21 November 2018 (i.e. by 20 December 2018).

*“We believe that the amendments that were made to the Final Draft do not prejudice or materially affect the City, given the City’s previous correspondence with Lisle and its request to remove any reference to the involvement of the City in the affairs of Lisle. Further, the Final Draft has received overwhelming support from Members, and is supported by the Commissioner for Consumer Protection.”*

**Recommendation to Committee**

**Council approves the Final Draft New Rules of Association received from Lisle Villages (Inc) on the 26 November 2018 as per attachment 5.**

**Key Relevant Previous Council Decisions:**

Ordinary Council Meeting of 26 September 2018

*Council Resolution*

*Council formally advises Lisle Villages Board of Management that it no longer intends to nominate a Councillor to be a Board Member and suggest that the Constitutions should be amended to remove this requirement.*

## **Consultation**

Not required.

## **Budget/Financial Implications**

There are no financial implications for the City of Nedlands if this report is approved or not.

## **Conclusion**

The new Rules of the Association are for the Board and membership of Lisle Villages (Inc) have been endorsed by the Association's membership. The Constitution is a matter for Lisle Villages (Inc) and not the City. The requirement for a councillor to be on the Board was a past anomaly and this requirement has now been sensibly removed. Council is asked to finally approve this final draft to ensure the current rules are adhered to avoid potential complications for Lisle Villages (Inc).

**13.6 Lisle Villages Board of Management**

<b>Council</b>	26 September 2017
<b>Applicant</b>	Lisle Villages Inc.
<b>CEO</b>	Greg Trevaskis
<b>Attachments</b>	1. Lisle Villages letter 12 September 2017.

**Regulation 11(da) – Not Applicable – Recommendation Adopted**

Moved – Councillor Hassell  
 Seconded – Councillor Wetherall

**That the Recommendation to Council be adopted.**  
 (Printed below for ease of reference)

Councillor Hodsdon left the room at 9.03 pm and returned at 9.09 pm.

**CARRIED 9/2**  
**(Against: Mayor Hipkins Cr. Horley)**

**Council Resolution / Recommendation to Council**

**Council formally advises Lisle Villages Board of Management that it no longer intends to nominate a councillor to be a Board Member and suggests that the Constitution should be amended to remove this requirement.**

**Executive Summary**

The City has been requested to nominate a Councillor to be a board member on Lisle Villages Inc. as provided for under its Constitution. The City has in the past nominated a councillor and a deputy to attend and participate in Lisle Board meetings.

A new Board was appointed in July 2017 and a new Chairman and members are now in place. Whilst the City has historically agreed to nominate a councillor there is no legal obligation on Council to do so. Once a councillor accepts the responsibility to be a Board member then that Councillor must act in the best interests of the Board when representing or attending to Board affairs. This is completely distinct and separate to that councillor's role and function with Council.

As the City no longer has any legal connection with Lisle Villages it is recommended that the City no longer nominate a councillor as requested. This past arrangement may have added to the confusion that Council had some role to play in the affairs of Lisle Villages when it has no such legal responsibility.



The new Board is looking to the future and developing Lisle Villages into a viable and effective aged care facility. The City will continue to liaise with the Board of Management on issues as they arise and will continue to support the Board and the valuable service it provides within the City of Nedlands.

### **Discussion/Overview**

Melvista Lodge is located at Lot 25, addressed as both 20 Betty St and 69 Melvista Avenue, Nedlands.

The registered proprietor of this land is Lisle Villages Inc. formerly known as the City of Nedlands Aged Person Homes Trust (Inc.)

On 5<sup>th</sup> June 1975 the City entered into a deed with the City of Nedlands Aged Persons Homes Trust Inc., by which the City transferred the Land to the Owner for \$1.00 on basis that the Land be used as an "Aged Persons Centre". Provisions of the Deed required that in the event that the owner ceased to use the land for the stated purpose the Land must be transferred back to the City for \$1.00. This option to acquire and in interest in the land was registered on title in form of caveat.

In November 2013 – on request from owner of the land caveat was withdrawn after consultation with McLeods. McLeods advised that option had ceased to be valid, due to a rule against perpetuities of an option – pursuant to S110(2) of the Property Law Act 1969. This provision requires such options expire 21 years from the date of grant. And therefore, the option became void on 5 June 1996.

The Deed was further reviewed for other caveatable interests but none were found.

The Constitution of the Owner under the Associations Incorporation Act 1987 provides protection to ensure that the Land continues to be used for the appropriate purpose.

On review of Lisle Villages (Inc.) Constitution (2013) the following points were noted:

- Owner is an incorporated association where every resident of any of the homes managed by the association is a member of that association. The objects of the association relate specifically to maintaining homes for the purposes of effective aged persons care. Cl. 20 of the Constitution specifically provides that, in the event the association is dissolved or wound up, any remaining property shall not be paid to the members of the association but, instead shall be given to some other association whose objects also relate to aged persons care within the City of Nedlands.

- Cl 9 (a) of the Constitution states that a Councillor of the City, to be nominated by the City, will be a member of the management committee for the association.

**Key Relevant Previous Council Decisions:**

Not applicable.

**Consultation**

Not required.

**Budget/Financial Implications**

There are no financial implications for the City of Nedlands if this report is approved or not.



M O U N T C L A R E M O N T

LISLE LODGE  
LEAWEENA LODGE  
MELVISTA LODGE

20 July 2018

His Worship the Mayor  
City of Nedlands  
PO Box 9  
NEDLANDS WA 6909

Dear Mayor Hipkins,

**Lisle Villages Inc. - Draft New Rules of Association**

In order to meet the new requirements introduced by the Associations Incorporation Act 2015, and to introduce modern governance practices, it is necessary for Lisle Villages Inc. to replace our existing Constitution with new Rules of Association. The Association has engaged legal firm Jackson MacDonald to assist the Board in drafting our new Rules of Association. A draft copy of this draft document is attached for your consideration and comment.

The Board is currently embarking on a program of engagement with residents of Lisle Villages to help ensure they are informed of the proposed rule changes and have an opportunity to provide comments and suggestions. Once the engagement program is concluded the Board will incorporate those comments which have merit and finalise the new Rules. The final proposed Rules will be put to a general meeting of Members for adoption. It is the Boards intention that this will occur prior to our next AGM so that it may be conducted under the new Rules.

A key requirement under the proposed new Rules is that the Lisle Villages Board will ultimately comprise independent members only. As part of this change sitting Councillors of the City of Nedlands will be excluded from eligibility for positions on future Lisle Villages Inc boards. This is in keeping with a recent resolution by City of Nedlands Council to not have representation on the Board of Lisle Villages Inc.

If the City of Nedlands Council has any comments to make on Lisle Villages Inc draft new Rules of Association then we invite you to provide these to us by 30 August 2018 for our consideration.

Thank you.

Basil Palassis  
Chairman  
Lisle Villages Inc.Lisle Villages Inc  
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Tel: (08) 9384 5481 Fax: (08) 9385 0016

CITY OF NEDLANDS

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## Rules of Association

Lisle Villages (Inc)

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**Lisle Villages (Inc)**  
**Rules of Association**

**1. Name**

The name of the Association is Lisle Villages (Inc).

**2. Definitions and interpretation**

**2.1 Definitions**

In these rules, unless the contrary intention appears:

**Act** means the *Associations Incorporation Act 2015 (WA)*.

**ACNC** means the Australian Charities and Not-for-profits Commission.

**ACNC Act** means the *Australian Charities and Not-for-profits Commission Act 2012 (Cth)*.

**ACNC Commissioner** means the Commissioner of the ACNC for the purposes of the ACNC Act.

**Annual General Meeting** means a meeting convened under rule 17.1(a).

**Annual Subscription Fee** has the meaning given to that term in rule 6.3(a).

**Appealing Member** has the meaning given to that term in rule 8.2(a).

**Association** means the association referred to in rule 1 being Lisle Villages (Inc).

**Auditor** means the auditor, if any, of the Association appointed under rule 20.

**Business Day** means a day which is not a Saturday, Sunday or public holiday in Perth, Western Australia.

**Board** means the management committee of the Association established under rule 10.

**Board Member** means a member of the Board.

**Board Meeting** means a meeting of the Board.

**Commissioner** means the Commissioner of Taxation, a Second Commissioner of Taxation or a Deputy Commissioner of Taxation for the purposes of the ITAA97.

**Deductible Gift Recipient** means an institution, fund, authority or any other entity that is endorsed as a deductible gift recipient by the Commissioner under Division 30 of the ITAA97 or is a specific listed deductible gift recipient under Division 30 of the ITAA97.

**Financial Year** means each consecutive 12 month period commencing on 1 July and expiring on 30 June in the following calendar year.



**General Meeting** means a meeting of the Members for the purpose of conducting the business of the Association and includes an Annual General Meeting and a Special General Meeting.

**Independent** means a person who is not or has not previously been:

- (a) a Resident;
- (b) a relative, spouse or de facto of a Resident;
- (c) an employee of the Association; or
- (d) a Councillor of the City of Nedlands.

**ITAA97** means the *Income Tax Assessment Act 1997* (Cth).

**Lodge** means any of the Lisle, Leaweena or Melvista lodges and any additional lodges owned by or under the care, control and management of the Association.

**Member** means a member of the Association.

**Objects** means the objects of the Association as set out in rule 3.1.

**Register of Members** means the register of Members referred to in rule 9.

**Registered Charity** means an entity that is registered with the ACNC under the ACNC Act.

**Registered Public Benevolent Institution** has the meaning contained in section 995(1) of the ITAA97.

**Resident** means a person who is in occupation of a Residential Unit.

**Residential Unit** means a home unit situated within a Lodge and includes any land or facility that is provided for the exclusive use of the Resident occupying the unit.

**Rules** means these rules of the Association.

**Special General Meeting** means a General Meeting other than an Annual General Meeting.

**Special Resolution** means a resolution of the Association passed at a General Meeting by not less than 75% of the Members entitled to vote, present and voting at the General Meeting, of which written notice has been provided in accordance with rule 17.3.

**Subcommittee** means a subcommittee of the Board established under rule 15.

**Transitional Provisions** means those provisions of this Constitution appearing in Schedule 1.

## 2.1 Interpretation

In these Rules, unless the context requires otherwise:

- (a) a reference to a statute includes its subordinate legislation and a modification, replacement or re-enactment of either;
- (b) a reference to a person includes a reference to a company, body corporate, trust, partnership, incorporated association, joint venture, organisation and any other form of entity;
- (c) a reference to a Member present at a General Meeting is a reference to a Member present in person, by technology or by proxy;
- (d) a reference to a Board Member present at a Board Meeting is a reference to a Member present in person or by technology;
- (e) a reference to writing and written includes printing, electronic documents and other ways of representing or reproducing words in a visible form;
- (f) the singular (including defined terms) includes the plural and the plural includes the singular;
- (g) the words “includes”, “including” and similar words, are not words of limitation and do not restrict the interpretation of a word or phrase in these Rules;
- (h) a word importing any gender includes every other gender;
- (i) if the date on which a thing must be done is not a Business Day, then that thing must be done on the next Business Day;
- (j) if a period of time runs from a given date, act or event, then the time is calculated exclusive of the date, act or event;
- (k) headings are used for convenience only and do not affect the interpretation of these Rules; and
- (l) if a word or phrase is defined, other grammatical forms of that word or phrase have a corresponding meaning.

### **3. Objects and Activities**

#### **3.1 Objects**

The objects of the Association are to provide benevolent access to affordable, safe and secure housing solutions for aged persons, including in the form of Residential Units.

#### **3.2 Activities**

In promoting and advancing the Objects, the Association may undertake any of the following activities:

- (a) providing Residential Units for Residents or potential Residents under a retirement village scheme as defined in the *Retirement Villages Act 1992*;
- (b) building new Residential Units;

- (c) repairing and maintaining Residential Units, the grounds surrounding such units, and any other areas provided for the common use of Residents;
- (d) providing common areas for Resident recreation; and
- (e) doing any other such things which will enhance the quality of life of the Residents.

#### **4. Powers of the Association**

For the sole purpose of promoting, advancing and carrying out the Objects, the Association has the powers conferred on it by the Act and the ACNC Act, including the power to:

- (a) acquire, hold, deal with, and dispose of any real or personal property;
- (b) open and operate bank accounts;
- (c) invest any money of the Association not immediately required in any security authorised by law as the Board thinks fit;
- (d) borrow money upon such terms and conditions as the Board thinks fit;
- (e) give such security for the discharge of liabilities incurred by the Association as the Board thinks fit;
- (f) appoint agents to transact any business of the Association on its behalf;
- (g) enter into any contract it considers necessary or desirable;
- (h) appoint, employ and dismiss any staff of the Association as required and on such terms and conditions as the Board sees fit; and
- (i) do all such other things as the Board deems to be necessary, incidental or conducive to the attainment of the Objects and the exercise of the above powers.

#### **5. Property and income**

##### **5.1 Members not to profit**

The property and income of the Association must be applied solely towards the promotion of the Objects of the Association and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to any Member, except in good faith in the promotion of those Objects.

##### **5.2 Remuneration**

Rule 5.1 does not prevent:

- (a) the payment in good faith of remuneration to any Member, officer, employee or agent of the Association or other person in return for services authorised by the Board and rendered to the Association;



- (b) the payment of interest at a rate not exceeding the amount charged by the bank for the time being of the Association on overdraft accommodation of the same amount on any money lent by a Member to the Association;
- (c) the payment of reasonable and proper rent for premises leased or let by a Member to the Association;
- (d) the payment of out of pocket expenses incurred by an authorised Member or other authorised person on behalf of the Association;
- (e) the payment of out of pocket expenses incurred by a Board Member for travel and accommodation in connection with the performance of that Board Member's functions; or
- (f) the payment of remuneration in good faith to any Board Member, under rule 10.7.

## 6. Membership

### 6.1 Eligibility

- (a) Membership of the Association is open to any:
  - (i) Resident; or
  - (ii) person who has an interest in the welfare of Residents and the Lodges.
- (b) A Member who ceases to meet the criteria in rule 6.1(a)(i) ceases to be a Member upon ceasing to be a Resident.
- (c) A Resident does not have to be a Member of the Association if they do not wish to be a Member.

### 6.2 Applying for Membership

- (a) A person who wishes to become a Member must apply for Membership to the Board in writing, in such form as the Board from time to time directs.
- (b) The Board or its delegate must consider each application made under rule 6.2(a) and must accept or reject the application.
- (c) The Board is not required to provide reasons as to why a Membership application was rejected.
- (d) If a person's Membership application is accepted, the Association must enter that person on the Register of Members within 28 days of its decision.
- (e) A person's Membership takes effect when they are entered on the Register of Members.

### 6.3 Subscription of Members

- (a) The Board may, from time to time at a Board Meeting, determine the amount of annual subscription to be paid by each Member (**Annual Subscription Fee**).

- (b) Each Member must pay to the Association, annually on or before 1 July or such other date as the Board from time to time determines, the Annual Subscription Fee.
- (c) A Member whose Annual Subscription Fee is not paid within three months after the date fixed for its payment, ceases to be a Member on the expiry of that period, unless the Board determines otherwise.
- (d) Residents who are Members are exempt from paying the Annual Subscription Fee (if any) for as long as they remain a Resident.

#### 6.4 **Member Rights**

Members are entitled to:

- (a) receive notices of, attend and be heard at a General Meeting;
- (b) vote at a General Meeting, provided the Member has paid the Annual Subscription Fee (if any) (one vote only on any given resolution); and
- (c) receive a copy of the annual financial report (if any) of the Association.

### 7. **Resignation and cessation of Members**

#### 7.1 **Cessation of Membership**

- (a) A Member ceases to be a Member, if the Member:
  - (i) dies;
  - (ii) is permanently incapacitated by mental disability;
  - (iii) ceases to be a Member under rule 6.1(b) or 6.3(c);
  - (iv) resigns as a Member under rule 7.2; or
  - (v) is expelled from Membership of the Association under rule 8.
- (b) A person who ceases to be a Member under rule 7.1(a):
  - (i) remains liable to pay to the Association the amount of any Annual Subscription Fee due and payable by that person to the Association but unpaid at the date of the cessation; and
  - (ii) is not entitled to a refund or credit, for any Annual Subscription Fee paid by the Member to the Association under rule 6.3(b).
- (c) The Association must remove a person from the Register of Members within 28 days of an event referred to in 7.1(a) occurring.

#### 7.2 **Resigning as a Member**

- (a) A Member may resign from Membership by giving written notice of their resignation to the Association.

- (b) The Member's resignation will be effective at the time the Association receives the notice of resignation.

## **8. Suspension or Expulsion of Members**

### **8.1 Decision of the Board**

- (a) The Board may suspend or expel a Member from the Association by ordinary resolution at a Board Meeting, because of:
  - (i) the Member's failure to comply with these Rules; or
  - (ii) the Member's conduct which is prejudicial or detrimental to the interests of the Association.
- (b) The Board must give a Member who is the subject of a proposed resolution under rule 8.1(a) written notice of the proposed suspension or expulsion, specifying:
  - (i) the time, date and place of the Board Meeting at which the question of the suspension or expulsion will be considered; and
  - (ii) particulars of the Member's conduct which is the subject of the notice, not less than 21 days prior to the date of such Board Meeting.
- (c) A Member who is the subject of a proposed resolution under rule 8.1(a) may:
  - (i) make written representations (of a reasonable length) and provide these to the Association for circulation to the Board Members;
  - (ii) speak to the motion at the relevant Board Meeting; and
  - (iii) elect to bring a support person, who is not a legal representative, to the relevant Board Meeting.
- (d) The Association must give a copy of the representations referred to in rule 8.1(c)(i) to each Board Member, unless those representations are defamatory or deemed by the Board to be prejudicial to the effective operations and reputation of the Association and its Members.
- (e) The Board must decide whether to suspend, expel or decline to suspend or expel the Member at the Board Meeting referred to in rule 8.1(a) and must communicate that decision to the relevant Member as soon as possible after the decision is made.
- (f) A Member may be suspended for such period of time as the Board sees fit in its absolute discretion.
- (g) Subject to rule 8.2, a decision of the Board to suspend or expel a Member takes effect 14 days after the day on which the decision to is communicated to the Member under rule 8.1(e).

### **8.2 Right of appeal**



- (a) A Member who is suspended or expelled from Membership under rule 8.1(e) (**Appealing Member**) may appeal the decision, by providing written notice to the Association within 14 days after the day on which the decision to suspend or expel the Appealing Member is communicated to the Appealing Member under rule 8.1(e).
- (b) Upon receiving a notice under rule 8.2(a), the Board must give written notice to the Appealing Member, specifying the time, date and place of a General Meeting at which the question of the Appealing Member's suspension or expulsion will be considered by the Members, which must not be more than 90 days after receiving the notice.
- (c) The Appealing Member may:
  - (i) make written representations (of a reasonable length) and provide these to the Association for circulation to the Members;
  - (ii) speak to the motion at the relevant General Meeting; and
  - (iii) elect to bring a support person, who is not a legal representative, to the relevant General Meeting.
- (d) The Association must give a copy of the representations referred to in rule 8.2(c)(i) to each Member, unless those representations are defamatory or deemed by the Board to be prejudicial to the effective operations and reputation of the Association and its Members.
- (e) The Members must at the relevant General Meeting confirm or set aside the decision of the Board to suspend or expel the Appealing Member.
- (f) If the Members set aside the decision of the Board to expel the Appealing Member, the Members may determine that the Appealing Member be suspended in the alternative, and must determine the period of the suspension.
- (g) An Appealing Member's suspension or expulsion does not take effect unless and until the decision of the Board to suspend or expel the Appealing Member is confirmed or varied, as the case may be, under rule 8.2(e) or 8.2(f).

### 8.3 Consequences of Suspension

- (a) During the period of suspension, the Member:
  - (i) loses any rights (including voting rights) arising as a result of Membership; and
  - (ii) is not entitled to a refund, rebate, relief or credit of their Annual Membership Fee (if any).
- (b) When a person's Membership is suspended, the Board must ensure it is recorded in the Register of Members:
  - (i) that the person's Membership is suspended;
  - (ii) the date on which the suspension takes effect; and

- (iii) the period of the suspension.
- (c) When the period of the suspension ends, the Board must record in the Register of Members that the person's Membership is no longer suspended.

## **9. Register of Members**

### **9.1 Maintaining a Register of Members**

- (a) The Association must maintain a Register of Members in accordance with the Act.
- (b) The Register of Members must include each Member's name and:
  - (i) residential address;
  - (ii) postal address; or
  - (iii) email address.
- (c) The Register of Members must be kept at a location determined by the Board from time to time.

### **9.2 Inspection of the Register of Members**

- (a) A Member may request to inspect the Register of Members.
- (b) The Association must make the Register of Members available for inspection upon such a request by a Member.
- (c) Subject to rules 9.3 and 9.4, a Member inspecting the Register of Members may make a copy of, or take an extract from, the Register of Members but is not entitled to remove the Register of Members for that purpose.

### **9.3 Copy of the Register of Members**

- (a) A Member may make a request in writing to the Board for a copy or extract of the Register of Members.
- (b) The Board may require a Member who requests a copy or extract of the Register of Members to provide a statutory declaration setting out the purpose of the request and declaring that the purpose is directly connected with the affairs of the Association.

### **9.4 When using the information in the Register of Members is prohibited**

A Member must not use or disclose the information on the Register of Members:

- (a) to gain access to information that a Member has deliberately denied them;
- (b) to contact or send material to the Association or a Member for the purpose of advertising for political, religious, charitable or commercial purposes unless the use of the information is approved by the Board; or



- (c) for any other purpose, unless the purpose:
  - (i) is directly connected with the affairs of the Association; or
  - (ii) is related to the administration of the Act.

## **10. Board**

### **10.1 Management of the Association**

- (a) The Board is vested with the management of the Association's affairs and the control of the funds and other property of the Association.
- (b) The Board may exercise all of the powers of the Association except those which must, under these Rules or the Act, be exercised by the Members at a General Meeting.
- (c) If, at any time, the Membership of the Association is less than 6 full voting Members, the Board may act only for the purpose of increasing the number of Members to a number sufficient to meet the minimum requirements of the Act.
- (d) If, at any time, the composition of the Board is less than the minimum specified in clause 10.2(a), the Board may act only for the purpose of increasing the number of Board Members to a number sufficient to meet the minimum requirements of clause 10.2(a).
- (e) The Board must comply with any Board policies, governance rules and codes of conduct as developed by the Board from time to time.

### **10.2 Composition**

- (a) The Board must consist of a minimum of 3 and a maximum of 5 people, having such appropriate experience and skills to assist the Association.
- (b) The Board must consist of the following office-bearers:
  - (i) a Chairperson; and
  - (ii) a Treasurer.
- (c) The Board may be supported by additional office-bearers, who do not need to be Board Members.

### **10.3 Eligibility**

- (a) A person is only eligible for appointment as a Board Member if that person:
  - (i) is at least 18 years of age;
  - (ii) is a Member of the Association;
  - (iii) is Independent;

- (iv) is eligible to serve as a Board Member under the requirements of the Act;
  - (v) has not been disqualified from being a Board Member by the ACNC Commissioner; and
  - (vi) meets any additional eligibility criteria, qualification or experience requirements determined by the Board from time to time (if any).
- (b) Before being appointed to the Board, the Board may require that a person sign a statutory declaration stating that they meet the eligibility requirement set out in rules 10.3(a)(iii) to 10.3(a)(vi).

#### 10.4 Appointment of Board Members

- (a) Subject to rule 10.3:
- (i) the Board may recommend one or more candidates for appointment to the Board at an Annual General Meeting; and
  - (ii) the Members may appoint a Board Member at an Annual General Meeting by ordinary resolution.
- (b) The Board may determine the rules which govern the appointment of Board Members.
- (c) If:
- (i) there are insufficient recommended candidates to fill all vacancies on the Board; or
  - (ii) the recommended candidates do not receive endorsement of 50% or more of the Members at the Annual General Meeting and therefore the positions remain vacant,
- any vacant position shall be dealt with under rule 11.3.
- (d) Following an appointment under rule 10.4(a), the chairperson of the Annual General Meeting must declare each successful person to be duly appointed as a Board Member to take office at the end of the Annual General Meeting.

#### 10.5 Appointment of Office-Bearers

Subject to rule 10.3, at the first Board Meeting occurring after each Annual General Meeting, if necessary, the Board shall appoint office-bearers in accordance with rule 10.2(b) and 10.2(c).

#### 10.6 Term of office

- (a) Subject to rules 10.6(b), 11.3 and 12.1 a Board Member holds office until the end of the third Annual General Meeting following their appointment.
- (b) In order to implement a system of rotation, the Board must determine by lot which:



- (i) 2 initial Board Members, which must include the initial Chairperson, will hold office until the end of the third annual general meeting following their appointment;
  - (ii) 2 initial Board Members will hold office until the end of the second annual general meeting following their appointment; and
  - (iii) 1 initial Board Member will hold office until the end of the first annual general meeting following their appointment.
- (c) Subject to rule 10.3 **Error! Reference source not found.**, a Board Member is eligible for re-appointment.

## 10.7 Remuneration

Each Board Member is entitled to such reasonable remuneration as the Members in General Meeting decide.

## 11. Board vacancies

### 11.1 Vacation of position

- (a) The position of any Board Member will be vacated if the holder of that position:
- (i) resigns by notice in writing to the Association;
  - (ii) is incapacitated by physical ill health or certified as unfit;
  - (iii) is no longer eligible to be a Board Member under rule 10.3;
  - (iv) is removed under rule 12; or
  - (v) is absent for more than three Board Meetings in the same Financial Year, of which he or she has received notice, without a reason which is accepted by the Chairperson.

### 11.2 Board may act notwithstanding vacancy

The Board may act notwithstanding a vacancy occurring in any position on the Board.

### 11.3 Filling of vacant positions

The Board may appoint any person who is eligible under rule 10.3 to fill a vacant position on the Board (including the appointment of an office-bearer) and that person shall hold office until the end of the next Annual General Meeting following their appointment.

### 11.4 Returning the books of the Association

Within 14 days of ceasing to be a Board Member, the outgoing Board Member must transfer all relevant documents, records and assets of the Association in their possession, custody or control (if any) to the Chairperson, or other Board Member nominated and authorised by the Board from time to time.

## 12. Removal of Board Members

### 12.1 Removal by the Board

- (a) The Board may remove a Board Member because of:
  - (i) the Board Member's failure to comply with these Rules; or
  - (ii) the Board Member's conduct which is prejudicial or detrimental to the interests of the Association.
- (b) At a Board Meeting, the Board may by ordinary resolution:
  - (i) remove a Board Member from office, provided that written notice of the proposed removal has been given to the relevant Board Member; and
  - (ii) elect a person who is eligible under rule 10.3 to fill the vacant position.
- (c) A person elected as a Board Member under rule 12.1(b)(ii), holds office until the end of the next Annual General Meeting following their appointment.

### 12.2 Procedure

- (a) The Board must give a Board Member who is the subject of a proposed resolution under rule 12.1 written notice of the proposed removal specifying:
  - (i) the time, date and place of the Board Meeting at which the question of the removal will be considered; and
  - (ii) particulars of the Board Member's conduct which is the subject of the notice,

not less than 28 days prior to the date of such Board Meeting.
- (b) A Board Member who is the subject of a proposed resolution under rule 12.1 may:
  - (i) make written representations (of a reasonable length) and provide these to the Board;
  - (ii) speak to the motion at the Board Meeting; and
  - (iii) elect to bring a support person, who is not a legal representative, to the relevant Board Meeting.
- (c) The Board must give a copy of the representations referred to in rule 12.2(b)(i) to each Board Member, unless those representations are defamatory.
- (d) The Board must decide whether to remove the Board Member at the Board Meeting referred to in rule 12.1 and must communicate that decision to the relevant Board Member as soon as possible after the decision is made.
- (e) A decision of the Board to remove a Board Member takes effect upon the passing of the ordinary resolution to remove the Board Member.



## **13. Duties of the Board**

### **13.1 Secretariat Function**

The Board has the following duties, which it may delegate to a Board Member, office-bearer or other person appointed by the Board:

- (a) co-ordinating the correspondence of the Association;
- (b) consulting with the Chairperson regarding the business to be conducted at each Board Meeting and General Meeting;
- (c) preparing the notices required for General Meetings and Board Meetings and for the business to be conducted at General Meetings and Board Meetings;
- (d) maintaining on behalf of the Association the Register of Members, and recording in the Register of Members any changes in the Membership, as required under the Act and these Rules;
- (e) maintaining on behalf of the Association an up-to-date copy of these Rules, as required under the Act;
- (f) maintaining on behalf of the Association a record of the names and address of persons who:
  - (i) are Board Members; and
  - (ii) are office-bearers;
- (g) ensuring the safe custody of the books of the Association, other than the financial records, financial statements and financial reports, as applicable to the Association; and
- (h) maintaining full and accurate minutes of Board Meetings and General Meetings.

### **13.2 Financial Management**

The Board has the following duties, which it may delegate to a Board Member, office-bearer or other person appointed by the Board:

- (a) ensuring that any amounts payable to the Association are collected and issuing receipts for those amounts in the Association's name;
- (b) ensuring that any amounts paid to the Association are credited to the appropriate account of the Association, as directed by the Board;
- (c) ensuring that any payments to be made by the Association that have been authorised by the Board or at a General Meeting are made on time;
- (d) ensuring that the Association complies with the relevant requirements of Part 5 of the Act;
- (e) ensuring the safe custody of the Association's financial records, financial statements and financial reports, as applicable to the Association;

- (f) coordinating the preparation of the Association's financial statements before their submission to the Annual General Meeting; and
- (g) providing any assistance required by an Auditor or reviewer conducting an audit or review of the Association's financial statements or financial report under Part 5 Division 5 of the Act.

## **14. Board Meetings**

### **14.1 Meetings**

- (a) The Board will meet together to conduct the Association's business as often as the Chairperson determines, provided that the Board must meet at least once every 3 months.
- (b) Subject to these Rules, the Board Members present at a Board Meeting must determine the procedure and order of business to be followed at the Board Meeting.

### **14.2 Notice of Board Meetings**

- (a) The Chairperson or such other person nominated and authorised by the Board is responsible for providing notice of Board Meetings.
- (b) The nominated person referred to in rule 14.2(a) must give all Board Members not less than 7 days notice of every Board Meeting, except where all of the Board Members unanimously consent to shorter notice being given.

### **14.3 Quorum**

- (a) A quorum for a Board Meeting is a majority of Board Members in office.
- (b) If a quorum is not obtained within thirty minutes of the time appointed for the Board Meeting, the Board Meeting will lapse.

### **14.4 Chairperson of Board Meetings**

- (a) Subject to rule 14.4(b), at every Board Meeting the Chairperson will preside as chairperson of the Board Meeting.
- (b) In the absence of the Chairperson, the remaining Board Members must elect a Board Member to preside as chairperson.

### **14.5 Voting at Board Meetings**

- (a) Every Board Member present at a Board Meeting has a deliberative vote.
- (b) Any resolution put forward at a Board Meeting must be passed by a majority of the Board Members present and voting at the Board Meeting.
- (c) Where there is an equality of votes, the chairperson has a casting vote in addition to their deliberate vote.

### **14.6 Conflict of interest**



- (a) A Board Member who has any material personal interest in a matter being considered at a Board Meeting must:
  - (i) as soon as he or she becomes aware of that interest, disclose the nature and extent of his or her interest to the Board;
  - (ii) not be present while the matter is being considered at the Board Meeting or vote on the matter; and
  - (iii) disclose the nature and extent of the interest at the next General Meeting.
- (b) Rule 14.6(a) does not apply in respect of a material personal interest that:
  - (i) exists only because the Board Member is a member of a class of persons for whose benefit the Association is established; or
  - (ii) the Board Member has in common with all, or a substantial proportion of, the Members.

#### 14.7 Validity of acts of the Board

All acts done at any Board Meeting, or by the Board, will, notwithstanding that it is afterwards discovered that there was some defect in the appointment of any Board Member or that any Board Member was disqualified, be valid as if such defect did not in fact exist or such Board Member was not disqualified, as the case may be.

#### 14.8 Use of Technology at Board Meeting

- (a) The Board may hold a Board Meeting at 2 or more venues using any technology that gives the Board Members entitled to be heard at a Board Meeting, a reasonable opportunity to participate.
- (b) The Board Members may only withdraw their consent for the use of technology by a resolution of the Board at a Board Meeting.

#### 14.9 Minutes of Board Meetings

- (a) Subject to rule 14.9(c), the Board must cause proper minutes of all proceedings of every Board Meeting to be entered into a minute book within 30 days after the holding of each such Board Meeting.
- (b) The minutes referred to under rule 14.9(a) must contain:
  - (i) the names of all Board Members present and those whose apologies for non-attendance were accepted by the Board Meeting;
  - (ii) details of any material personal interest disclosed by a Board Member under rule 14.6(a)(i); and
  - (iii) all resolutions made, passed or rejected by the Board at the Board Meeting.

- (c) If the secretary is not present at the Board Meeting, the Board must nominate and authorise a person to be responsible for complying with the requirements set out in rule 14.9(a) in relation to that particular Board Meeting.
- (d) The minutes created under rule 14.9(a) when signed by the Chairperson will be, until the contrary is proved, evidence that:
  - (i) the Board Meeting was duly convened and held;
  - (ii) all proceedings recorded as having taken place at the Board Meeting did in fact take place; and
  - (iii) all appointments reported to have been made at the Board Meeting have been validly made.

#### 14.10 Resolutions

- (a) Subject to these Rules and the Act, the Board may pass a circular resolution without a Board Meeting being held.
- (b) A circular resolution is passed if all of the Board Members entitled to vote on the resolution sign or otherwise agree to the resolution in the manner set out in rule 14.10(c) or 14.10(d)(d).
- (c) Each Board Member may sign:
  - (i) a single document setting out the resolution and containing a statement that they agree to the resolution; or
  - (ii) separate copies of that document, provided that the wording of the resolution is the same in each copy.
- (d) The Association may send a circular resolution by electronic means to the Board Members and the Board Members may agree to the resolution by sending an electronic reply to that effect, including the text of the resolution in their reply.

### 15. Subcommittees

#### 15.1 Establishment of Subcommittees

The Board may establish Subcommittees to advise the Association on any matter relating to the Association.

#### 15.2 Composition and role of Subcommittee

Unless inconsistent with these Rules, the Board may:

- (a) appoint and remove Subcommittee members, or make provision for the appointment and removal of Subcommittee members;
- (b) specify that the Subcommittee consists of a single individual or a number of individuals;



- (c) determine the functions of any Subcommittee; and
- (d) determine the remuneration (if any) of any Subcommittee members.

### 15.3 Subcommittee Decisions

- (a) If the Board establishes a Subcommittee for a particular matter then the Board must obtain the opinion of that Subcommittee before the Board makes any decision on that matter.
- (b) The opinion or decisions of a Subcommittee are recommendations only and do not bind the Board in any way.

### 15.4 Subcommittee Rules

The Board may make and amend rules for each Subcommittee.

## 16. Management

- (a) The Board may appoint a person who shall be responsible for the day to day management of the business and affairs of the Association and shall have the powers and undertake the responsibilities as determined and in the manner determined, from time to time by the Board.
- (b) The person shall be remunerated in such manner and in such amount determined, from time to time by the Board.

## 17. General Meetings

### 17.1 Annual General Meetings and Special General Meetings

The Board:

- (a) must convene an Annual General Meeting of the Association within the period required by the Act;
- (b) may at any time convene a Special General Meeting of the Association; and
- (c) must give notice under rule 17.3 to convene a Special General Meeting of the Association, for the purpose which will be specified in the request, within 45 days of receiving a written request to do so signed by not less than 20% of the Members (**Percentage**), unless this Percentage is greater than the prescribed percentage under the Act, in which case the prescribed percentage under the Act will apply.

### 17.2 Rights of Members convening Special General Meeting

When a Special General Meeting is convened under rule 17.1(c):

- (a) the Board must:
  - (i) provide notice to all Members of the Special General Meeting in accordance with rule 17.3; or

- (ii) ensure that the Members convening the Special General Meeting are supplied with the Register of Members in accordance with rule 9 for the purpose of convening the Special General Meeting; and
- (b) the Association must pay the reasonable expenses of convening and holding the Special General Meeting.

### 17.3 Notice of General Meeting

A notice of every General Meeting must:

- (a) be given to all Members and the Auditor (if any) at least 14 days prior to the date of the General Meeting, except in the case of a General Meeting at which a Special Resolution is to be considered, in which case at least 21 days notice must be given;
- (b) state the time, date and place of the General Meeting and the particulars of the business to be transacted at the General Meeting, including (where applicable), the wording of any proposed Special Resolutions, and the order in which the business is to be transacted;
- (c) state that Members may appoint another Member as a proxy for the General Meeting and include a copy of any form that the Board has approved for the appointment of a proxy;
- (d) contain details of the Association's voting procedures, including how to vote by post, electronic transmission, and proxy; and
- (e) be delivered by hand, sent by prepaid post or sent by electronic transmission to every Member in accordance with each Member's contact details appearing in the Register of Members in accordance with rule 9.

### 17.4 Quorum

- (a) A quorum of a General Meeting convened under rules 17.1(a) and 17.1(b) is 10% of Members in person or by proxy.
- (b) A quorum of a General Meeting convened under rule 17.1(c) is 20% of Members in person or by proxy.
- (c) If a quorum is not obtained within thirty minutes of the time appointed for the General Meeting:
  - (i) in the case of a meeting convened pursuant to rule 17.1(c), the General Meeting will lapse; and
  - (ii) in the case of any other General Meeting, the General Meeting will be adjourned to a date and time as determined by the Board.
- (d) There will not be transacted at any adjourned General Meeting any business other than the business left unfinished at or on the agenda of the General Meeting which was adjourned.

- (e) When a General Meeting is adjourned for a period of 30 days or more, the Association must give notice under rule 17.3 of the adjourned General Meeting as if that General Meeting was a new General Meeting.

#### 17.5 Chairperson of General Meetings

- (a) Subject to rule 17.5(b), at every General Meeting the Chairperson will preside as chairperson of the General Meeting.
- (b) In the absence of the Chairperson, the Members must elect a Board Member to preside as chairperson.
- (c) The chairperson may:
  - (i) with the consent of the General Meeting, adjourn any General Meeting from time to time and from place to place; and
  - (ii) impose reasonable time limits on the speakers on any motion.

#### 17.6 Voting at General Meetings

- (a) Each Member present at a General Meeting has a deliberative vote.
- (b) Unless otherwise provided in these Rules or the Act, any resolution at a General Meeting will be carried by a simple majority of the Members present on a show of hands.
- (c) Where there is an equality of votes, the chairperson has a casting vote in addition to their deliberate vote.
- (d) At any General Meeting, a declaration by the chairperson that a resolution has been carried and an entry to that effect in the minute book of the proceedings of the Association under rule 17.12, is conclusive evidence of the fact unless, during the General Meeting at which the resolution is considered, a poll is demanded in accordance with rule 17.6(e).
- (e) At a General Meeting, a poll may be demanded by the chairperson or by three or more Members present and, if so demanded, must be taken in such manner as the chairperson directs.
- (f) If a poll is demanded and taken under rule 17.6(e), a declaration by the chairperson of the result of the poll is evidence of the matter so declared.

#### 17.7 Proxies

- (a) A Member may appoint an individual who is a Member or guardian of a Member as his or her proxy to vote and speak on his or her behalf at a General Meeting.
- (b) The appointment of a proxy must be in writing and signed by the Member making the appointment.
- (c) The Member appointing the proxy may give specific directions as to how the proxy is to vote on his or her behalf.



- (d) If no instructions are given to the proxy, the proxy may vote as the proxy sees fit.
- (e) If the Board has approved a form for the appointment of a proxy, the appointing Member must use that form.
- (f) A form appointing a proxy is of no effect unless it is received by the Association before the commencement of the General Meeting for which the proxy is appointed at a time specified by the Board.

#### 17.8 Auditor's Right to be Heard

The Auditor (if any) is entitled to attend and be heard at a General Meeting on any part of the business of that meeting that concerns the Auditor (if any) in their professional capacity.

#### 17.9 Use of Technology at General Meeting

- (a) The Association may hold a General Meeting at 2 or more venues using any technology that gives the Members entitled to be heard at a General Meeting, a reasonable opportunity to participate.
- (b) The Members may only withdraw their consent for the use of technology by a resolution of the Association at a General Meeting.

#### 17.10 Postponing or Cancelling a Meeting

- (a) Subject to rule 17.10(b), the Board may change the venue for, postpone or cancel a General Meeting at its own discretion.
- (b) If a Special General Meeting is called under rule 17.1(c), the Board must not cancel it without the consent of the relevant Members.

#### 17.11 Annual General Meeting

Each Annual General Meeting must consider the following business in the following order:

- (a) the disclosure of the nature and extent of all material personal interests required to be disclosed under rule 14.6(a) (if any);
- (b) the consideration of the financial accounts of the Association and reports of the Board; and
- (c) any other business specified in the notice convening the Annual General Meeting.

#### 17.12 Minutes of General Meetings

- (a) The Secretary, or such other person nominated and authorised by the Board, must cause proper minutes of all proceedings of every General Meeting to be entered into a minute book within 30 days after the holding of each such General Meeting.
- (b) The minutes referred to under rule 17.12(a) must record:

- (i) the names of all Members who attended the meeting;
  - (ii) any proxy forms validly received in accordance with rule 17.7;
  - (iii) details of any material personal interest disclosed by a Board Member at the General Meeting; and
  - (iv) all resolutions passed by the General Meeting.
- (c) The minutes created under rule 17.12(a) when signed by the chairperson of the General Meeting are, until the contrary is proved, evidence that:
- (i) the General Meeting was duly convened and held;
  - (ii) all proceedings recorded as having taken place at the General Meeting did in fact take place; and
  - (iii) all appointments reported to have been made at the General Meeting have been validly made.

## 18. Dispute resolution

- (a) The dispute resolution procedure set out in this rule 18 applies to disputes arising under or in relation to these Rules between:
- (i) a Member and another Member; and
  - (ii) a Member and the Association.
- (b) The parties to a dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.
- (c) If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 30 days, arrange to hold a meeting in the presence of a registered mediator.
- (d) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- (e) The costs of the mediation are shared equally between the parties.
- (f) The mediator, in conducting the mediation, must:
- (i) give the parties to the mediation process every opportunity to be heard;
  - (ii) allow due consideration by all parties of any written statement submitted by any party; and
  - (iii) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- (g) The mediator must not determine the dispute.



- (h) The mediation must be confidential and without prejudice.
- (i) If the mediation process does not result in the dispute being resolved during the mediation meeting or any adjournment thereof within 30 days of the mediator's appointment, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

## **19. Indemnity**

### **19.1 Members bound by Rules and decisions of Board**

- (a) Each Member agrees to comply with these Rules.
- (b) Each Member is bound by the decisions of the Board.

### **19.2 Board Members not liable**

No Board Member is liable for the acts of any other Board Member, or for any loss or damage or expense suffered or incurred by the Association, unless the same is caused by the Board Member's own wilful act, wilful neglect or wilful default.

### **19.3 Indemnification of the Board Members**

Each Board Member is indemnified out of the funds of the Association against any losses, costs or expenses incurred by the Board Member in the discharge of the Board Member's duties, except where such losses, costs and expenses are incurred by the Board Member's own wilful act, wilful neglect or wilful default.

## **20. Auditor**

- (a) The Association must have its financial report for each Financial Year audited or reviewed in accordance with the provisions of the Act.
- (b) The Association must appoint an auditor or reviewer, as the case may be, in accordance with the provisions of the Act.

## **21. Inspection of records and documents of the Association**

In accordance with the requirements of the Act, a Member may inspect:

- (a) these Rules;
- (b) the Register of Members in accordance with rule 9.2; and
- (c) the record of Board Members in accordance with rule 13.1(f).

**22. Notices****22.1 Service on Members or Board Members**

- (a) A notice under these Rules is deemed to be properly served if the notice is addressed and delivered to the Member in person, by pre-paid post or by email as per the details contained in the Register of Members.
- (b) The non receipt of, or the omission to send to any Member or Board Member, any notice or other document required to be sent to a Member under these Rules does not invalidate any General Meeting or Board Meeting.

**22.2 Service on the Association**

A notice may be served on the Association by either email, post or personal delivery to the Chairperson.

**22.3 Time for service of notice**

A notice is deemed to have been received by a Member or other person if:

- (a) personally delivered, on the day of delivery;
- (b) served by pre-paid post, on the day following that upon which it is posted;
- (c) if sent electronically, on the date that the electronic communication was sent,

but if the communication is taken to be received on a day that is not a Business Day or after 5.00pm, it is taken to be received at 9.00am on the next Business Day.

**23. Executing documents**

The Association may execute a document if the document is signed by:

- (a) 2 Board Members; or
- (b) 1 Board Member and a person authorised by the Board.

**24. Common Seal**

The Association does not have a common seal.

**25. Winding up of the Association or cancellation of incorporation****25.1 Resolution**

The Association may, by Special Resolution, resolve that its incorporation under the Act be cancelled, or that it be voluntarily wound up.

**25.2 Distribution of surplus property**

- (a) If, upon the:
- (i) winding up or cancellation of incorporation of the Association; or
  - (ii) revocation of the Association's endorsement as a Deductible Gift Recipient in the form of a Registered Public Benevolent Institution,
- there remains, after satisfaction of all its debts and liabilities, any assets whatsoever, (including any gifts, deductible contributions and money received from such gifts and contributions) the same must not be paid to or distributed among the Members or Board Members but must be transferred to one or more institutions, funds or entities of the type set out in the Act which:
- (i) has objects similar to the Objects;
  - (ii) is a Registered Charity;
  - (iii) is endorsed as a Deductible Gift Recipient in the form of a Registered Public Benevolent Institution; and
  - (iv) prohibits distribution of its income and property among its members and directors (or other controlling body) to an extent at least as great as is imposed on the Association by rule 5.1.
- (b) The identity of the institutions, funds or entities referred to in rule 25.2(a) must be decided by the Members by Special Resolution.
- (c) Where gifts to an institution, fund or authority are deductible only if, among other things, the conditions set out in the relevant table item in subdivision 30-B of the ITAA97 are satisfied, a transfer under this rule must be made in accordance with those conditions.

**26. Rules of the Association**

- (a) The Association may, by Special Resolution, resolve to amend these Rules.
- (b) All previous acts and appointments legal and valid under these Rules, prior to the amendment or repeal of these Rules or under the former Rules (subject to any later rules), will remain legal and valid.
- (c) Any amendment or repeal of these Rules or any new rules only has force or effect as set out under the Act.

**27. Transitional Provisions****27.1 Transitional Arrangements**

The Transitional Provisions shall apply in accordance with their terms as if set out in these Rules in full.



**27.2 Transitional Provisions Paramount**

In the case of any inconsistency between the Transitional Provisions and any other provision of these Rules, the Transitional Provisions will prevail.

**27.3 Continuance of Transitional Provisions**

The Transitional Provisions shall have continuing force and effect in accordance with their terms.

## Schedule 1 – Transitional Provisions

1. For the purposes of these Transitional Provisions:
  - (a) “Effective Date” means the date these Rules take effect under the Act; and
  - (b) terms uniquely defined in the Rules of the Association and used in these Transitional Provisions will have those defined meanings.
2. Subject to paragraph 1(b) of this Schedule 1, from the Effective Date the existing Rules that previously applied to the Association are of no further force or effect.
3. With respect to those holding office as at the Effective Date as a Board Member, the following provisions shall apply:
  - (a) The Board Members listed in column 1 of Table A:
    - (i) shall be deemed to be a Board Member on and from the Effective Date as indicated in column 2 of Table A against each of their names; and
    - (ii) shall be deemed to retire or their appointment to office terminate as at the time listed in column 3 of Table A against each of their names (without prejudice to their opportunity to be re-elected or re-appointed to office, subject to the provisions of the Rules).
  - (b) Any person holding office as a Board Member immediately prior to the Effective Date and whose name does not appear in Table A shall be deemed to have retired from such office as at the Effective Date.

<b>Table A</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Name of Director</b>	<b>Board Member</b>	<b>Deemed date of scheduled retirement from office</b>
[Insert name]	Board Member Chairperson	The end of the third annual general meeting following their appointment
[Insert name]	Board Member	The end of the third annual general meeting following their appointment
[Insert name]	Board Member	The end of the second annual general meeting following their appointment

<b>Table A</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Name of Director</b>	<b>Board Member</b>	<b>Deemed date of scheduled retirement from office</b>
[Insert name]	Board Member	The end of the second annual general meeting following their appointment
[Insert name]	Board Member	The end of the first annual general meeting following their appointment

(c) The persons holding office as Chairperson and Treasurer immediately before the Effective Date will continue to hold such office on and from the Effective Date until the first Board Meeting following the next annual general meeting held after the Effective Date, subject to the provisions of rule 10.2(b).

(d) A Board Member listed in Table A holds office until the date mentioned in column 3 of Table A against their name.

4. Members holding the class of membership noted in column 1 of Table B immediately prior to the Effective Date shall be deemed to hold the class of membership noted in column 2 of Table B on and from the Effective Date without any additional Annual Subscription Fee or fee adjustment on account of that change of class of Membership.

<b>Table B</b>	
<b>Column 1</b>	<b>Column 2</b>
<b>Pre-Effective Date Class of Membership</b>	<b>Membership Class on and from Effective Date</b>
Resident Member	Full voting member
Life Member	Full voting member
Other Member	Full voting member



Enquiries: Greg Trevaskis, CEO – (08) 9273 3502  
Our reference: ORGN-1039201495-1187



City of Nedlands

ABN 92 614 728 214

24 July 2018

Mr Basil Palassis  
Chairman  
Lisle Villages Inc  
Unit 50 / 57 Lisle Street  
MT CLAREMONT WA 6010

*Basil*  
Dear Mr Palassis

I refer to your letter of 20<sup>th</sup> July 2018 in relation to Draft New Rules of the Association for Lisle Villages Inc.

The Mayor has asked me to respond and confirm the City's support for the proposed changes and in particular the exclusion of City of Nedlands Councillors from future positions on the Board of Management.

Thank you for keeping the City informed on the proposed changes and we wish yourself and Lisle Villages Inc the very best for the future.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Greg Trevaskis', with a large, sweeping flourish at the end.

Greg Trevaskis  
**Chief Executive Officer**

cc Mayor Hipkins





26 November 2018

His Worship the Mayor  
City of Nedlands  
PO Box 9  
NEDLANDS WA 6909

Dear Mayor Hipkins,

### **Lisle Villages Inc. – New Rules of Association**

We refer to our previous correspondence with the City of Nedlands (**City**) regarding the proposed amendments to the Constitution of Lisle Villages Inc. (**Lisle**).

We note the City's correspondence dated 28 September 2017, in which the City set out its view regarding its relationship with Lisle as follows:

*"...Accordingly, it would be appreciated if you could amend the current Constitution of Lisle Villages to remove any reference to the involvement of the City of Nedlands and specifically the requirement of a Councillor to be part of the Board of Management..."*

On 20 July 2018, Lisle wrote to the City attaching a copy of the proposed draft Rules of Association, (**First Draft**). The First Draft was prepared on the basis of complying with the *Associations Incorporation Act 2015 (WA)*, good governance practices, modernising the constitution, to include an amendment to the Board structure in line with the City's view above and also to move to a completely independent Board.

By a letter dated 24 July 2018, Lisle received the City's confirmation and support of the proposed changes set out in the First Draft, and in particular, the exclusion of the City from future positions on Lisle's Board of Management and any other direct involvement by the City in the affairs of Lisle.

Lisle then presented the First Draft to our Members and undertook an extensive consultation process with them to ensure that concerns and suggestions were addressed. In order to incorporate the wishes of the majority of Members some minor amendments to the First Draft were made. On 27 September 2018, Lisle convened an Extraordinary General Meeting (**EGM 1**) to pass a special resolution by Members to accept and adopt the First Draft. Unfortunately, the special resolution achieved only a 68% vote in favour and, being less than the required 75%, was not passed by Members.

Subsequent to EGM 1, Lisle again sought feedback from its Members as to the First Draft. As a result of this consultative process, Lisle amended the Rules of Association to reflect a desire by some Members to include minority resident representation on the Board. (**Final Draft**).

On 21 November 2018, Lisle convened a further Extraordinary General Meeting (**EGM 2**) to pass a special resolution by Members to accept and adopt the Final Draft. Members passed the special resolution as presented at EGM 2.

Please find **enclosed** the Final Draft (showing changes marked up from the First Draft that the City approved) for the Council of the City's consideration and approval.

We believe that the amendments that were made to the Final Draft do not prejudice or materially affect the City, given the City's previous correspondence with Lisle and its request to remove any reference to the involvement of the City in the affairs of Lisle. Further, the Final Draft has received overwhelming support from Members, and is supported by the Commissioner for Consumer Protection.

However, under Rule 20(b) of Lisle's current Constitution, any proposed alterations to the Constitution must be submitted to the Council of the City for approval *prior to* notice of a special resolution proposing to alter the Constitution being given to the Members.

Rule 20(b) of Lisle's current Constitution states:

*"(b) Proposed alterations to the Constitution must be submitted to the Council of the City of Nedlands for approval prior to notice of a special resolution under paragraph (a) being given to Members. If the City refuses to approve a proposed alteration to the Constitution, it is open to the Association to challenge that refusal in a court of appropriate jurisdiction."*

Regrettably, due to an administrative oversight and having received the City's correspondence dated 28 September 2017 and 24 July 2018, the Final Draft was not provided to the City for its approval prior to EGM 2.

If the Council agrees to approve the proposed alteration of the Constitution as contained in the Final Draft enclosed with this letter, then as per extracted rule 20(b) above, we would appreciate the City's formal written approval.

We would appreciate if the City's approval can be expeditiously granted, given that the Lisle Members approved the Second Draft by special resolution at EGM 2 on 21 November 2018, and therefore the revised constitution must be submitted to the Commissioner for Consumer Protection within 1 month of passing the special resolution (i.e. by 20 December 2018).

We would be happy to discuss this matter with you further at a time that is convenient, and look forward to hearing from you

Yours faithfully,



Greg Hill  
Acting Chairman  
Lisle Villages Inc.

**Enc.** Rules of Association - Lisle Villages (Inc) Final Draft

CC: Greg Trevaskis, CEO, City of Nedlands.



## Rules of Association

Lisle Villages (Inc)

DRAFT

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**Lisle Villages (Inc)**  
**Rules of Association**

**1. Name**

The name of the Association is Lisle Villages (Inc).

**2. Definitions and interpretation**

**2.1 Definitions**

In these rules, unless the contrary intention appears:

**Act** means the *Associations Incorporation Act 2015 (WA)*.

**ACNC** means the Australian Charities and Not-for-profits Commission.

**ACNC Act** means the *Australian Charities and Not-for-profits Commission Act 2012 (Cth)*.

**ACNC Commissioner** means the Commissioner of the ACNC for the purposes of the ACNC Act.

**Annual General Meeting** means a meeting convened under rule 17.1(a).

**Annual Subscription Fee** has the meaning given to that term in rule 6.3(a).

**Appealing Member** has the meaning given to that term in rule 8.2(a).

**Association** means the association referred to in rule 1 being Lisle Villages (Inc).

**Auditor** means the auditor, if any, of the Association appointed under rule 20.

**Business Day** means a day which is not a Saturday, Sunday or public holiday in Perth, Western Australia.

**Board** means the management committee of the Association established under rule 10.

**Board Member** means a member of the Board.

**Board Meeting** means a meeting of the Board.

**Commissioner** means the Commissioner of Taxation, a Second Commissioner of Taxation or a Deputy Commissioner of Taxation for the purposes of the ITAA97.

**Deductible Gift Recipient** means an institution, fund, authority or any other entity that is endorsed as a deductible gift recipient by the Commissioner under Division 30 of the ITAA97 or is a specific listed deductible gift recipient under Division 30 of the ITAA97.

**Financial Year** means each consecutive 12 month period commencing on 1 July and expiring on 30 June in the following calendar year.

**General Meeting** means a meeting of the Members for the purpose of conducting the business of the Association and includes an Annual General Meeting and a Special General Meeting.

**Independent** means a person who is not or has not previously been:

- (a) a Resident;
- (b) a relative, spouse or de facto of a Resident;
- (c) an employee of the Association; or
- (d) a Councillor of the City of Nedlands.

[Family Member means a parent, child, step-child, grand-child, sibling, spouse or de-facto partner, parent siblings and their off-spring.](#)

**ITAA97** means the *Income Tax Assessment Act 1997* (Cth).

[Life Member means a Member awarded life membership under rule 6.4.](#)

**Lodge** means any of the Lisle, Leaweena or Melvista lodges and any additional lodges owned by or under the care, control and management of the Association.

**Member** means a member of the Association [and includes Life Members.](#)

**Objects** means the objects of the Association as set out in rule 3.1.

**Register of Members** means the register of Members referred to in rule 9.

**Registered Charity** means an entity that is registered with the ACNC under the ACNC Act.

**Registered Public Benevolent Institution** has the meaning contained in section 995(1) of the ITAA97.

**Resident** means a person who is in occupation of a Residential Unit.

[Residents' Committee means a committee of residents established in accordance with the RV Act.](#)

**Residential Unit** means a home unit situated within a Lodge and includes any land or facility that is provided for the exclusive use of the Resident occupying the unit.

**Rules** means these rules of the Association.

[RV Act means the Retirement Villages Act 1992 \(WA\).](#)

**Special General Meeting** means a General Meeting other than an Annual General Meeting.

**Special Resolution** means a resolution of the Association passed at a General Meeting by not less than 75% of the Members entitled to vote, present and voting at the General Meeting, of which written notice has been provided in accordance with rule 17.3.



**Subcommittee** means a subcommittee of the Board established under rule 15.

**Transitional Provisions** means those provisions of this Constitution appearing in Schedule 1.

## 2.1 Interpretation

In these Rules, unless the context requires otherwise:

- (a) a reference to a statute includes its subordinate legislation and a modification, replacement or re-enactment of either;
- (b) a reference to a person includes a reference to a company, body corporate, trust, partnership, incorporated association, joint venture, organisation and any other form of entity;
- (c) a reference to a Member present at a General Meeting is a reference to a Member present in person, by technology or by proxy;
- (d) a reference to a Board Member present at a Board Meeting is a reference to a Member present in person or by technology;
- (e) a reference to writing and written includes printing, electronic documents and other ways of representing or reproducing words in a visible form;
- (f) the singular (including defined terms) includes the plural and the plural includes the singular;
- (g) the words “includes”, “including” and similar words, are not words of limitation and do not restrict the interpretation of a word or phrase in these Rules;
- (h) a word importing any gender includes every other gender;
- (i) if the date on which a thing must be done is not a Business Day, then that thing must be done on the next Business Day;
- (j) if a period of time runs from a given date, act or event, then the time is calculated exclusive of the date, act or event;
- (k) headings are used for convenience only and do not affect the interpretation of these Rules; and
- (l) if a word or phrase is defined, other grammatical forms of that word or phrase have a corresponding meaning.

## 3. Objects and Activities

### 3.1 Objects

The objects of the Association are to provide benevolent access to affordable, safe and secure housing solutions for aged persons, including in the form of Residential Units.

### 3.2 Activities

In promoting and advancing the Objects, the Association may undertake any of the following activities:

- (a) providing Residential Units for Residents or potential Residents under a retirement village scheme as defined in the *Retirement Villages Act 1992*;
- (b) building new Residential Units;
- (c) repairing and maintaining Residential Units, the grounds surrounding such units, and any other areas provided for the common use of Residents;
- (d) providing common areas for Resident recreation; and
- (e) doing any other such things which will enhance the quality of life of the Residents.

### 4. Powers of the Association

For the sole purpose of promoting, advancing and carrying out the Objects, the Association has the powers conferred on it by the Act and the ACNC Act, including the power to:

- (a) acquire, hold, deal with, and dispose of any real or personal property;
- (b) open and operate bank accounts;
- (c) invest any money of the Association not immediately required in any security authorised by law as the Board thinks fit;
- (d) borrow money upon such terms and conditions as the Board thinks fit;
- (e) give such security for the discharge of liabilities incurred by the Association as the Board thinks fit;
- (f) appoint agents to transact any business of the Association on its behalf;
- (g) enter into any contract it considers necessary or desirable;
- (h) appoint, employ and dismiss any staff of the Association as required and on such terms and conditions as the Board sees fit; and
- (i) do all such other things as the Board deems to be necessary, incidental or conducive to the attainment of the Objects and the exercise of the above powers.

## 5. Property and income

### 5.1 Members not to profit

The property and income of the Association must be applied solely towards the promotion of the Objects of the Association and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to any Member, except in good faith in the promotion of those Objects.

### 5.2 Remuneration

Rule 5.1 does not prevent:

- (a) the payment in good faith of remuneration to any Member, officer, employee or agent of the Association or other person in return for services authorised by the Board and rendered to the Association;
- (b) the payment of interest at a rate not exceeding the amount charged by the bank for the time being of the Association on overdraft accommodation of the same amount on any money lent by a Member to the Association;
- (c) the payment of reasonable and proper rent for premises leased or let by a Member to the Association;
- (d) the payment of out of pocket expenses incurred by an authorised Member or other authorised person on behalf of the Association;
- (e) the payment of out of pocket expenses incurred by a Board Member for travel and accommodation in connection with the performance of that Board Member's functions; or
- (f) the payment of remuneration in good faith to any Board Member, under rule 10.7.

## 6. Membership

### 6.1 Eligibility

- (a) Membership of the Association is open to any:
  - (i) Resident; or
  - (ii) person who has an interest in the welfare of Residents and the Lodges.
- (b) A Member (other than a Life Member) who ceases to meet the criteria in rule 6.1(a)(i) ceases to be a Member upon ceasing to be a Resident.
- (c) A Resident does not have to be a Member of the Association if they do not wish to be a Member.
- (d) The proportion of Members who are not Residents cannot exceed 25% of the total number of Members that are Residents at any one time.

## 6.2 Applying for Membership

- (a) ~~A Subject to rule 6.2(b), a~~ person who wishes to become a Member must apply for Membership to the Board in writing, in such form as the Board from time to time directs
- (b) A Resident entering into a lease for life agreement with the Association automatically becomes a Member upon becoming a Resident and:
- (i) is not required to apply for Membership; and
- (ii) can give the Association notice in writing that they do not wish to be a Member.
- (c) ~~(b)~~ The Board or its delegate must consider each application made under rule 6.2(a) and must accept or reject the application.
- (d) ~~(e)~~ The Board is not required to provide reasons as to why a Membership application was rejected.
- (e) ~~(d)~~ If a person's Membership application is accepted, the Association must enter that person on the Register of Members within 28 days of its decision.
- (f) ~~(e)~~ A person's Membership takes effect when they are entered on the Register of Members.

## 6.3 Subscription of Members

- (a) The Board may, from time to time at a Board Meeting, determine the amount of annual subscription to be paid by each Member (**Annual Subscription Fee**).
- (b) Each Member must pay to the Association, annually on or before 1 July or such other date as the Board from time to time determines, the Annual Subscription Fee.
- (c) A Member whose Annual Subscription Fee is not paid within three months after the date fixed for its payment, ceases to be a Member on the expiry of that period, unless the Board determines otherwise.
- (d) Residents who are Members are exempt from paying the Annual Subscription Fee (if any) for as long as they remain a Resident.

## 6.4 Life Members

- (a) Life membership may be awarded to a person in recognition of outstanding services to the Association. Life membership will be limited to the election of no more than 2 Life Members in any one year.
- (b) A nomination for Life Membership must be delivered to the Chairman at least 2 months prior the Annual General Meeting. The nomination must be made by a Member in writing, seconded by another Member and recommended by the



Board. Any such nomination must be put to Members and a person so nominated will only become a Life Member if the Members vote to award Life Membership to the person at an Annual General Meeting.

(c) A Life Member is exempt from paying the Annual Subscription Fee (if any) for so long as they remain a Life Member.

## 6.5 ~~6.4~~ Member Rights

Members are entitled to:

- (a) receive notices of, attend and be heard at a General Meeting;
- (b) vote at a General Meeting, provided the Member has paid the Annual Subscription Fee (if any) (one vote only on any given resolution); and
- (c) receive a copy of the annual financial report (if any) of the Association in accordance with any time limit prescribed in the Act.

## 7. Resignation and cessation of Members

### 7.1 Cessation of Membership

- (a) A Member ceases to be a Member, if the Member:
  - (i) dies;
  - (ii) is permanently incapacitated by mental disability;
  - (iii) ceases to be a Member under rule 6.1(b) or 6.3(c);
  - (iv) resigns as a Member under rule 7.2; or
  - (v) is expelled from Membership of the Association under rule 8.
- (b) A person who ceases to be a Member under rule 7.1(a):
  - (i) remains liable to pay to the Association the amount of any Annual Subscription Fee due and payable by that person to the Association but unpaid at the date of the cessation; and
  - (ii) is not entitled to a refund or credit, for any Annual Subscription Fee paid by the Member to the Association under rule 6.3(b).
- (c) The Association must remove a person from the Register of Members within 28 days of an event referred to in 7.1(a) occurring.

### 7.2 Resigning as a Member

- (a) A Member may resign from Membership by giving written notice of their resignation to the Association.

- (b) The Member's resignation will be effective at the time the Association receives the notice of resignation.

## 8. Suspension or Expulsion of Members

### 8.1 Decision of the Board

- (a) The Board may suspend or expel a Member from the Association by ordinary resolution at a Board Meeting, because of:
  - (i) the Member's failure to comply with these Rules; or
  - (i i) the Member's conduct which is prejudicial or detrimental to the interests of the Association.
- (b) The Board must give a Member who is the subject of a proposed resolution under rule 8.1(a) written notice of the proposed suspension or expulsion, specifying:
  - (i) the time, date and place of the Board Meeting at which the question of the suspension or expulsion will be considered; and
  - (i i) particulars of the Member's conduct which is the subject of the notice, not less than 21 days prior to the date of such Board Meeting.
- (c) A Member who is the subject of a proposed resolution under rule 8.1(a) may:
  - (i) make written representations (of a reasonable length) and provide these to the Association for circulation to the Board Members;
  - (i i) speak to the motion at the relevant Board Meeting; and
  - (i i i) elect to bring a support person, who is not a legal representative, to the relevant Board Meeting.
- (d) The Association must give a copy of the representations referred to in rule 8.1(c)(i) to each Board Member, unless those representations are defamatory or deemed by the Board to be prejudicial to the effective operations and reputation of the Association and its Members.
- (e) The Board must decide whether to suspend, expel or decline to suspend or expel the Member at the Board Meeting referred to in rule 8.1(a) and must communicate that decision to the relevant Member as soon as possible after the decision is made.
- (f) A Member may be suspended for such period of time as the Board sees fit in its absolute discretion.
- (g) Subject to rule 8.2, a decision of the Board to suspend or expel a Member takes effect 14 days after the day on which the decision to is communicated to the Member under rule 8.1(e).

## 8.2 Right of appeal

- (a) A Member who is suspended or expelled from Membership under rule 8.1(e) (**Appealing Member**) may appeal the decision, by providing written notice to the Association within 14 days after the day on which the decision to suspend or expel the Appealing Member is communicated to the Appealing Member under rule 8.1(e).
- (b) Upon receiving a notice under rule 8.2(a), the Board must give written notice to the Appealing Member, specifying the time, date and place of a General Meeting at which the question of the Appealing Member's suspension or expulsion will be considered by the Members, which must not be more than 90 days after receiving the notice.
- (c) The Appealing Member may:
  - (i) make written representations (of a reasonable length) and provide these to the Association for circulation to the Members;
  - (ii) speak to the motion at the relevant General Meeting; and
  - (iii) elect to bring a support person, who is not a legal representative, to the relevant General Meeting.
- (d) The Association must give a copy of the representations referred to in rule 8.2(c)(i) to each Member, unless those representations are defamatory or deemed by the Board to be prejudicial to the effective operations and reputation of the Association and its Members.
- (e) The Members must at the relevant General Meeting confirm or set aside the decision of the Board to suspend or expel the Appealing Member.
- (f) If the Members set aside the decision of the Board to expel the Appealing Member, the Members may determine that the Appealing Member be suspended in the alternative, and must determine the period of the suspension.
- (g) An Appealing Member's suspension or expulsion does not take effect unless and until the decision of the Board to suspend or expel the Appealing Member is confirmed or varied, as the case may be, under rule 8.2(e) or 8.2(f).

## 8.3 Consequences of Suspension

- (a) During the period of suspension, the Member:
  - (i) loses any rights (including voting rights) arising as a result of Membership; and
  - (ii) is not entitled to a refund, rebate, relief or credit of their Annual Membership Fee (if any).
- (b) When a person's Membership is suspended, the Board must ensure it is recorded in the Register of Members:
  - (i) that the person's Membership is suspended;

- (i i) the date on which the suspension takes effect; and
  - (i i i) the period of the suspension.
- (c) When the period of the suspension ends, the Board must record in the Register of Members that the person's Membership is no longer suspended.

## **9. Register of Members**

### **9.1 Maintaining a Register of Members**

- (a) The Association must maintain a Register of Members in accordance with the Act.
- (b) The Register of Members must include each Member's name and:
  - (i) residential address;
  - (i i) postal address; or
  - (i i i) email address.
- (c) The Register of Members must be kept at a location determined by the Board from time to time.

### **9.2 Inspection of the Register of Members**

- (a) A Member may request to inspect the Register of Members.
- (b) The Association must make the Register of Members available for inspection upon such a request by a Member.
- (c) Subject to rules 9.3 and 9.4, a Member inspecting the Register of Members may make a copy of, or take an extract from, the Register of Members but is not entitled to remove the Register of Members for that purpose.

### **9.3 Copy of the Register of Members**

- (a) A Member may make a request in writing to the Board for a copy or extract of the Register of Members.
- (b) The Board may require a Member who requests a copy or extract of the Register of Members to provide a statutory declaration setting out the purpose of the request and declaring that the purpose is directly connected with the affairs of the Association.

### **9.4 When using the information in the Register of Members is prohibited**

A Member must not use or disclose the information on the Register of Members:

- (a) to gain access to information that a Member has deliberately denied them;



- (b) to contact or send material to the Association or a Member for the purpose of advertising for political, religious, charitable or commercial purposes unless the use of the information is approved by the Board; or
- (c) for any other purpose, unless the purpose:
  - (i) is directly connected with the affairs of the Association; or
  - (i i) is related to the administration of the Act.

## 10. Board

### 10.1 Management of the Association

- (a) The Board is vested with the management of the Association's affairs and the control of the funds and other property of the Association.
- (b) The Board may exercise all of the powers of the Association except those which must, under these Rules or the Act, be exercised by the Members at a General Meeting.
- (c) If, at any time, the Membership of the Association is less than 6 full voting Members, the Board may act only for the purpose of increasing the number of Members to a number sufficient to meet the minimum requirements of the Act.
- (d) If, at any time, the composition of the Board is less than the minimum of 3 Board Members specified in ~~clause~~rule 10.2(a), the Board may act only for the purpose of increasing the number of Board Members to a number sufficient to meet the minimum requirements of ~~clause 10.2(a)~~3 Board Members, but may otherwise continue to act despite any vacancy on the Board, including any vacancy in the position of a Resident Board Member.
- (e) The Board must comply with any Board policies, governance rules and codes of conduct as developed by the Board from time to time.

### 10.2 Composition

- (a) ~~The~~Subject to rules 11.2 and 11.3, the Board must consist of a minimum of 3 and a maximum of ~~5~~7 people, comprising:
  - (i) a minimum of 1 Resident Board Member (up to a maximum of 2 Resident Board Members); and
  - (i i) a minimum of 3 Independent Board Members (up to a maximum of 5 Independent Board Members),

having such appropriate experience and skills to assist the Association.
- (b) The Board must consist of the following office-bearers:
  - (i) a Chairperson; and
  - (i i) a Treasurer.

- (c) The Board may be supported by additional office-bearers, who do not need to be Board Members.

### 10.3 Eligibility

- (a) A person is only eligible for appointment as a Board Member if that person:
- (i) is at least 18 years of age;
  - (ii) is a Member of the Association;
  - (iii) ~~is Independent;~~ in respect of a Resident Board Member, is a Resident;
  - (iv) is eligible to serve as a Board Member under the requirements of the Act;
  - (v) has not been disqualified from being a Board Member by the ACNC Commissioner; and
  - (vi) in respect of an Independent Board Member, is Independent; and
  - (vii) ~~(vi)~~ meets any additional eligibility criteria, qualification or experience requirements determined by the Board from time to time (if any).
- (b) Before being appointed to the Board, the Board may require that a person sign a statutory declaration stating that they meet the eligibility requirement set out in rules 10.3(a)(~~iii~~iv) to 10.3(a)(~~vi~~vii).

### 10.4 Appointment of Board Members

- (a) Subject to rule 10.3:
- (i) the Board ~~may~~will recommend one or more candidates for appointment to the Board as Independent Board Members at an Annual General Meeting;
  - (ii) the Resident Members may, prior to the Annual General Meeting in accordance with the procedures determined under rule 10.4(b)(i), nominate one or more Resident Members for appointment to the Board at an Annual General Meeting; and
  - (iii) ~~(ii)~~ the Members may appoint a Board Member at an Annual General Meeting by ordinary resolution.
- (b) The Board may determine the :
- (i) procedures governing the nomination or recommendation of Board Members for appointment (including, but not limited to, notice and time limits, and vetting of any candidates); and
  - (ii) rules which govern the appointment of Board Members at an Annual General Meeting.

- (c) If:
- (i) there are insufficient recommended candidates to fill all vacancies on the Board; or
  - (ii) the recommended candidates do not receive endorsement of 50% or more of the Members at the Annual General Meeting and therefore the positions remain vacant,

any vacant position shall be dealt with under rule 11.3.

- (d) Following an appointment under rule 10.4(a), the chairperson of the Annual General Meeting must declare each successful person to be duly appointed as a Board Member to take office at the end of the Annual General Meeting.

## 10.5 Appointment of Office-Bearers

(a) Subject to rule 10.3, at the first Board Meeting occurring after each Annual General Meeting, if necessary, the Board shall appoint office-bearers in accordance with rule 10.2(b) and 10.2(c).

(b) A Resident is not eligible to be the Chairperson or Treasurer.

## 10.6 Term of office

- (a) Subject to rules 10.6(b), 11.3 and 12.1 a Board Member holds office until the end of the third Annual General Meeting following their appointment.
- (b) In order to implement a system of rotation, the Board must determine by lot which:
  - (i) ~~23~~ initial Board Members, which must include the initial Chairperson and 1 Resident Board Member, will hold office until the end of the third annual general meeting following their appointment;
  - (ii) 2 initial Board Members will hold office until the end of the second annual general meeting following their appointment; and
  - (iii) ~~42~~ initial Board Member will hold office until the end of the first annual general meeting following their appointment.
- (c) Subject to rule ~~10.31.4~~10.3, a Board Member is eligible for re-appointment.

## 10.7 Remuneration

Each Board Member ~~is entitled to~~may receive from the Association such reasonable remuneration as the Members in General Meeting decide by ordinary resolution.

## 11. Board vacancies

### 11.1 Vacation of position

~~(a)~~ — The position of any Board Member will be vacated if the holder of that position:

- (a) ~~(i)~~ resigns by notice in writing to the Association;
- (b) ~~(ii)~~ is incapacitated by physical ill health or certified as unfit;
- (c) ~~(iii)~~ is no longer eligible to be a Board Member under rule 10.3;
- (d) ~~(iv)~~ is removed under rule 12; or
- (e) ~~(v)~~ is absent for more than three Board Meetings in the same Financial Year, of which he or she has received notice, without a reason which is accepted by the Chairperson.

#### 11.2 Board may act notwithstanding vacancy

The Board may act notwithstanding a vacancy occurring in any position on the Board, even in circumstances where there is no Resident Board Member on the Board.

#### 11.3 Filling of vacant positions

- (a) The Board may appoint ~~any~~ any person who is eligible under rule 10.3 to fill a vacant position of an Independent Board Member on the Board (including the appointment of an office-bearer) ~~and that~~ provided that the Board first consults with the Residents' Committees in accordance with rule 13.3.
- (b) If a vacancy on the Board exists as a result of a Resident Board Member vacating office:
  - (i) that vacant position must only be filled by a Resident Member; and
  - (ii) the Board will, in accordance with a policy determined by the Board:
    - (A) notify the Members within 30 days of the Resident Board Member's vacancy;
    - (B) call for Resident Member nominations to fill the vacant position;
    - (C) vet each nominated candidate to confirm that each Resident Member nominee satisfies the eligibility requirements under rule 10.3; and
    - (D) arrange for an election to occur for Members to appoint an eligible Resident Member nominee by postal vote, ballot or as otherwise set out in the policy.
- (c) If the Resident Member nominee does not receive endorsement of 50% or more of the Members, the position remains vacant until the next Annual General Meeting.
- (d) A person appointed under this rule 11.3 shall hold office until the end of the next Annual General Meeting following their appointment.

#### 11.4 Returning the books of the Association



Within 14 days of ceasing to be a Board Member, the outgoing Board Member must transfer all relevant documents, records and assets of the Association in their possession, custody or control (if any) to the Chairperson, or other Board Member nominated and authorised by the Board from time to time.

## 12. Removal of Board Members

### 12.1 Removal by the Board

- (a) The Board may remove a Board Member because of:
  - (i) the Board Member's failure to comply with these Rules; or
  - (i i) the Board Member's conduct which is prejudicial or detrimental to the interests of the Association.
- (b) At a Board Meeting, the Board may by ordinary resolution:
  - (i) remove a Board Member from office, provided that written notice of the proposed removal has been given to the relevant Board Member; and
  - (i i) elect a person who is eligible under rule 10.3 to fill the vacant position.
- (c) A person elected as a Board Member under rule 12.1(b)(ii), holds office until the end of the next Annual General Meeting following their appointment.

### 12.2 Procedure

- (a) The Board must give a Board Member who is the subject of a proposed resolution under rule 12.1 written notice of the proposed removal specifying:
  - (i) the time, date and place of the Board Meeting at which the question of the removal will be considered; and
  - (i i) particulars of the Board Member's conduct which is the subject of the notice,

not less than 28 days prior to the date of such Board Meeting.
- (b) A Board Member who is the subject of a proposed resolution under rule 12.1 may:
  - (i) make written representations (of a reasonable length) and provide these to the Board;
  - (i i) speak to the motion at the Board Meeting; and
  - (i i i) elect to bring a support person, who is not a legal representative, to the relevant Board Meeting.
- (c) The Board must give a copy of the representations referred to in rule 12.2(b)(i) to each Board Member, unless those representations are defamatory.

- (d) The Board must decide whether to remove the Board Member at the Board Meeting referred to in rule 12.1 and must communicate that decision to the relevant Board Member as soon as possible after the decision is made.
- (e) A decision of the Board to remove a Board Member takes effect upon the passing of the ordinary resolution to remove the Board Member.

### 13. Duties of the Board

#### 13.1 Secretariat Function

The Board has the following duties, which it may delegate to a Board Member, office-bearer or other person appointed by the Board:

- (a) co-ordinating the correspondence of the Association;
- (b) consulting with the Chairperson regarding the business to be conducted at each Board Meeting and General Meeting;
- (c) preparing the notices required for General Meetings and Board Meetings and for the business to be conducted at General Meetings and Board Meetings;
- (d) maintaining on behalf of the Association the Register of Members, and recording in the Register of Members any changes in the Membership, as required under the Act and these Rules;
- (e) maintaining on behalf of the Association an up-to-date copy of these Rules, as required under the Act;
- (f) maintaining on behalf of the Association a record of the names and address of persons who:
  - (i) are Board Members; and
  - (i i) are office-bearers;
- (g) ensuring the safe custody of the books of the Association, other than the financial records, financial statements and financial reports, as applicable to the Association; and
- (h) maintaining full and accurate minutes of Board Meetings and General Meetings.

#### 13.2 Financial Management

The Board has the following duties, which it may delegate to a Board Member, office-bearer or other person appointed by the Board:

- (a) ensuring that any amounts payable to the Association are collected and issuing receipts for those amounts in the Association's name;
- (b) ensuring that any amounts paid to the Association are credited to the appropriate account of the Association, as directed by the Board;

- (c) ensuring that any payments to be made by the Association that have been authorised by the Board or at a General Meeting are made on time;
- (d) ensuring that the Association complies with the relevant requirements of Part 5 of the Act;
- (e) ensuring the safe custody of the Association's financial records, financial statements and financial reports, as applicable to the Association;
- (f) coordinating the preparation of the Association's financial statements before their submission to the Annual General Meeting; and
- (g) providing any assistance required by an Auditor or reviewer conducting an audit or review of the Association's financial statements or financial report under Part 5 Division 5 of the Act.

### 13.3 Consultation with Residents Committees on behalf of the Association

#### The Board or its delegate must:

- (a) implement appropriate processes for consulting with Residents' Committees on behalf of the Association in accordance with the RV Act 1992 and subsidiary legislation; and
- (b) consult with Residents' Committees prior to the appointment of a Board Member to fill a casual vacancy.

## 14. Board Meetings

### 14.1 Meetings

- (a) The Board will meet together to conduct the Association's business as often as the Chairperson determines, provided that the Board must meet at least once every 3 months.
- (b) Subject to these Rules, the Board Members present at a Board Meeting must determine the procedure and order of business to be followed at the Board Meeting.

### 14.2 Notice of Board Meetings

- (a) The Chairperson or such other person nominated and authorised by the Board is responsible for providing notice of Board Meetings.
- (b) The nominated person referred to in rule 14.2(a) must give all Board Members not less than 7 days notice of every Board Meeting, except where all of the Board Members unanimously consent to shorter notice being given.

### 14.3 Quorum

- (a) A quorum for a Board Meeting is ~~a majority of~~ as follows, if the Board ~~Members in office.~~ comprises of:

(i) 3 or 4 Board Members, the quorum is 3 Independent Board Members;

(ii) 5 Board Members, the quorum is 3 Independent Board Members;

(iii) 6 Board Members, the quorum is 4 Independent Board Members; and

(iv) 7 Board Members, the quorum is 5 Independent Board Members.

- (b) If a quorum is not obtained within thirty minutes of the time appointed for the Board Meeting, the Board Meeting will lapse.

#### 14.4 Chairperson of Board Meetings

- (a) Subject to rule 14.4(b), at every Board Meeting the Chairperson will preside as chairperson of the Board Meeting.
- (b) In the absence of the Chairperson, the remaining Board Members must elect a Board Member to preside as chairperson.

#### 14.5 Voting at Board Meetings

- (a) Every Board Member present at a Board Meeting has a deliberative vote.
- (b) Any resolution put forward at a Board Meeting must be passed by a majority of the Board Members present and voting at the Board Meeting.
- (c) Where there is an equality of votes, the chairperson has a casting vote in addition to their deliberate vote.

#### 14.6 Conflict of interest

- (a) A Board Member who has any material personal interest in a matter being considered at a Board Meeting must:
- (i) as soon as he or she becomes aware of that interest, disclose the nature and extent of his or her interest to the Board;
  - (ii) not be present while the matter is being considered at the Board Meeting or vote on the matter; and
  - (iii) disclose the nature and extent of the interest at the next General Meeting.
- (b) Rule 14.6(a) does not apply in respect of a material personal interest that:
- (i) exists only because the Board Member is a member of a class of persons for whose benefit the Association is established; or
  - (ii) the Board Member has in common with all, or a substantial proportion of, the Members.



#### 14.7 **Validity of acts of the Board**

All acts done at any Board Meeting, or by the Board, will, notwithstanding that it is afterwards discovered that there was some defect in the appointment of any Board Member or that any Board Member was disqualified, be valid as if such defect did not in fact exist or such Board Member was not disqualified, as the case may be.

#### 14.8 **Use of Technology at Board Meeting**

- (a) The Board may hold a Board Meeting at 2 or more venues using any technology that gives the Board Members entitled to be heard at a Board Meeting, a reasonable opportunity to participate.
- (b) The Board Members may only withdraw their consent for the use of technology by a resolution of the Board at a Board Meeting.

#### 14.9 **Minutes of Board Meetings**

- (a) Subject to rule 14.9(c), the Board must cause proper minutes of all proceedings of every Board Meeting to be entered into a minute book within 30 days after the holding of each such Board Meeting.
- (b) The minutes referred to under rule 14.9(a) must contain:
  - (i) the names of all Board Members present and those whose apologies for non-attendance were accepted by the Board Meeting;
  - (ii) details of any material personal interest disclosed by a Board Member under rule 14.6(a)(i); and
  - (iii) all resolutions made, passed or rejected by the Board at the Board Meeting.
- (c) If the secretary is not present at the Board Meeting, the Board must nominate and authorise a person to be responsible for complying with the requirements set out in rule 14.9(a) in relation to that particular Board Meeting.
- (d) The minutes created under rule 14.9(a) when signed by the Chairperson will be, until the contrary is proved, evidence that:
  - (i) the Board Meeting was duly convened and held;
  - (ii) all proceedings recorded as having taken place at the Board Meeting did in fact take place; and
  - (iii) all appointments reported to have been made at the Board Meeting have been validly made.

## 14.10 Resolutions

- (a) Subject to these Rules and the Act, the Board may pass a circular resolution without a Board Meeting being held.
- (b) A circular resolution is passed if all of the Board Members entitled to vote on the resolution sign or otherwise agree to the resolution in the manner set out in rule 14.10(c) or 14.10(d)~~(d)~~.
- (c) Each Board Member may sign:
  - (i) a single document setting out the resolution and containing a statement that they agree to the resolution; or
  - (ii) separate copies of that document, provided that the wording of the resolution is the same in each copy.
- (d) The Association may send a circular resolution by electronic means to the Board Members and the Board Members may agree to the resolution by sending an electronic reply to that effect, including the text of the resolution in their reply.

## 15. Subcommittees

### 15.1 Establishment of Subcommittees

The Board may establish Subcommittees to advise the Association on any matter relating to the Association.

### 15.2 Composition and role of Subcommittee

Unless inconsistent with these Rules, the Board may:

- (a) appoint and remove Subcommittee members, or make provision for the appointment and removal of Subcommittee members;
- (b) specify that the Subcommittee consists of a single individual or a number of individuals;
- (c) determine the functions of any Subcommittee; and
- (d) determine the remuneration (if any) of any Subcommittee members.

### 15.3 Subcommittee Decisions

- (a) If the Board establishes a Subcommittee for a particular matter then the Board must obtain the opinion of that Subcommittee before the Board makes any decision on that matter.
- (b) The opinion or decisions of a Subcommittee are recommendations only and do not bind the Board in any way.

#### 15.4 Subcommittee Rules

The Board may make and amend rules for each Subcommittee.

### 16. Management

- (a) The Board may appoint a person who shall be responsible for the day to day management of the business and affairs of the Association and shall have the powers and undertake the responsibilities as determined and in the manner determined, from time to time by the Board.
- (b) The person shall be remunerated in such manner and in such amount determined, from time to time by the Board.

### 17. General Meetings

#### 17.1 Annual General Meetings and Special General Meetings

The Board:

- (a) must convene an Annual General Meeting of the Association within the period required by the Act;
- (b) may at any time convene a Special General Meeting of the Association; and
- (c) must give notice under rule 17.3 to convene a Special General Meeting of the Association, for the purpose which will be specified in the request, within 45 days of receiving a written request to do so signed by not less than 20% of the Members (**Percentage**), unless this Percentage is greater than the prescribed percentage under the Act, in which case the prescribed percentage under the Act will apply.

#### 17.2 Rights of Members convening Special General Meeting

When a Special General Meeting is convened under rule 17.1(c):

- (a) the Board must:
  - (i) provide notice to all Members of the Special General Meeting in accordance with rule 17.3; or
  - (ii) ensure that the Members convening the Special General Meeting are supplied with the Register of Members in accordance with rule 9 for the purpose of convening the Special General Meeting; and
- (b) the Association must pay the reasonable expenses of convening and holding the Special General Meeting.

#### 17.3 Notice of General Meeting

A notice of every General Meeting must:

- (a) be given to all Members and the Auditor (if any) at least 14 days prior to the date of the General Meeting, except in the case of a General Meeting at which a Special Resolution is to be considered, in which case at least 21 days notice must be given;
- (b) state the time, date and place of the General Meeting and the particulars of the business to be transacted at the General Meeting, including (where applicable), the wording of any proposed Special Resolutions, and the order in which the business is to be transacted;
- (c) state that Members may appoint another Member as a proxy for the General Meeting and include a copy of any form that the Board has approved for the appointment of a proxy;
- (d) contain details of the Association's voting procedures, including how to vote by post, electronic transmission, and proxy; and
- (e) be delivered by hand, sent by prepaid post or sent by electronic transmission to every Member in accordance with each Member's contact details appearing in the Register of Members in accordance with rule 9.

#### 17.4 Quorum

- (a) A quorum of a General Meeting convened under rules 17.1(a) and 17.1(b) is 10% of Members in person or by proxy.
- (b) A quorum of a General Meeting convened under rule 17.1(c) is 20% of Members in person or by proxy.
- (c) If a quorum is not obtained within thirty minutes of the time appointed for the General Meeting:
  - (i) in the case of a meeting convened pursuant to rule 17.1(c), the General Meeting will lapse; and
  - (i i) in the case of any other General Meeting, the General Meeting will be adjourned to a date and time as determined by the Board.
- (d) There will not be transacted at any adjourned General Meeting any business other than the business left unfinished at or on the agenda of the General Meeting which was adjourned.
- (e) When a General Meeting is adjourned for a period of 30 days or more, the Association must give notice under rule 17.3 of the adjourned General Meeting as if that General Meeting was a new General Meeting.

#### 17.5 Chairperson of General Meetings

- (a) Subject to rule 17.5(b), at every General Meeting the Chairperson will preside as chairperson of the General Meeting.
- (b) In the absence of the Chairperson, the Members must elect a Board Member to preside as chairperson.

- (c) The chairperson may:
  - (i) with the consent of the General Meeting, adjourn any General Meeting from time to time and from place to place; and
  - (ii) impose reasonable time limits on the speakers on any motion.

#### 17.6 Voting at General Meetings

- (a) Each Member present at a General Meeting has a deliberative vote.
- (b) Unless otherwise provided in these Rules or the Act, any resolution at a General Meeting will be carried by a simple majority of the Members present on a show of hands.
- (c) Where there is an equality of votes, the chairperson has a casting vote in addition to their deliberate vote.
- (d) At any General Meeting, a declaration by the chairperson that a resolution has been carried and an entry to that effect in the minute book of the proceedings of the Association under rule 17.12, is conclusive evidence of the fact unless, during the General Meeting at which the resolution is considered, a poll is demanded in accordance with rule 17.6(e).
- (e) At a General Meeting, a poll may be demanded by the chairperson or by three or more Members present and, if so demanded, must be taken in such manner as the chairperson directs.
- (f) If a poll is demanded and taken under rule 17.6(e), a declaration by the chairperson of the result of the poll is evidence of the matter so declared.

#### 17.7 Proxies

- (a) A Member may appoint an individual who is a Member ~~or~~ a guardian of a Member or a Family Member as his or her proxy to vote and speak on his or her behalf at a General Meeting.
- (b) The appointment of a proxy must be in writing and signed by the Member making the appointment.
- (c) The Member appointing the proxy may give specific directions as to how the proxy is to vote on his or her behalf.
- (d) If no instructions are given to the proxy, the proxy may vote as the proxy sees fit.
- (e) If the Board has approved a form for the appointment of a proxy, the appointing Member must use that form.
- (f) A form appointing a proxy is of no effect unless it is received by the Association before the commencement of the General Meeting for which the proxy is appointed at a time specified by the Board.



**17.8 Auditor's Right to be Heard**

The Auditor (if any) is entitled to attend and be heard at a General Meeting on any part of the business of that meeting that concerns the Auditor (if any) in their professional capacity.

**17.9 Use of Technology at General Meeting**

- (a) The Association may hold a General Meeting at 2 or more venues using any technology that gives the Members entitled to be heard at a General Meeting, a reasonable opportunity to participate.
- (b) The Members may only withdraw their consent for the use of technology by a resolution of the Association at a General Meeting.

**17.10 Postponing or Cancelling a Meeting**

- (a) Subject to rule 17.10(b), the Board may change the venue for, postpone or cancel a General Meeting at its own discretion, [acting reasonably](#).
- (b) If a Special General Meeting is called under rule 17.1(c), the Board must not cancel it without the consent of the relevant Members.

**17.11 Annual General Meeting**

Each Annual General Meeting must consider the following business in the following order:

- (a) the disclosure of the nature and extent of all material personal interests required to be disclosed under rule 14.6(a) (if any);
- (b) the consideration of the financial accounts of the Association and reports of the Board; and
- (c) any other business specified in the notice convening the Annual General Meeting.

**17.12 Minutes of General Meetings**

- (a) The Secretary, or such other person nominated and authorised by the Board, must cause proper minutes of all proceedings of every General Meeting to be entered into a minute book within 30 days after the holding of each such General Meeting.
- (b) The minutes referred to under rule 17.12(a) must record:
  - (i) the names of all Members who attended the meeting;
  - (ii) any proxy forms validly received in accordance with rule 17.7;
  - (iii) details of any material personal interest disclosed by a Board Member at the General Meeting; and
  - (iv) all resolutions passed by the General Meeting.

- (c) The minutes created under rule 17.12(a) when signed by the chairperson of the General Meeting are, until the contrary is proved, evidence that:
  - (i) the General Meeting was duly convened and held;
  - (i i) all proceedings recorded as having taken place at the General Meeting did in fact take place; and
  - (i i i) all appointments reported to have been made at the General Meeting have been validly made.

## 18. Dispute resolution

- (a) The dispute resolution procedure set out in this rule 18 applies to disputes arising under or in relation to these Rules between:
  - (i) a Member and another Member; and
  - (i i) a Member and the Association.
- (b) The parties to a dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.
- (c) If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 30 days, arrange to hold a meeting in the presence of a registered mediator.
- (d) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- (e) The costs of the mediation are shared equally between the parties.
- (f) The mediator, in conducting the mediation, must:
  - (i) give the parties to the mediation process every opportunity to be heard;
  - (i i) allow due consideration by all parties of any written statement submitted by any party; and
  - (i i i) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- (g) The mediator must not determine the dispute.
- (h) The mediation must be confidential and without prejudice.
- (i) If the mediation process does not result in the dispute being resolved during the mediation meeting or any adjournment thereof within 30 days of the mediator's appointment, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

## 19. Indemnity

### 19.1 Members bound by Rules and decisions of Board

- (a) Each Member agrees to comply with these Rules.
- (b) Each Member is bound by the decisions of the Board.

### 19.2 Board Members not liable

No Board Member is liable for the acts of any other Board Member, or for any loss or damage or expense suffered or incurred by the Association, unless the same is caused by the Board Member's own wilful act, wilful neglect or wilful default.

### 19.3 Indemnification of the Board Members

Each Board Member is indemnified out of the funds of the Association against any losses, costs or expenses incurred by the Board Member in the discharge of the Board Member's duties, except where such losses, costs and expenses are incurred by the Board Member's own wilful act, wilful neglect or wilful default.

## 20. Auditor

- (a) The Association must have its financial report for each Financial Year audited or reviewed in accordance with the provisions of the Act.
- (b) The Association must appoint an auditor or reviewer, as the case may be, in accordance with the provisions of the Act.

## 21. Inspection of records and documents of the Association

In accordance with the requirements of the Act, a Member may inspect:

- (a) these Rules;
- (b) the Register of Members in accordance with rule 9.2; and
- (c) the record of Board Members in accordance with rule 13.1(f).

## 22. Notices

### 22.1 Service on Members or Board Members

- (a) A notice under these Rules is deemed to be properly served if the notice is addressed and delivered to the Member in person, by pre-paid post or by email as per the details contained in the Register of Members.
- (b) The non receipt of, or the omission to send to any Member or Board Member, any notice or other document required to be sent to a Member under these Rules does not invalidate any General Meeting or Board Meeting.

## 22.2 Service on the Association

A notice may be served on the Association by either email, post or personal delivery to the Chairperson.

## 22.3 Time for service of notice

A notice is deemed to have been received by a Member or other person if:

- (a) personally delivered, on the day of delivery;
- (b) served by pre-paid post, on the day following that upon which it is posted;
- (c) if sent electronically, on the date that the electronic communication was sent,

but if the communication is taken to be received on a day that is not a Business Day or after 5.00pm, it is taken to be received at 9.00am on the next Business Day.

## 23. Executing documents

The Association may execute a document if the document is signed by:

- (a) 2 Board Members; or
- (b) 1 Board Member and a person authorised by the Board.

## 24. Common Seal

The Association does not have a common seal.

## 25. Winding up of the Association or cancellation of incorporation

### 25.1 Resolution

The Association may, by Special Resolution, resolve that its incorporation under the Act be cancelled, or that it be voluntarily wound up.

### 25.2 Distribution of surplus property

- (a) If, upon the:
  - (i) winding up or cancellation of incorporation of the Association; or
  - (ii) revocation of the Association's endorsement as a Deductible Gift Recipient in the form of a Registered Public Benevolent Institution,

there remains, after satisfaction of all its debts and liabilities, any assets whatsoever, (including any gifts, deductible contributions and money received from such gifts and contributions) the same must not be paid to or distributed among the Members or Board Members but must be transferred to one or more institutions, funds or entities of the type set out in the Act which:

- (i) has objects similar to the Objects;
  - (ii) is a Registered Charity;
  - (iii) is endorsed as a Deductible Gift Recipient in the form of a Registered Public Benevolent Institution; and
  - (iv) prohibits distribution of its income and property among its members and directors (or other controlling body) to an extent at least as great as is imposed on the Association by rule 5.1.
- (b) The identity of the institutions, funds or entities referred to in rule 25.2(a) must be decided by the Members by Special Resolution.
  - (c) Where gifts to an institution, fund or authority are deductible only if, among other things, the conditions set out in the relevant table item in subdivision 30-B of the ITAA97 are satisfied, a transfer under this rule must be made in accordance with those conditions.

## **26. Rules of the Association**

- (a) The Association may, by Special Resolution, resolve to amend these Rules.
- (b) All previous acts and appointments legal and valid under these Rules, prior to the amendment or repeal of these Rules or under the former Rules (subject to any later rules), will remain legal and valid.
- (c) Any amendment or repeal of these Rules or any new rules only has force or effect as set out under the Act.

## **27. Transitional Provisions**

### **27.1 Transitional Arrangements**

The Transitional Provisions shall apply in accordance with their terms as if set out in these Rules in full.

### **27.2 Transitional Provisions Paramount**

In the case of any inconsistency between the Transitional Provisions and any other provision of these Rules, the Transitional Provisions will prevail.

### **27.3 Continuance of Transitional Provisions**

The Transitional Provisions shall have continuing force and effect in accordance with their terms.



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## Schedule 1 – Transitional Provisions

1. For the purposes of these Transitional Provisions:
  - (a) “Effective Date” means the date these Rules take effect under the Act; and
  - (b) terms uniquely defined in the Rules of the Association and used in these Transitional Provisions will have those defined meanings.
2. Subject to paragraph 1(b) of this Schedule 1, from the Effective Date the existing Rules that previously applied to the Association are of no further force or effect.
3. With respect to those holding office as at the Effective Date as a Board Member, the following provisions shall apply:
  - (a) The Board Members listed in column 1 of Table A:
    - (i) shall be deemed to be a Board Member on and from the Effective Date as indicated in column 2 of Table A against each of their names; and
    - (ii) shall be deemed to retire or their appointment to office terminate as at the time listed in column 3 of Table A against each of their names (without prejudice to their opportunity to be re-elected or re-appointed to office, subject to the provisions of the Rules).
  - (b) ~~Any person holding office as a Board Member immediately prior to the Effective Date and whose name does not appear in Table A shall be deemed to have retired from such office as at the Effective Date.~~

Table A		
Column 1	Column 2	Column 3
Name of Director	Board Member	Deemed date of scheduled retirement from office
<div style="background-color: yellow; display: inline-block; padding: 2px;">[Insert name]</div> Basil Palassis	<u>Independent</u> Board Member  Chairperson	The end of the third annual general meeting following their appointment
<div style="background-color: yellow; display: inline-block; padding: 2px;">[Insert name]</div> Marc Montandon	<u>Independent</u> Board Member	The end of the third annual general meeting following their appointment
<div style="background-color: yellow; display: inline-block; padding: 2px;">[Insert name]</div> Marie Bolt	<u>Resident</u> Board Member	The end of the <del>second</del> <u>third</u> annual general meeting following

Table A		
Column 1	Column 2	Column 3
Name of Director	Board Member	Deemed date of scheduled retirement from office
		their appointment
<del>Insert name</del> Gary McKintosh	<u>Independent</u> Board Member	The end of the second annual general meeting following their appointment
<del>Insert name</del> Tony Brazier	<u>Independent</u> Board Member	The end of the <del>first</del> <u>second</u> annual general meeting following their appointment
<u>Greg Hill</u>	<u>Independent</u> Board Member	<u>The end of the first annual general meeting following their appointment</u>

(b) ~~(e)~~ The persons holding office as Chairperson and Treasurer immediately before the Effective Date will continue to hold such office on and from the Effective Date until the first Board Meeting following the next annual general meeting held after the Effective Date, subject to the provisions of rule 10.2(b).

(c) ~~(d)~~ A Board Member listed in Table A holds office until the date mentioned in column 3 of Table A against their name.

4. Members holding the class of membership noted in column 1 of Table B immediately prior to the Effective Date shall be deemed to hold the class of membership noted in column 2 of Table B on and from the Effective Date without any additional Annual Subscription Fee or fee adjustment on account of that change of class of Membership.

Table B	
Column 1	Column 2
Pre-Effective Date Class of Membership	Membership Class on and from Effective Date
Resident Member	Full voting member
Life Member	<del>Full voting member</del> <u>Life Member</u>
Other Member	Full voting member

Document comparison by Workshare 9.5 on Sunday, 25 November 2018 8:51:49 PM

Input:	
Document 1 ID	interwovenSite://ws_server1/Documents/8274955/1
Description	#8274955v1<Documents> - 7852300_3(Rules of Association - Lisle Villages (Inc) 2018-06-28 CLEAN
Document 2 ID	interwovenSite://ws_server1/Documents/8222469/1
Description	#8222469v1<Documents> - Rules of Association - Lisle Villages (Inc) - 2018-11-01 (clean)
Rendering set	Standard

Legend:	
<a href="#">Insertion</a>	
<del>Deletion</del>	
Moved from	
<a href="#">Moved to</a>	
Style change	
Format change	
<del>Moved deletion</del>	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	227
Deletions	136
Moved from	0
Moved to	0
Style change	0
Format changed	0
Total changes	363

## 9.2 Hockey Proposal at Mt Claremont Reserve – Community Engagement Results

<b>Committee</b>	4 December 2018
<b>Council</b>	18 December 2018
<b>Applicant</b>	Westside Wolves Hockey Club
<b>Officer</b>	Caroline Walker, Community Engagement Coordinator
<b>CEO</b>	Greg Trevaskis
<b>Attachments</b>	1. Community Engagement Report

### Executive Summary

Council at its meeting on 23 October 2018 resolved:

“That Council endorses the proposed community engagement plan for Mt Claremont Oval and seeks a report to be prepared on the results of the consultation for consideration in December 2018.”

This report presents the findings from the community engagement activities undertaken as contained in Attachment 1 of this report. Submissions and surveys have been summarised along with the identification of the key themes resulting from the feedback received.

Access to all documents have been provided to Councillors (via Council portal) to maintain confidentiality for respondents. An overview of the results from the community engagement activities follow.

### Recommendation to Committee

**Council:**

- 1. Receives the Community Engagement Report (Attachment A) in relation to the proposal by Westside Wolves Hockey Club to establish a synthetic hockey pitch and club facilities at the Mt Claremont Reserve.**
- 2. Requests the Chief Executive Officer to prepare a report to the March 2019 Council round of meetings on the key options for future use at Mt Claremont Reserve as suggested by the community.**
- 3. Receives the petitions submitted in opposition to the Westside Wolves Hockey Club proposal:**



- a. **Petition 1: Save Mt Claremont Oval – Ditch the Pitch**
- b. **Petition 2: Save Mt Claremont Oval – Ditch the Pitch, [change.org](http://change.org)**
- c. **Petition 3: Leaweena and Lisle Villages – Rejection of Westside Wolves Proposal**

## **Discussion/Overview**

Community engagement has been undertaken with residents, property owners, user groups, sporting clubs, associations and stakeholders, along with the broader community, on a proposal for the Westside Wolves to develop permanent hockey facilities (club rooms, artificial turf and car park) on a section of green space at Mt Claremont Reserve.

The aim of the engagement project was to understand the level of community support and their views on the proposal, to assist with the Council's decision-making on whether to approve a period for the club to further investigate and develop a detailed proposal and business plan (including designs, costings and sources of funding).

The community was invited to complete an online survey to enable the City to gauge the level of community support for this proposal. Opportunities were also provided for submissions via email, post or delivery to the Administration Centre. Hardcopy surveys were produced and submissions by telephone were provided for people who did not have access or did not use computers.

### **1. Communications and participation**

1,410 property owners and residents were directly contacted within the area bounded by Lantana Avenue, Moora Drive, Heritage Lane, St Johns Wood Boulevard, Haldene Street and Rochdale Road as they would be impacted or potentially impacted by this proposal (1,424 including stakeholders).

A media release was issued and advertising was published in the POST and Western Suburbs Weekly newspapers along with notices and large banners displayed in various locations in key traffic areas around the reserve.

Posts were placed on the City's Facebook and Twitter accounts which reached 3,099 people and included 334 reactions, comments and shares.

During the engagement period, the City became aware of the unsolicited promotion and awareness of the project by local community and activist groups:

- Westside Wolves Hockey Club – full-page advertising in the POST newspaper and a brochure insert along with information on their website promoting “the Wolves need a Den”.

- A group called “Friends of the Mt Claremont Oval” produced a Facebook page, website and a flyer “Save Mt Claremont Park/oval from the Westside Wolves”. This flyer was distributed within the community, placed on the Mt Claremont Community Centre noticeboard and attached to the City of Nedlands hardcopy survey.
- Two petitions were attached to the Friends of the Mt Claremont Oval submission: Ditch the Pitch petition (paper) and electronic (change.org) (see Section below)
- One petition from the Leaweena and Lisle Villages rejecting the proposal (see Section below)
- Numerous Facebook posts from the Friends of the Mt Claremont Oval, the Westside Wolves Hockey Club and their supporters.
- Notices and statements from users of the oval were attached to the cricket practice nets at the reserve.
- There were also numerous complaints to the City regarding the behaviour of people within the community protesting the proposal and those supporting the proposal.
- Facebook posts were also placed by the POST newspaper, Western Suburbs Weekly, Sunday Times and the online publication, Perth Now.
- Approximately 30 letters to the editor in the POST newspaper and the Western Suburbs Weekly.

The communication activities resulted in **6,920 visits**, mostly using the methods of: typing Your Voice Nedlands into the address bar after receiving the letter (3,781 people, 55 per cent). 2,330 people (34 per cent) accessed the site via social media with another 483 people (7 per cent) using a search engine. 200 people were referred from other websites (3 per cent) and 81 (1 per cent) used a .gov site (City of Nedlands) to access the site.

Of the 6,920 visits to the engagement page, 5,427 people viewed at least one page with 3,291 people progressing further to look at the images, download the concept plans (549) and read the key dates (42) and FAQs (510). 1,613 of these people progressed to becoming engaged with the project by completing the online survey (1,582) and/or asking questions (31) of the City. Submissions were also received from community groups both in support and opposing the hockey facility.

## **2. Petitions received**

Three petitions were received opposing the proposal from the Westside Wolves Hockey Club, as follows:

### ***Petition 1: Save Mt Claremont Oval – Ditch the Pitch (paper petition)***

This petition stated “The Westside Wolves propose to take approximately 40% of the oval for fenced Astro Turf Hockey Pitch, new Club House and a 60 space carpark. The remaining 60% grassed area will not be large enough to facilitate the needs of the Mt Claremont Primary Schools sporting activities, not the current 4 sporting clubs that use it. We fear this is privatising public space. Westside Wolves will become the exclusive lessee for one code, one club and one single use.

There will be an impact on the local residents and school children crossing the road due to the increased generation of traffic for the facility. Not to mention the environmental impact on the surrounding bushland.

To see more reasons as why we need to save Mt Claremont oval as open green space, go to “Friends of Mount Claremont Oval” Facebook Page [www.saveoouroval.com](http://www.saveoouroval.com)

We, the undersigned oppose the Mt Claremont Oval – Proposal from Westside Wolves Hockey Club.”

***Petition 2: Save Mt Claremont Oval – Ditch the Pitch (change.org)***

This petition was an electronic survey through the website [www.change.org](http://www.change.org) and stated, “Save Mt Claremont Oval – Ditch the Pitch.” No other commentary was provided.

***Petition 3: Leaweena and Lisle Villages***

This petition was presented from the Residents’ Committee, titled “Mount Claremont Oval Westside Wolves Hockey Club Proposal”. This petition stated “We the undersigned residents of Lisle & Leaweena Villages reject unequivocally the above proposal.”

**3. Overall results**

Due to the nature of responses to the engagement activities, particularly the completeness of the hardcopy surveys, the receipt of informal petitions, emails, letters and the complexity in tracking duplications has resulted in difficulties with determining the number of multiple responses by the same people.

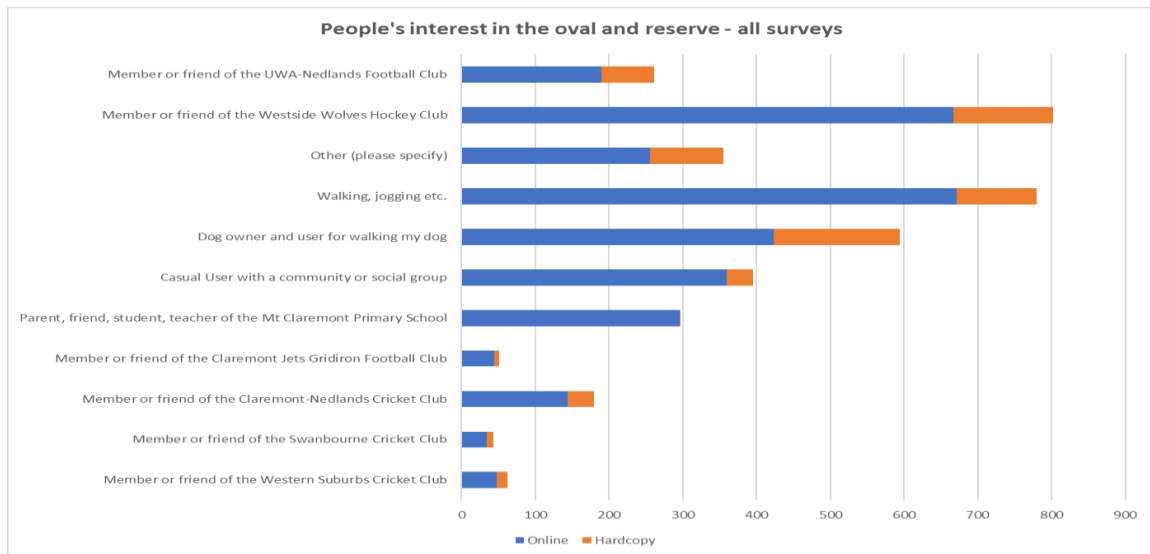
In addition, the City received three informal petitions, two were attached to the Friends of Mt Claremont Oval (781 signatures) submission and one (41 signatures) came from the Leaweena and Lisle Villages opposing the project. The signatures from these petitions have not been recorded in the table below, however appear to represent 45 per cent per cent of the Mt Claremont area. Signatures may be duplicated in other forms of feedback on this subject and therefore cannot be validated.

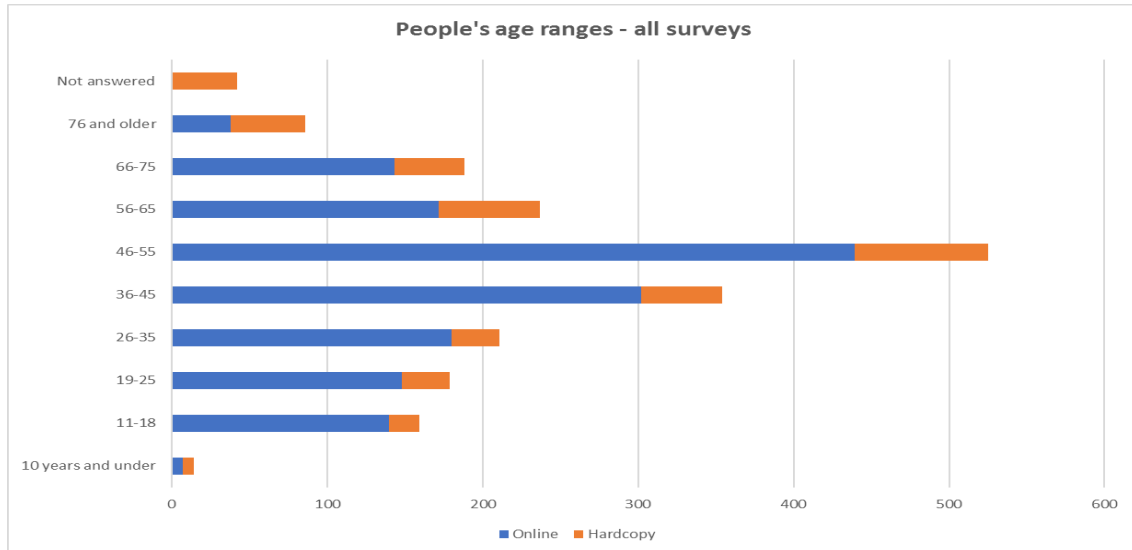
Of the surveys received, 675 (43 per cent) surveys were received from residents who indicated they lived in Mt Claremont and 195 (12 per cent) were residents who indicated they lived in Claremont. The remaining 715 (45 per cent) relate to the remainder of the western suburbs, metropolitan Perth and country Western Australia. The table below provides the level of support for the proposal from all feedback mechanisms used for this project.

**SUPPORT FOR THE PROPOSAL**

Support	Online Survey	Hardcopy Surveys	Stakeholder Submissions	Emails	Phone Calls	Total
Yes, I support the proposal	846	274	0	7	7	1134
No, I do not support the proposal	725	150	6	43	6	930
I am unsure	11	2	0	2	0	15
<b>Total Received</b>	<b>1582</b>	<b>426</b>	<b>6</b>	<b>52</b>	<b>13</b>	<b>2,078</b>

Regarding the survey responses, people indicated their interest in the reserve and the age range as follows:





The results of the community engagement feedback: comments recorded (online survey, hardcopy surveys, telephone conversations, emails, letters, face-to-face) during the period have been analysed and developed into key themes which emerged from the review.

Several detailed submissions were received.

All feedback received was grouped and summarised into key themes (refer to Section 8 of the Community Engagement Report).

### Key Relevant Previous Council Decisions

Ordinary Council meeting – 23 October 2018 (to adopt a community engagement plan and provide for a report on the outcomes of the engagement for the December 2018 Ordinary Council meeting).

Ordinary Council Meeting – 22 May 2018 (to convene a workshop and explore possible alternative sites).

Councillor Briefing – 4th September 2018 (review Workshop Minutes 9 August 2018).

### Budget/Financial Implications

Should the Mt Claremont Reserve be selected as a potential site for a new hockey pitch, the Westside Wolves Hockey Club will be required to prepare a detailed business plan on funding for capital works, sources of funding, independent environmental study, quantity surveyors report, detailed working drawings, project lifecycle/maintenance costs and a traffic management study.

Any decision by Council to progress to the next stage does not pre-commit Council to future funding obligations for this project. The decision to assist with funding is a separate decision and will be considered on its merits, Council's financial capacity and any other relevant considerations.



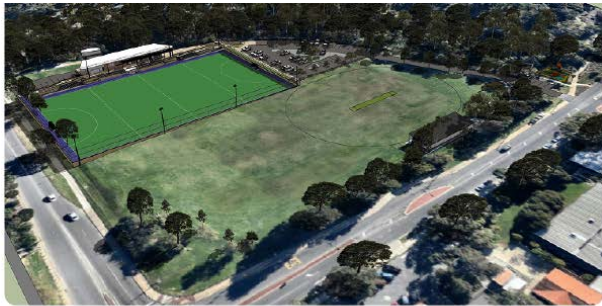
## **Conclusion**

Community engagement to understand the level of support for the Westside Wolves proposal to construct an artificial turf, car parking and clubrooms on a portion of green space at the Mt Claremont Oval Reserve has been completed.

The aim of the engagement was to receive community opinion on the proposal to assist with Council's decision-making to approve/not approve a period of time for the club to further investigate and develop a detailed proposal and business plan (including designs, costings and sources of funding).

There has been significant community interest in this proposal resulting in a high level of engagement and one of the most successful engagement projects the City has undertaken in terms of participation. The significant input has been provided resulting in there being an equal view on the proposal, to support or not support the proposal. The feedback has also identified a variety of benefits and challenges.

Based on the feedback received, it is proposed that the City's administration will now prepare a report to the March 2019 Council round of meetings on the key options for future use at Mt Claremont Reserve as suggested by the community.



**Mt Claremont Reserve  
Hockey Facility Proposal  
Westside Wolves Hockey Club**

**Community Engagement Results  
Tuesday, 23 October, to Monday, 19 November 2018**

Dated: 26 November 2018  
SharePoint Reference: COMMUNITY-328253337-125

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## 1. INTRODUCTION

Community engagement has been undertaken with residents, property owners, user groups, sporting clubs, associations and stakeholders, along with the broader community, on a proposal for the Westside Wolves to develop permanent hockey facilities (club rooms, artificial turf and car park) on a section of green space at Mt Claremont Reserve.

The aim of the engagement project was to understand the level of community support and their views on the proposal, to assist with the Council's decision-making on whether to approve a period for the club to further investigate and develop a detailed proposal and business plan (inc. designs, costings and sources of funding).



Artist's impression of the proposed development supplied by Westside Wolves Hockey Club

The community was invited to complete an online survey to enable the City to gauge the level of community support for this proposal. Opportunities were also provided for submissions via email, post or delivery to the Administration Centre. Hardcopy surveys were produced and submissions by telephone were provided for people who did not have access or did not use computers.

### About the Westside Wolves Hockey Club

The Westside Wolves Hockey Club, with origins from the 1930s, is a large hockey club in the western suburbs who cater for people of all ages. The club currently has over 1,700 members and no permanent home.

The club developed a concept plan for permanent hockey facilities (synthetic pitch, parking, clubrooms) in the western suburbs and has been working with the City to find a suitable venue. There are currently twelve artificial pitches in the Perth metropolitan area with only three of these in the western suburbs. The development of the new facilities will improve accessibility for people of all ages wanting to play hockey in the western suburbs.

Initially, the club located an area at Allen Park to construct two artificial pitches, 280 car park bays, clubrooms and the installation of lighting. This proposal was included in the process for developing a master plan for Allen Park. The option was subsequently



not supported in the new master plan (approved by Council in December 2017), which identified a facility of this type and scale was not appropriate for Allen Park.

Further investigations by the Westside Wolves Hockey Club identified an area of Mt Claremont Reserve as potentially being a suitable site. The reserve is located within an area bounded by Cleland Street, Alfred Road and Montgomery Avenue. It is a Crown reserve consisting of 4.80ha for the purposes of recreation with 2.59 hectares of grassed area and 2.21 hectares of remnant bushland on the Cleland Street side of the reserve.

The concept put forward by the Westside Wolves estimated that the hockey pitch/clubrooms/car park would consume approximately 0.9ha, which is approximately 21% of the total reserve area, including provision for additional road access.

### City considerations

At the outset, the City advised it did not have any plans for hockey in its current 10-year financial plan.

The City identified and also advised the Westside Wolves Hockey Club that, for this proposal to proceed, any future arrangements need to be negotiated with the existing clubs and organisations who currently use the oval – the Western Suburbs and Swanbourne Cricket Clubs (senior), Claremont-Nedlands Cricket Club (junior), UWA-Nedlands Football Club (junior soccer), Claremont Jets (gridiron football) and Mt Claremont Primary School. In addition, the potential impacts on the users of the site for passive recreation needed to be identified along with agreed funding sources.

To assist the club, the City (along with the Westside Wolves representatives) met with the clubs in December 2017 and again in August 2018, who indicated in-principle support for the proposal. However, the following would need to be confirmed:

- Retention of MILO in-2-Cricket Skills Program
- Relocation of junior cricket to the renovated Swanbourne Oval
- Relocation of junior soccer to another suitable venue
- Retention of gridiron at Mt Claremont Oval
- Relocation of senior cricket to the new synthetic pitch at College Park
- Continuing use by Mt Claremont Primary School for sport activities.

The Westside Wolves provided an overview of the proposal to the Council at its meeting on 23 October 2018 which resulted in the Council approving a community engagement plan and requesting a detailed report on the proposal to include:

1. Community engagement outcomes on the concept from Westside Wolves (this report)
2. A project schedule for the life of the project
3. The receipt of a detailed business case by the Westside Wolves

All submissions and surveys received have been summarised and key themes have been identified for the preparation of this report to Council. Access to all documents has been provided to elected members to maintain confidentiality for respondents.

## 2. PURPOSE OF ENGAGEMENT

Information provided (online and by mail) aimed to assist the community gaining an understanding of the proposal by presenting the artist's impressions of the concepts, as provided by the Westside Wolves Hockey Club.

The purpose of the engagement was to:

- Seek community feedback on a proposal (survey) for the club to develop permanent hockey facilities (club rooms, artificial turf and car park) on a section of ground at Mt Claremont Reserve.
- Understand the level of community support and views on the proposal to assist with the Council's decision-making to approve a period for the club to further investigate and develop a detailed proposal and business plan (including designs, costings and sources of funding).

## 3. ENGAGEMENT PERIOD

This proposal was scheduled to be advertised from Friday, 26 October, to COB on Monday, 19 November 2018. However, due to heightened awareness of the project, the engagement commenced on Tuesday, 23 October; **a total of 28 days**.

## 4. ENGAGEMENT PRINCIPLES

The following engagement principles, as contained in the City's Community Engagement Policy, were applied to guide the way in which the City engaged and communicated with the community and stakeholders:

Citizenship	We will provide for and communicate opportunities for everyone to have a genuine and meaningful say in local democracy about actions that could affect their lives.
Transparency	We will ensure that the purpose and mechanisms of our engagement will be relevant, easily understood, timely and accessible by all.
Inclusion	We will seek out and facilitate the involvement of all those affected or potentially affected.
Accountability	We promise that all contributions will influence the alternatives developed, be reflected in our decision-making, outcomes will be communicated and performance will be measured.
Our people	We promise that our people will uphold the City values, the IAP2 Value's and Code of Ethics, be appropriately trained and supported to deliver best practice engagement.

## 5. COMMUNITY AND STAKEHOLDERS

### 5.1 Community and Stakeholders

The following community and stakeholders were included in this engagement project:

- Westside Wolves Hockey Club
- Residents and property owners
- Western Suburbs Cricket Club
- Suburban Lions Hockey Club
- Swanbourne Cricket Club
- Kidz 'n Sport
- Claremont-Nedlands Junior Cricket Club
- UWA-Nedlands Football Club
- Claremont Jets Gridiron Football Club
- Mt Claremont Primary School – Principal (Education Department)
- Mt Claremont Primary School – Parents and Citizen’s Group
- Town of Claremont
- Department of Local Government, Sport and Cultural Industries
- Hockey WA
- Casual users

Property owners and residents (1,410) within the project area consisted of properties bounded by Lantana Avenue, Moora Drive, Heritage Lane, St Johns Wood Boulevard, Haldene Street and Rochdale Road, who would be impacted or potentially impacted by this proposal (1,424 including stakeholders).

### 5.2 Community-led engagement

In addition to the City’s community engagement process, there were a number of engagement and activism initiatives led by community groups as follows:

- Westside Wolves Hockey Club with the “Need a Den” campaign
- Friends of Mt Claremont Oval with the “Ditch the Pitch” campaign
- Friends of Lake Claremont
- UWA-Nedlands Football Club
- Mt Claremont Primary School Parents and Citizen’s Association

The above groups provided detailed submissions.

## 6. OPPORTUNITIES FOR ENGAGEMENT

The City’s online engagement hub, **Your Voice Nedlands**, was used as the primary place to promote and create general awareness of the project, to read information and provide feedback. Opportunities to participate included:

- Your Voice Nedlands: a survey and facility for people to ask the City questions, read the FAQs and project updates and view and download documents (proposed concept designs).

- A letter and copy of the concept designs were mailed to all residents/property owners within the project area (refer Section 5 above) to provide project information and details of the proposal.
- Direct contact: people could also contact the City by email or telephone or visit the Administration Centre to discuss the proposal.

To raise awareness of the project, the City prepared a media release and placed advertisements to promote the proposal in the POST and Western Suburbs Weekly newspapers, produced posters to reinforce the advertisements and placed banners in the Mt Claremont Oval reserve area. The City's website, Facebook and Twitter pages were also used to raise awareness and promote the project.

### 6.1 Online Engagement – Your Voice Nedlands

**Your Voice Nedlands** was the reference point for engagement information and to find information on the project. Information included:

- An artist's impression of the proposal (provided by Westside Wolves Hockey Club)
- Frequently asked questions (FAQs)
- Advice on the key dates
- Project team contact details

People could lodge their views by online survey. The **Your Voice Nedlands** email was also available for people to forward their submission or survey, or to ask questions of the City.

### 6.2 Mail-out

A mail out to 1,424 residents, property owners and stakeholders was undertaken, advising of the proposal, providing a copy of the concept plan and inviting them to view the information on **Your Voice Nedlands** and complete the online survey.

People could also provide responses by email, post or by visiting the City's Administration.

People who did not have access to computers or did not use computers, were offered support by City staff. Their surveys or comments were recorded by a Council Officer or they could complete a hardcopy of the survey.

### 6.3 Advertising and media

Advertising was placed in the POST newspaper on 27 October 2018 and the Western Suburbs Weekly on Tuesday, 30 October, with reminder advertisements placed in both newspapers on 3 November and 6 November respectively.

Five public notices were displayed in various locations in key traffic areas around the reserve, along with two large banners with space available for the community to provide comments.

A media release was prepared for relevant outlets and also placed on the City's website.

Posts were placed on the City's Facebook and Twitter accounts which reached 3,099 people and included 334 reactions, comments and shares.

Please refer to Attachment A – Communications and advertising overview.

#### **6.4 Community-led promotion and awareness**

During the engagement period, the City became aware of the unsolicited promotion and awareness of the project:

- Westside Wolves Hockey Club undertook full-page advertising in the POST newspaper with a brochure, along with information on their website to promote "Need a Den"
- A group was formed called "Friends of the Mt Claremont Oval" which produced a Facebook page, website and the flyer "Save Mt Claremont Park/oval from the Westside Wolves". This flyer was distributed within the community, placed on the Mt Claremont Community Centre noticeboard and was attached to the City of Nedlands hardcopy survey.
- A Ditch the Pitch petition on change.org and paper petitions, which formed an attachment to the Friends of the Mt Claremont Oval submission.
- Numerous Facebook posts from the Friends of the Mt Claremont Oval, the Westside Wolves Hockey Club and their supporters.
- Notices and statements attached to the cricket practice nets at the reserve.
- There were also numerous complaints to the City regarding the behaviour of people within the community protesting the proposal and those supporting the proposal.
- Facebook posts were also placed by the POST newspaper, Western Suburbs Weekly, Sunday Times and the online publication, Perth Now.
- Approximately 30 letters to the editor in the POST newspaper and Western Suburbs Weekly.

Please refer to Attachment A – Communications and advertising overview.

#### **6.5 Summary of traffic sources to the engagement page**

Traffic Sources provides an overview of the number of people who found out about the consultation and accessed the engagement page. Traffic Sources show the number of people who found out about the consultation/entered the site as follows:

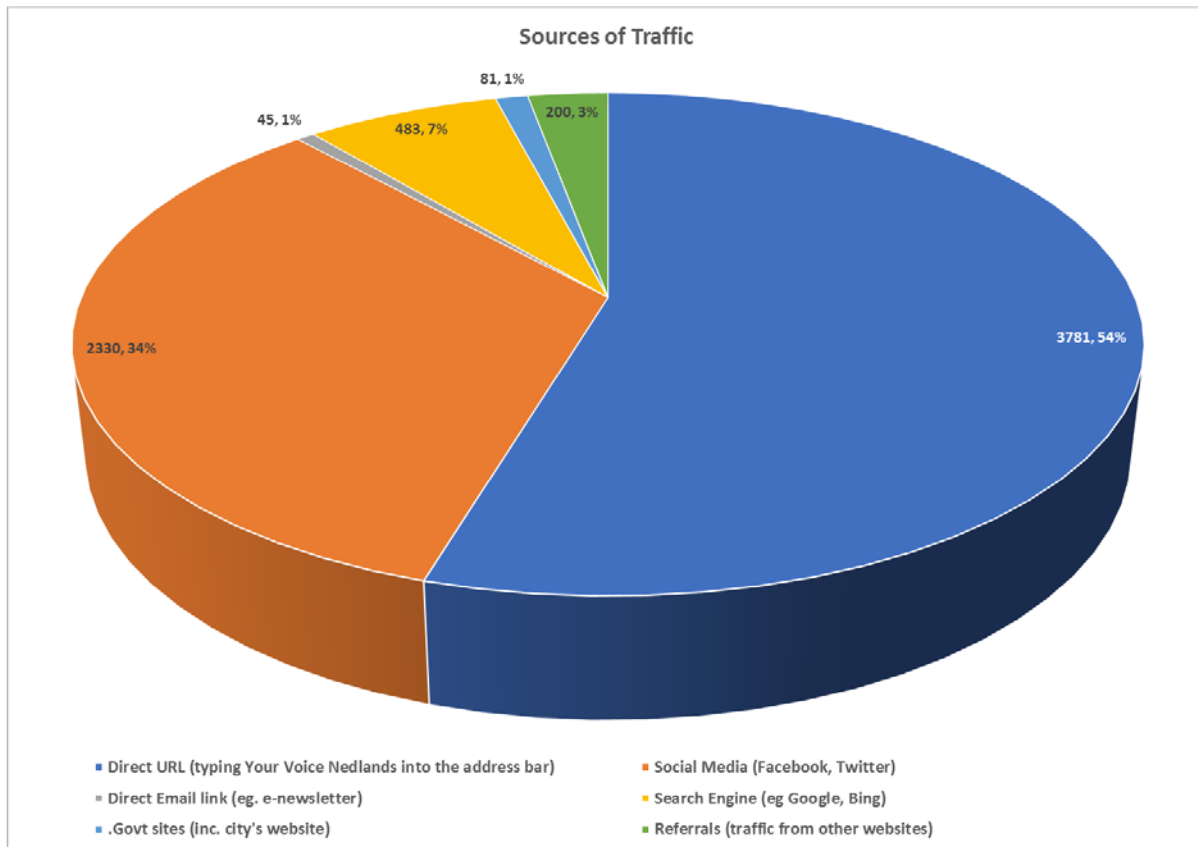
- Direct URL – typing the URL directly into the address bar of a search engine.
- Search engines – searching using Google, Bing etc.
- Email – direct-email campaigns using EHQ email/newsletters.
- Govt – any site with a .gov or .government that refers people to the consultation.
- Referrals – traffic from links on any other non-government websites, including community groups or individuals with websites promoting the engagement project to others by inserting a link directing traffic to the engagement page.
- Social – traffic generated by social media including Facebook, Twitter, LinkedIn, Google+, Instagram with links to engagement projects.



The communication activities resulted in 6,920 visits, mostly using the methods of: typing Your Voice Nedlands into the address bar after receiving the letter (3,781 people, 55 per cent). 2,330 people (34 per cent) accessed the site via social media with another 483 people (7 per cent) using a search engine.

200 people were referred from other websites (3 per cent) and 81 (1 per cent) used a .gov site (City of Nedlands) to access the site.

The following graph highlights the traffic sources for this project.



## 7. ENGAGEMENT PARTICIPATION

This section provides an overview of the community and stakeholder participation in the community engagement process.

### 7.1 Online engagement – Your Voice Nedlands

The engagement page received 6,920 visits who collectively viewed 19,196 pages. 5,427 people viewed at least one page with 3,291 people progressing further to look at the images, download the concept plans (549), read the key dates (42) and the FAQs (510). 1,613 of these people progressed to becoming engaged with the project by completing the online survey (1,582) and/or asking questions (31) of the City.

### 7.2 Hardcopy and email submissions

The City received submissions from the following stakeholder and/or activist groups.

- Westside Wolves Hockey Club
- UWA-Nedlands Football Club
- Swanbourne Cricket Club
- Friends of Lake Claremont
- Mt Claremont Primary School Parents and Citizen’s Association
- Friends of the Mt Claremont Oval
- Claremont-Jets Gridiron Football Club
- Lisle and Leaweena Village.

### 7.3 Hardcopy surveys

Hardcopy surveys were provided to community members who indicated they did not have access to computers or could not use computers. These surveys were subsequently copied and distributed throughout the community. As a result, the City received 689 surveys.

It is noted that it was difficult to determine if there were multiple surveys completed by individuals. The bulk of these surveys came from the Friends of the Mt Claremont Oval and Westside Wolves Hockey Club.

### 7.4 Customer enquiries

There were 60 telephone customer enquiries recorded, along with several people visiting the Administration Centre for further information and with people seeking assistance on how to provide feedback, collect hardcopy surveys and to discuss the project.

### 7.5 Community-led engagement

In addition to the City’s community engagement process, there were several engagement and activism activities that were led by community groups as follows:

- Westside Wolves Hockey Club with the “We need a Den” campaign

- Friends of the Mt Claremont Oval with the “Ditch the Pitch” and “Save our Oval” campaigns
- Friends of Lake Claremont
- UWA-Nedlands Football Club
- Mt Claremont Primary School Parents and Citizen’s Association
- Lisle and Leaweena Village.

These activities included example wording for survey completion, circulation of modified concept plans and hardcopy surveys, advertisements in newspapers, posters at the reserve and brochures distributed in the POST newspaper.

## **Petitions**

Three petitions were received; two of these were attached to the submission from Friends of Mt Claremont Oval and another was received from the Lisle and Leaweena Villages. These petitions opposed the proposal from the Westside Wolves Hockey Club, as follows:

### ***Petition 1: Save Mt Claremont Oval – Ditch the Pitch (paper petition)***

This petition stated “The Westside Wolves propose to take approximately 40% of the oval for fenced Astro Turf Hockey Pitch, new Club House and a 60 space carpark. The remaining 60% grassed area will not be large enough to facilitate the needs of the Mt Claremont Primary School’s sporting activities, and the current four sporting clubs that use it. We fear this is privatising public space. Westside Wolves will become the exclusive lessee for one code, one club and one single use.”

“There will be an impact on the local residents and school children crossing the road due to the increased generation of traffic for the facility. Not to mention the environmental impact on the surrounding bushland. To see more reasons as why we need to save Mt Claremont oval as open green space, go to “Friends of Mount Claremont Oval” Facebook Page [www.saveoouroval.com](http://www.saveoouroval.com).”

“We, the undersigned oppose the Mt Claremont Oval – Proposal from Westside Wolves Hockey Club.”

### ***Petition 2: Save Mt Claremont Oval – Ditch the Pitch (change.org)***

This petition was electronic, via the website [www.change.org](http://www.change.org), and stated, “Save Mt Claremont Oval – Ditch the Pitch.” No other commentary was provided.

### ***Petition 3: Leaweena and Lisle Villages***

The Residents’ Committee presented the petition, titled “Mount Claremont Oval Westside Wolves Hockey Club Proposal”. This petition stated “We the undersigned residents of Lisle & Leaweena Villages reject unequivocally the above proposal.”

The above groups provided detailed submissions to provide evidence of their support/not support for the proposal. They are discussed in Section 8 – Engagement results (below).

## 8. ENGAGEMENT RESULTS

The engagement results follow. It was difficult to determine if multiple surveys and feedback was received. This is largely due to the methods of lodging the surveys. The preferred method was via Your Voice Nedlands. Registration was not required but limited to anyone with an email and screen name. Hardcopy surveys were also completed, including those with email addresses. Emails and telephone calls were also received.

The engagement results are provided for each of the engagement tools as follows.

### 8.1 Stakeholder submissions

The City received submissions from the following stakeholder and/or activist groups.

- Westside Wolves Hockey Club
- UWA-Nedlands Football Club
- Swanbourne Cricket Club
- Claremont-Jets Gridiron Football Club
- Mt Claremont Primary School Parents and Citizen's Association
- Friends of Lake Claremont
- Friends of the Mt Claremont Oval
- Department of Health

Each of the submissions are summarised as follows:

#### 8.1.1 Westside Wolves Hockey Club

The Westside Wolves Hockey Club, with origins from the 1930s, is a large hockey club in the western suburbs who cater for people of all ages. The club currently has over 1,700 members and has been looking for a permanent home for some time in the western suburbs. The Club is hoping to build permanent home including an artificial pitch as there are only three artificial turfs in this area.

The Westside Wolves Hockey Club identified an area of Mt Claremont Reserve as potentially being a suitable site. Currently, it is currently zoned for recreation.

If the proposal proceeds, it will provide a home base for the club and enable it to provide more centralised facilities for its members of all ages, as many travel large distances for home games and training. The club will also be active in promoting the importance of healthy lifestyles and hockey more generally in the community.

A new facility will enable the club to provide improved training and development opportunities, increase the resources available to its members and promote sociability for all generations.

#### 8.1.2 UWA-Nedlands Football Club

The UWA-Nedlands Football Club has been operating for some 70 years and is a longstanding stakeholder and user of Mt Claremont oval. It has a membership of over 1,700 playing members (2018) and provides some 200 teams and caters for male and

female players of all ages and abilities. The club is community-based and plays at four key venues, all within the City of Nedlands.

The club does not support the proposal, as it is concerned about the negative impact the proposed development of a new hockey facility would have on its operations. The club released a statement as to its reasons (also available at the reserve and their website [www.uwanfc.com.au](http://www.uwanfc.com.au)).

The club uses the oval for training, is sanctioned as a match day venue by Football West and is a facility for both junior and senior teams. The oval is the home to ten teams.

The concept plans presented with the modified layout would result in the balance of space being inadequate and insufficient for the Club. In addition, hockey does not have any synergies with soccer. The club does not have the capacity at its other venues to manage the impact caused by the loss of two full-sized pitches.

The club also presented information on a past report to Council (February 2011) regarding a Strategic Recreation Plan. This report concluded that the quality of venues provided for soccer was poor and a priority for funding was high. This was the lowest ranking of all sports. Since this date, the club and the City have invested in the construction of the change rooms and lights at Mt Claremont Reserve. The club also migrated some of its activities to the reserve in 2012 as agreed with the plan.

The club believes the loss of the facility would be a retrograde step and contrary to the findings and recommendations in this report, as well as the plan agreed with the City.

### **8.1.3 Swanbourne Cricket Club**

The Swanbourne Cricket Club does not support the proposal. The club is one of the oldest clubs, formed in 1962. The club has five senior teams and has used the reserve at various times since the mid-1960's. The club has a junior cricket program and is developing a full junior cricket program with grades through to senior teams. The club is also working towards developing a program for girls.

The oval is being used as the home ground for their one-day team and is a core facility along with facilities at Allen Park. However, if the City developed a third oval at Allen Park (former beach oval), then the ground at Mt Claremont would no longer be a requirement.

### **8.1.4 Claremont-Jets Gridiron Football Club**

The Claremont-Jets Gridiron Football Club does not support the proposal. The concept plans developed by the Westside Wolves Hockey Club do not provide enough space for gridiron activities. The club considers the consultation undertaken by the Westside Wolves was insufficient and no benefits or solutions were considered prior to the City undertaking the engagement process.



### 8.1.5 Mt Claremont Primary School Parents and Citizen's Association (P&C)

The primary school is an independent public school, which has been operating for approximately 100 years with a culture of lifelong learning. School numbers have increased 95% since 2015 (130 enrolments) and are expected to double by 2019 due to increased population density from housing and infill development.

The P&C provides a communication forum where the parent body can communicate with the school and members of the general community on school-related matters.

The school has a small open space of 0.4 hectares which does not meet the Education Department guidelines of one hectare. As a result, the oval is important to the school community. It is used for athletics (training and events) and team sports such as AFL, soccer and hockey, along with physical education lessons, sports carnivals (training and competition), cross country (training and competition) and training and participation in interschool competitions.

Hockey is a sport played at the school but is not seen as having any greater importance than the sports currently provided.

Other outdoor learning activities are also undertaken at the oval such as science classes and environmental studies, along with school-related social activities.

If the oval proposal proceeds, the school will need to find alternative spaces for their activities which will result in additional costs (such as supervision, bus transport etc.) and reduce the school's capacity to provide after-school training for students.

If the development proceeds, there will/may be:

- A general increase in traffic, which will reduce student safety during drop-off and pick-up times and when children are walking and cycling to and from school.
- Demand for parking during hockey periods, which will also place increased pressure on the area and further reduce safety.
- An increase in anti-social behaviour, due to the issuing of a liquor licence and the resultant impact on the school community and property.
- A loss of green space, which is important to the development of children.
- An increased urban heat island effect from the development.
- Reduction of incidental use of the oval and facilities by students and parents: basketball hoop, cricket nets and impromptu games.
- Reduction in the ability to raise school funds from the Mt Claremont Farmer's Market, which will be greatly impacted.

### 8.1.6 Friends of Lake Claremont

The Friends of Lake Claremont do not support the proposal. The Board has concerns for the potential of negative impacts on the lake should the proposal proceed.

Lake Claremont is an environmentally-sensitive wetland and is classed as a Conservation Category Wetland and a Bush Forever site. It is a popular recreational area.

Mt Claremont Reserve, as well as being a sports facility, has bushland which is a part of a green corridor linking the Swan River, Lake Claremont wetland, Bold Park and Perry Lakes.

The group believes the quality and quantity of ground water and surface water feeding into the lake is important to its health. Drainage in the area, travelling from the north-east to south-west direction (with the proposal being upstream of the wetland) will have a potentially negative impact on the lake environment. Issues include:

- Requirements of ground water from a synthetic hockey pitch compared to a grass pitch.
- 40 per cent reduction of the current turf surface which serves as a groundwater recharge zone.
- Potential for leaching of heavy metals and hydrocarbons from materials used to construct the pitch.
- Potential contamination of groundwater and/or stormwater run-off during construction. The site is directly opposite of Alfred Road drains that feed into Lake Claremont.
- Natural grassed areas support a wide varied of insects that birds feed on.
- The infrastructure may pose a threat or impediment to nesting turtles and their hatchlings.

### 8.1.7 Friends of Mt Claremont Oval

The Friends of Mt Claremont Oval formed at the same time this consultation commenced. The group instigated a website, Facebook page, produced promotional material, advertised in the POST newspaper, setup an online petition ([www.change.org](http://www.change.org)), sought signatures to a petition and door-knocked the area. It is noted the petition is an attachment to the submission and not a formal petition to Council. The group opposes the proposal by the Westside Wolves Hockey Club and received media coverage throughout the project.

Regarding the two petitions submitted to support this application, a review of the signatories to each of the petitions identified the following:

#### (a) Hardcopy petition

Hardcopy Petition	Number	Per Cent
Number of signatories	438	
Total signatories within the project area	261	59%
Total signatories from the City of Nedlands Council area (Dalkeith, Mt Claremont, Nedlands)	276	63%
Total signatories from the Town of Claremont Council Area (Claremont)	44	10%
Total signatories from all other areas (438-261)	177	41%

The remaining signatures (177) came from Albany, Baldivis, Balga, Ballajura, Bayswater, Capel, Carine, Churchlands, City Beach, Cottesloe, Doubleview, East

Fremantle, East Perth, Eden Hill, Floreat (Town of Cambridge), Fremantle, Greenwood, High Wycombe, Iluka, Innaloo, Karrinyup, Kensington, Mt Lawley, Nollamara, North Fremantle, North Perth, Padbury, Peppermint Grove, Myaree, Lower Chittering, Maylands, Mosman Park, Perth, Ridgewood, Scarborough, Shenton Park (City of Subiaco), Swanbourne (Town of Cottesloe), Warwick, Wembley, Wembley Downs, White Gum Valley, Woodlands, Yokine, and unnamed and addressed entries.

### (b) Online petition

Hardcopy Petition	Number	Per Cent
Number of signatories	343	
Total signatories within the project area	15	4.4%
Total signatories from the Town of Claremont Council Area (Claremont)	46	13.4%
Total signatories from all other areas (343-15)	328	95.6%

The remaining signatures (328) came from the western suburbs, Perth Metropolitan area and Western Australia country areas. Other signatories were from South Australia, Victoria, Queensland, New South Wales, Australian Capital Territory, USA, UK, New Zealand, Portugal, Singapore and Tanzania.

### (c) Issues raised in the submission

The primary issues included in the submission included:

- The views of residents and current oval users must have a greater weight than more remote participants who have no interest in the oval at all.
- Access is poor and additional parking requirements will be inadequate and lead to increased traffic, which will impact on community safety and amenity.
- The proposal is incompatible with most existing uses of the site. It will displace existing sports clubs and passive recreation users.
- The proposal does not align with current strategic trends in sports planning for shared-use, co-location and multi-functional opportunities.
- Proposal does not consider future growth for the hockey club.
- The site is not a compatible development for the Reserve's natural environment and is in a bushfire zone.
- Construction and operation of an artificial hockey turf will directly impact on the water levels and water quality in the underlying aquifer and Lake Claremont.
- The trees and bushland are part of the A-Class Reserve and form part of the ecological communities that will be potentially threatened. They also form a wildlife corridor.
- Removal of the playground, cricket nets and basketball hoop will reduce the variety of infrastructure available for community use.
- Site is too close to residential properties and there will be a negative impact on the local neighbourhood.
- Issuing of a liquor licence near a primary school is considered inappropriate.
- The remaining portion of the oval will be limited in size and it will lose its amenity and aesthetics.

- There is an opportunity for the City, State Government, WESROC and Hockey WA to work together to find a more suitable space which aligns with current better practice planning for sports.

### 8.1.8 Department of Health

The submission from the Department of Health advised that, if the proposed development was to proceed, all legislative requirements would need to be met.

## 8.2 Online engagement – Your Voice Nedlands

During the engagement period, the engagement page received 6,920 visits with 1,582 of these people completing the online survey.

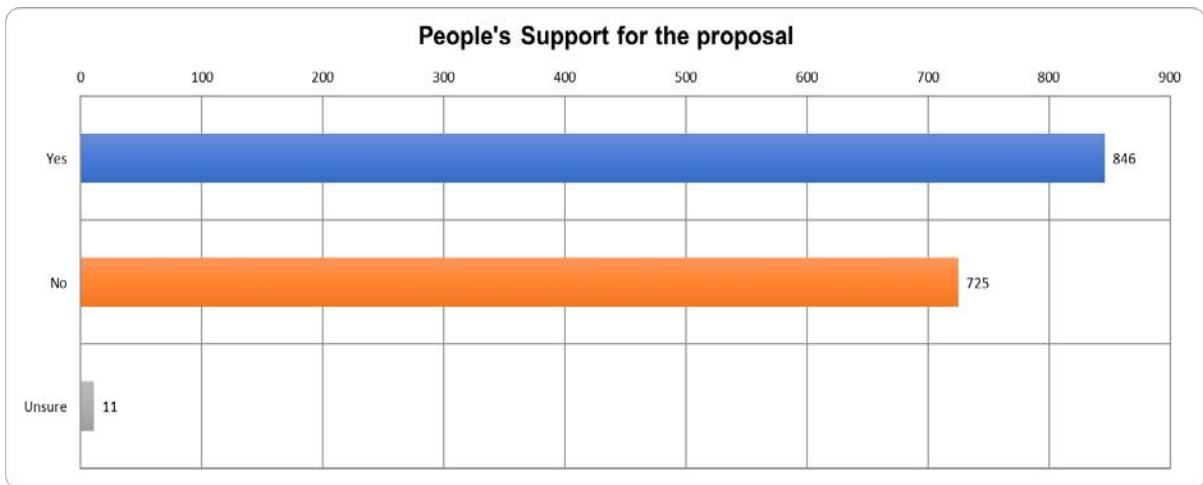
In addition to asking people if they would support the concept plan to progress to the next stage of preparing a detailed business plan, design and sourcing funding, people were also asked to provide:

- Comments on why they supported/not supported the proposal.
- Their interest in Mt Claremont Oval Reserve:
  - Member or friend of the Westside Wolves Hockey Club
  - Member or friend of the Western Suburbs Cricket Club
  - Member or friend of the Swanbourne Cricket Club
  - Member or friend of the Claremont-Nedlands Cricket Club
  - Member or friend of the Claremont Jets Gridiron Football Club
  - Member or friend of the UWA-Nedlands Football Club
  - Parent, friend, student or teacher of the Mt Claremont Primary School
  - Casual user with a community or social group
  - Dog owner using the area for dog-walking
  - Walking, jogging etc.
  - Other
- An indication of their age range:
 

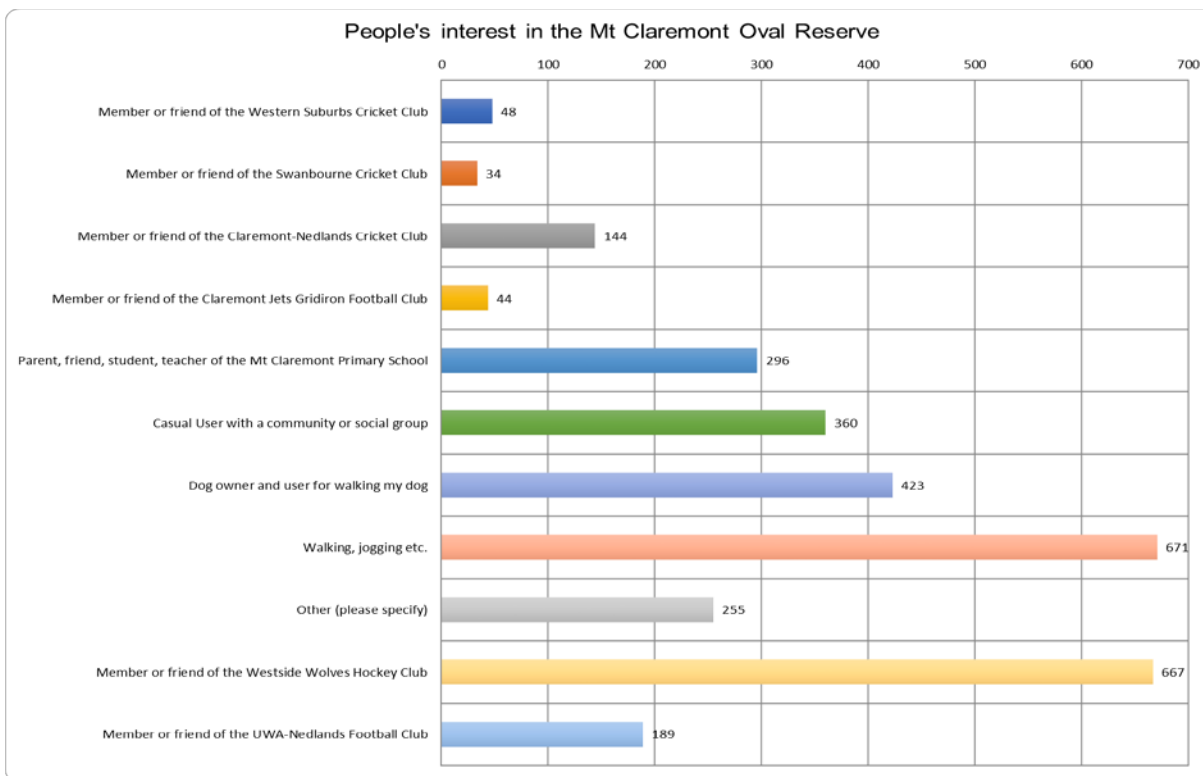
– 10 years and under	– 11-18 years	– 19-25 years
– 26-35 years	– 36-45 years	– 46-55 years
– 56-65 years	– 66-75 years	– 76 and older
- An indication of the suburb in which they live.

The comments received were analysed, along with the comments received via email and the hardcopy submissions, to identify the key themes. To read these, please refer to Section 9.

### 8.2.1 People’s level of support for the project



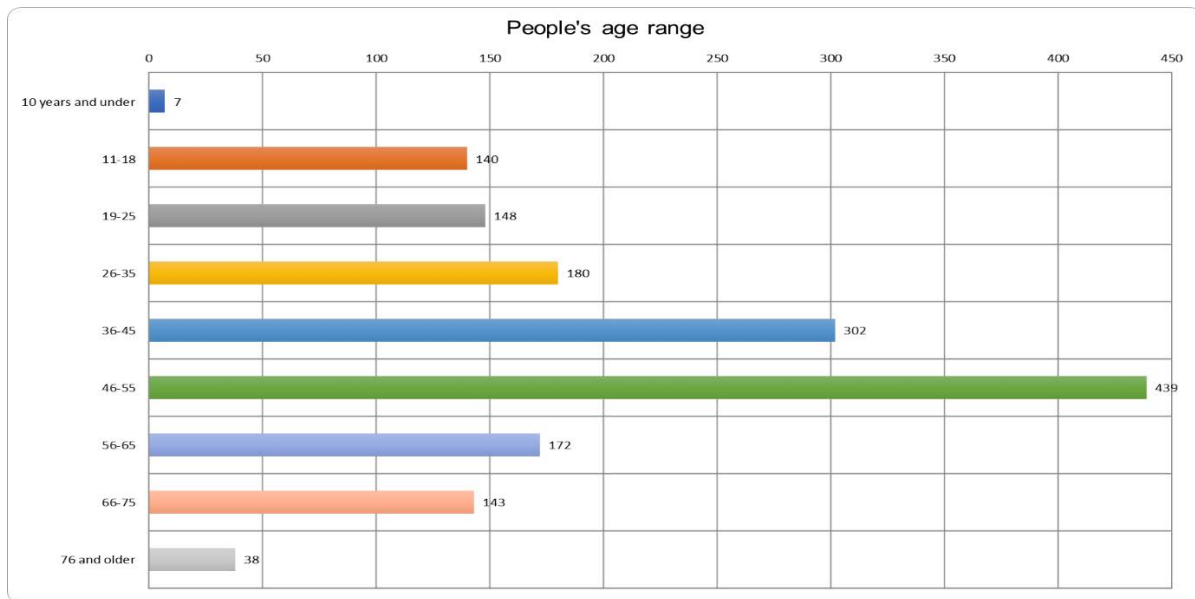
### 8.2.2 People’s interest in the Mt Claremont Oval Reserve



Of the 255 people who indicated ‘other’ used this field to expand on other choices. For example, casual users identified the facilities they used, parents and grandparents used the reserve with them for ball sports and general exercise or they were followers of the sports at the ground or attended the school market. People also indicated they were residents or friends of other groups (e.g. Friends of Lake Claremont), or were more specific with their involvement in the sports at the oval and those who use the area for socialising.



### 8.2.3 People's age range



### 8.2.4 Where people reside

An analysis of the street addresses was undertaken to provide an overview of the location of where people reside.

588 people were from Mt Claremont and 147 were from Claremont. This followed with Nedlands (140), Swanbourne (92), Cottesloe (57) Dalkeith (59), Mosman Park (53), Shenton Park (21), Floreat (20), Wembley (20), Wembley Downs (18), Subiaco (18), City Beach (14) and Scarborough (13).

The balance of the surveys came from other western suburbs areas, metropolitan Perth and country Western Australia.

The responses from Mt Claremont represents 37 per cent of the surveys received. Claremont residents represented 9 per cent of responses.

## 8.3 Hardcopy surveys

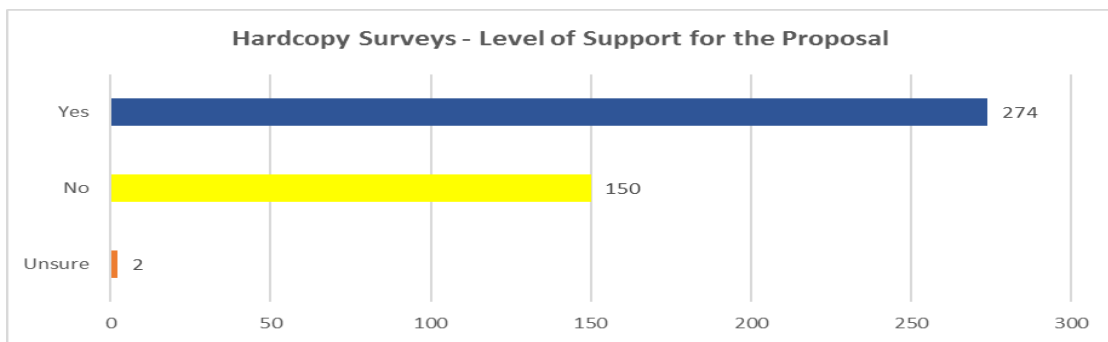
There were 689 hardcopy surveys completed by individuals. This survey was the same as the online survey and the bulk of these surveys came from the Friends of Mt Claremont Oval and the Westside Wolves Hockey Club. The engagement results follow.

In addition to asking people if they would support the concept plan to progress to the next stage of preparing a detailed business plan, design and sourcing funding, people were also asked to provide:

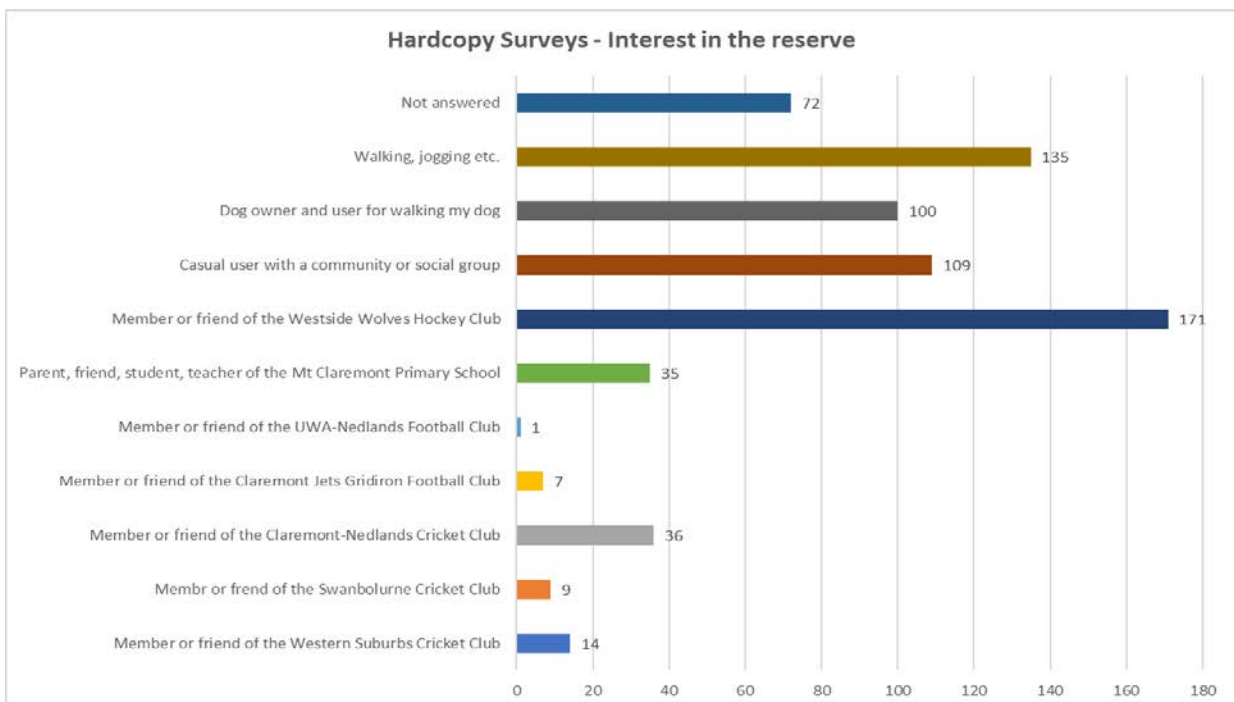
- Comments on why they supported/not supported the proposal.
- Their interest in Mt Claremont Oval Reserve:
  - Member or friend of the Westside Wolves Hockey Club
  - Member or friend of the Western Suburbs Cricket Club

- Member or friend of the Swanbourne Cricket Club
  - Member or friend of the Claremont-Nedlands Cricket Club
  - Member or friend of the Claremont Jets Gridiron Football Club
  - Member or friend of the UWA-Nedlands Football Club
  - Parent, friend, student or teacher of Mt Claremont Primary School
  - Casual user with a community or social group
  - Dog owner using the area for dog-walking
  - Walking, jogging etc.
  - Other
- An indication of their age range
    - 10 years and under
    - 11-18 years
    - 19-25 years
    - 26-35 years
    - 36-45 years
    - 46-55 years
    - 56-65 years
    - 66-75 years
    - 76 and older
  - An indication of the suburb in which they live.

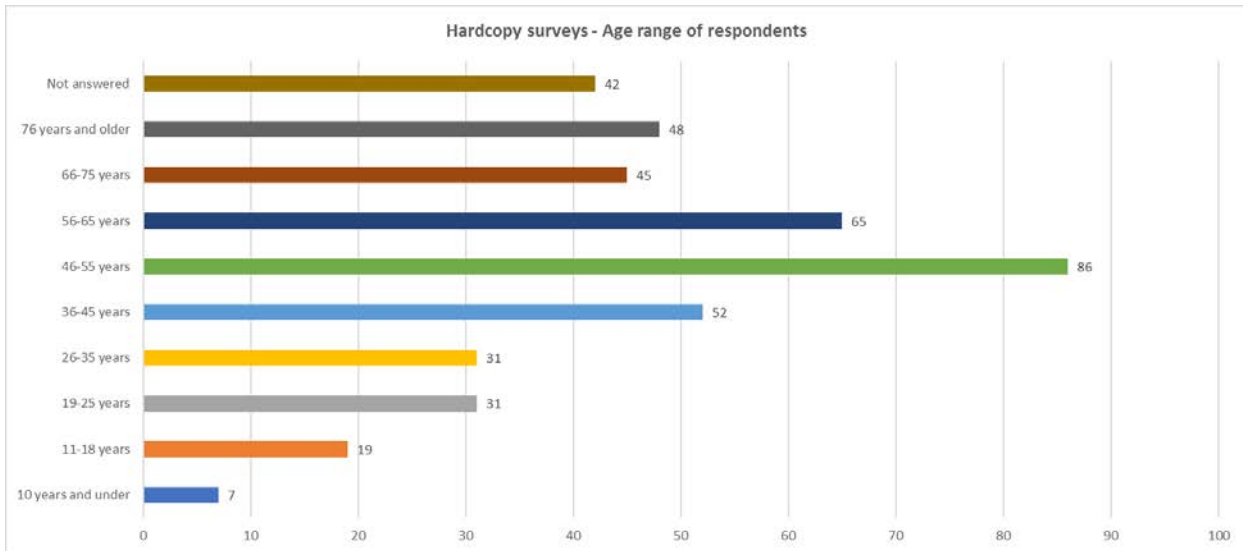
### 8.3.1 People’s support for the proposal



### 8.3.2 People’s interest in the reserve



### 8.3.3 People’s age range



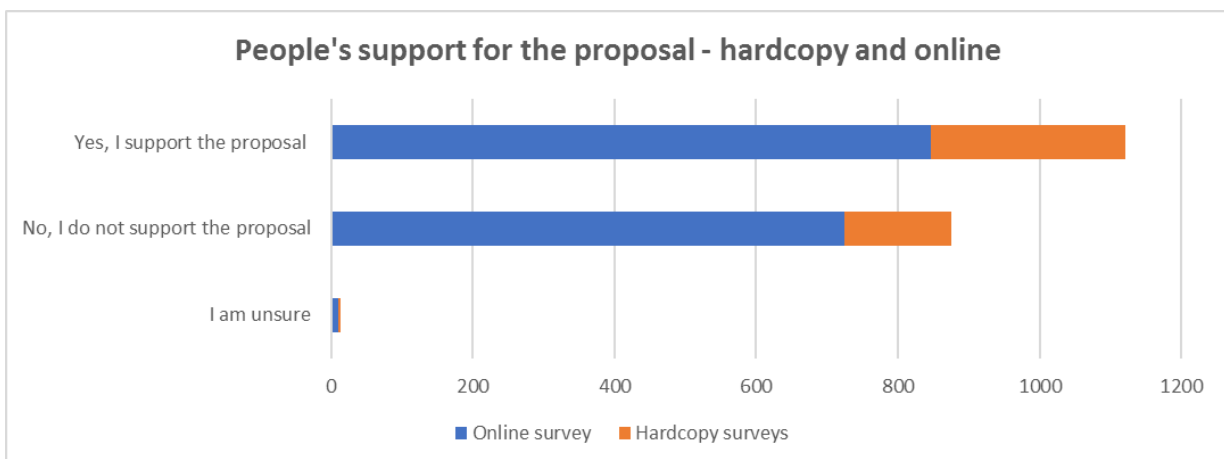
### 8.3.4 Suburb where people live

87 of the surveys were from the Mt Claremont area (20 per cent), 48 from Claremont (11 per cent). Including Mt Claremont, there were 264 surveys from the City of Nedlands (62 per cent), however this includes Shenton Park, Swanbourne and Floreat which also forms part of neighbouring councils. The remaining suburbs included the western suburbs area, Perth Metropolitan area and Western Australian country areas.

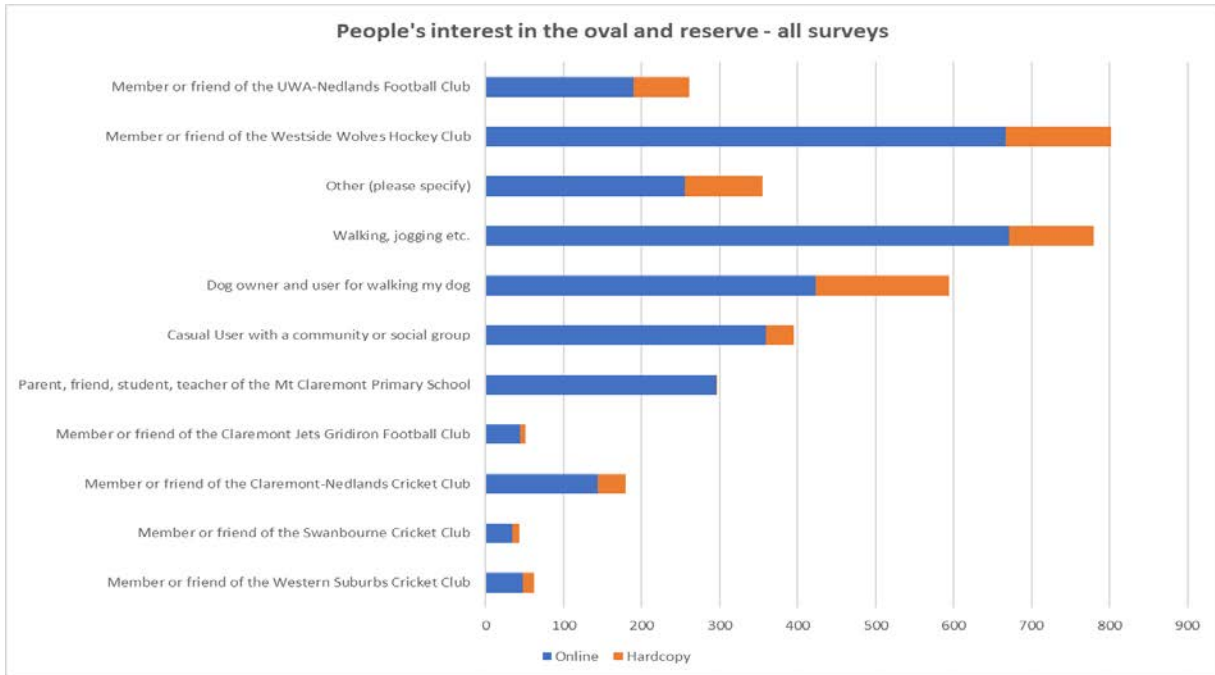
## 8.4 Survey responses (hardcopy and online)

The following provides the results of the hardcopy and online surveys in response to their level of support for the project, where they reside, their level of interest and the age range of respondents.

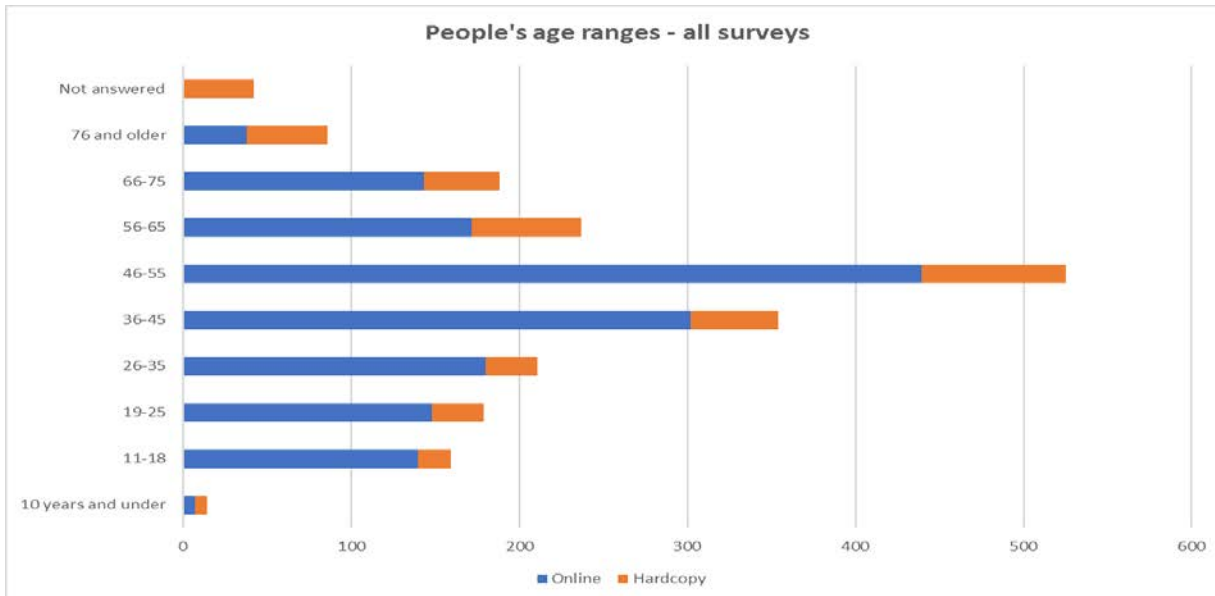
### (a) People’s support for the proposal



**(b) People’s interest in the oval and reserve**



**(c) People’s age range**



**(d) Where people live**

Of all the surveys received, 675 (43 per cent) surveys were received from residents who indicated they lived at Mt Claremont and 195 (12 per cent) were residents who indicated they lived in Claremont. The remaining 45 per cent relates to the remainder of the western suburbs, metropolitan Perth and country Western Australia.

## 8.5 Emails, letters and submissions

51 emails and letters were received by the City with people indicating their level of support for the proposal. The following responses were received

	Number	Per cent
Number received	51	
Yes, I support the proposal	7	14%
No, I do not support the proposal	43	83%
I am unsure	2	4%

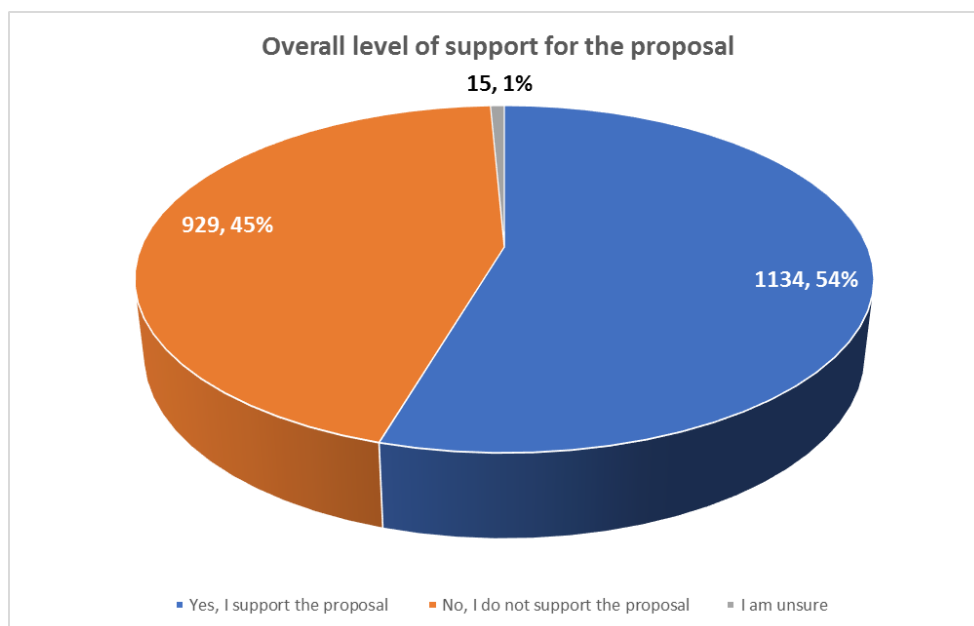
In addition to the above, an informal petition of 41 signatures was received from the Leaweena and Lisle Villages Residents' Committee rejecting the proposal by Westside Wolves Hockey Club.

## 8.6 Customer Enquiries

There were 60 telephone customer enquiries recorded with six people not supporting the proposal and two people providing support.

## 8.7 Total of all surveys and submissions received

Support	Online Survey	Hardcopy Surveys	Stakeholder Submissions	Emails	Phone Calls	Total
Yes, I support the proposal	846	274	0	7	7	1134
No, I do not support the proposal	725	150	6	43	6	930
I am unsure	11	2	0	2	0	15
<b>Total Received</b>	<b>1582</b>	<b>426</b>	<b>6</b>	<b>52</b>	<b>13</b>	<b>2,078</b>





The City received three informal petitions: two were attached to the Friends of Mt Claremont Oval and one from the Leaweena and Lisle Villages opposing the project. The signatures from these petitions have not been recorded in the above.

Of all the surveys received, 675 (43 per cent) surveys were received from residents who indicated they lived at Mt Claremont and 195 (12 per cent) were residents who indicated they lived in Claremont.

The remaining 45 per cent relates to the remainder of the western suburbs, metropolitan Perth and country Western Australia.

## 8.8 Feedback received

The results of the community engagement feedback: comments recorded (online survey, hardcopy surveys, telephone conversations, emails, letters, face-to-face) during the period have been analysed and developed into key themes which emerged from the review.

Several detailed submissions were received in addition to the feedback from the surveys and letters received. These submissions have been included in the following summary. The key themes identified were:

- Hockey in the western suburbs
- Concept plans/artist's impressions
- Users – passive recreation
- Users – organised sport
- Mt Claremont Primary School community
- Community and liveability
- Natural environment
- Potential sites

This engagement process does not attempt to respond to the feedback but identify the issues and challenges of the proposal. These are in no particular order of priority.

Hockey in the Western Suburbs	Concept Plans/Artist Impressions
Support for the growth of hockey and the club, but not the proposal for this site.	Green space reduced for casual and passive recreation – not accurately detailed on the plans.
It needs to be clearly understood who will be using the pitch (age groups, training, games), times, days etc including other organisations who could potentially share the facilities.	Available green space has not been validated with the other sports users of the ground – fear of other users having insufficient space at the venue.
There are limited hockey facilities in the western suburbs. Will this proposal satisfy this need.	Ability of the parking to cater for the people using the facility. Consider placing parking underground.

Hockey in the Western Suburbs	Concept Plans/Artist Impressions
Will constructing this facility satisfy the future growth of the club especially as there are currently 1700 members and the demographics of the club and area.	Proposal is not consistent with the area's natural environment due to the construction of hard surfaces and facilities.
All need to work together in the western suburbs for the betterment of hockey for the area, the Perth metropolitan area and Western Australia.	The proposal is for the exclusive use for Westside Wolves, not a community facility and not able to accommodate other sports.
The club should not have exclusive use over a parcel of public land.	Proposal should be able to accommodate multiple sports.
What is the benefit to the community by allocating public open space for an exclusive sports facility?	Loss of the basketball hoop and cricket nets if the proposal proceeds. These are used extensively.
Promotes healthy living and lifestyles with the encouragement of people playing hockey for all ages	People want evidence that the concept is balanced with users of the oval and reserve.
The club receives a private benefit at a public cost.	Concept plans are seen as not being accurate and not to scale.
Facility provides a first-class pitch for the local primary school and other schools in the area.	People want more detail on the economic, social and environmental impacts.
Relocation of hockey teams who are training in other suburbs – can this be achieved with the development of one pitch.	Need to demonstrate that the western suburbs need international facilities and does this proposal achieve this?
Members will not have to travel such large distances for home games and training.	Need a detailed parking and traffic plan to address the issues.
Westside Wolves should be fundraising to purchase land.	Need to demonstrate a commitment to contributing to improving the fauna habitat and vegetation along the hill slope.
A stand-alone stadium is not ideal and is not a recommendation of the Hockey WA Planning Strategy, which also requires a minimum of 100 parking bays for this type of development.	This will assist with the mitigation of noise and lighting impacts.

**Hockey in the Western Suburbs**

Ability to maintain a new facility when it is perceived that the current facility is not being maintained.

Provides better training and development opportunities, increases resources and promotes sociability for all generations.

Is seen as a land grab following the failed attempt to secure space at Allen Park during the master planning process.

Need to demonstrate that the western suburbs need international facilities and does this proposal achieve this.

**Concept Plans/Artist Impressions**

Playground relocation and replacement with a car park. The relocation site is close to Montgomery Avenue and is not safe for children and there will be a loss of bushland for the relocation.

**Users – Passive Recreation**

Concern that there will be no public access to the facility.

Parking reduces opportunities for passive recreation.

Mt Claremont Reserve is a local park for local people, family and friends.

It is the only small public space available all the time, not crowded and should be kept a green space.

These types of areas have historically been dedicated to the suburbs for all residents and should remain as such.

These types of areas are an important part of life balance.

The reserve provides a foothold of space for people to enjoy a flexible mixed-use sporting and recreation field.

Not every open space needs to be over populated with people.

**Users – Organised Sport**

All users need to have evidence that the space will facilitate current users.

Clubs have contributed to improving and developing the existing infrastructure.

A fear of being pushed out of the Mt Claremont oval space.

Some existing users have already been relocated from other locations to this venue.

No public access and parking reduce opportunities for other clubs to use the green space.

The concept does not provide enough space for the existing users to operate.

Project concept needs to be proven to ensure all users can fit.

Ability of clubs to co-share facilities.

**Users – Passive Recreation**

There is a perception that the oval is under-utilised.

**Users – Organised Sport**

The facility would not encourage community interactions.

**Mt Claremont Primary School Community**

Oval used as part of the school's outdoors environment.

Reduced size will reduce the ability for the school to use the oval for their activities.

There will be a negative impact on the Farmers Market with increased traffic and parking demands.

Impacts on the school environment with potential anti-social behaviour, reduced children safety from increased traffic and parking and the issues of a liquor licence.

The school is growing with enrolments and the green space is valuable to the school environment.

There is an opportunity for the school to use the facilities if constructed.

The Education Department should have an opinion and provide a submission on the oval to state their position.

**Community and liveability**

Is a community asset and should be retained as such.

There will be an impact on residents from the increase of illumination of the training lights and noise levels due to the extended hours for training and games.

The proposed facility will change the nature of the reserve from a natural setting to a busy sports complex.

It is a green space for passive recreation (walking, dog exercise, social play by all ages, use of facilities – basketball hoop, cricket nets, playground).

Concern with anti-social behaviour resulting from the increase in activity particularly resulting from the issuing of any liquor licence.

Other artificial turfs are not within residential areas.

The social and safety impact on the local community needs to be identified.

**Potential Sites**

Lobby the State Government to assist with finding a suitable site – other Crown land in the western suburbs.

**Community and liveability**

It is an important asset as there are very few public open space areas in Mt Claremont.

Potential Sites
Collaborate with the Suburban Lions Club to co-locate and develop facilities at Highview Park, Nedlands.
Continue to use Cresswell Park and extend to the Gloucester Road end.
<p>Suggestions:</p> <ul style="list-style-type: none"> <li>• Combine with other hockey clubs</li> <li>• Near Claremont Golf Course/ Claremont Pool</li> <li>• Northern section of Swanbourne Primary School</li> <li>• McGillivray Oval</li> <li>• Perry Lakes Nedlands foreshore area</li> <li>• Elderberry Reserve</li> <li>• McGillivray Oval</li> <li>• Back of John XXIII</li> <li>• Share Shenton College</li> <li>• Cresswell Park, Claremont</li> <li>• Share with Scotch College</li> <li>• Charles Court Reserve</li> <li>• Dot Bennett Park</li> <li>• Land behind Western Power Claremont Showgrounds</li> <li>• Graylands hospital</li> <li>• Block opposite of the waste transfer station</li> <li>• Challenge Stadium</li> <li>• Brockway Tip Site (old)</li> </ul>

Community and liveability
Parking demand with the construction of the facility will impact on the surrounding streets.
The use of greenspace for a dedicated sports facility is not in keeping with the current use of this area.
The space is needed due to the WAPC requirement to the increase population and density, for example the construction of the apartments at Claremont oval and infill housing developments in the area.
People playing hockey are a small part of the overall community in this area.
This space needs to be protected for the future generations.
The destruction of the playground and relocation does not improve safety for children. Together with the access road to the new facilities will increase through-traffic and further reduce safety

Natural Environment
Alternative sites should be identified instead of converting green space into a hard space.
Public open space needs to be retained.
There will be a diminished natural environment by replacing some of it with hard surfaces.

Natural Environment
The City has a responsibility to continue to maintain the protection of the area from development for the local community and the protection of this sensitive wetland environment and to ensure there is a clear understanding of the social impacts to this area and the community.



Natural Environment	Natural Environment
Water usage and drainage will impact on Lake Claremont and the groundwater.	The reserve is an important wildlife corridor.
Removal of trees and bushland to make way for a facility.	Increase in radiant heat from the pitch and car park in summer.
Consistency needed with the WESROC Plan and the City's Reserve Management Plans.	Protection of Lake Claremont, the natural eco-system.
Synthetic pitches have detrimental environmental impacts.	Environmentally sensitive area – part of the Swan Coastal Plain (Claremont Lake).
Partner with Town of Claremont to improve the greenway corridor and lake rehabilitation.	The proposal is also contrary to the environmental management plans and strategies for this area and the Hockey WA Planning Strategy.
Loss of natural environment for private/commercial use.	Diminishing green space should be preserved.
Impact to the groundwater and Lake Claremont: Lake Claremont is a Conservation Category Wetland and designated environmentally sensitive area. The lake is part of a chain of wetlands on the Swan Coastal Plain. Recharge to the aquifer is by direct infiltration of rainfall, and the water level in the lake rises and falls with the water table in response to seasonal rainfall.	The runoff from the hard surfaces (roofs, paving, driveways, roads and carparks) is directed into the stormwater system which carries pollutants and contributes to the levels in the lake. The construction of this facility will contribute to the contamination of the stormwater. Mt Claremont oval lies directly over the groundwater recharge zone upgradient of Lake Claremont, where groundwater flows towards the south-west and into the lake. The Westside Wolves proposal would result in the loss of 9,000m <sup>2</sup> of groundwater.

## 9. CONCLUSION

### 9.1 Project overview

Community engagement has been undertaken with residents, property owners, user groups, sporting clubs, associations and stakeholders, along with the broader community, on a proposal for the Westside Wolves to develop permanent hockey facilities (club rooms, artificial turf and car park) on a section of green space at Mt Claremont Reserve.

The aim of the engagement project was to understand the level of community support and their views on the proposal, to assist with the Council's decision-making on whether to approve a period for the club to further investigate and develop a detailed proposal and business plan (including designs, costings and sources of funding).

The community was invited to complete an online survey to enable the City to gauge the level of community support for this proposal. Opportunities were also provided for submissions via email, post or delivery to the Administration Centre. Hardcopy surveys were produced and submissions by telephone were provided for people who did not have access or did not use computers.

### 9.2 Communications and participation

1,410 property owners and residents were directly contacted within the area bounded by Lantana Avenue, Moora Drive, Heritage Lane, St Johns Wood Boulevard, Haldene Street and Rochdale Road as they would be impacted or potentially impacted by this proposal (1,424 including stakeholders).

A media release was issued and advertising was published in the POST and Western Suburbs Weekly newspapers along with notices and large banners displayed in various locations in key traffic areas around the reserve. Posts were placed on the City's Facebook and Twitter accounts which reached 3,099 people and included 334 reactions, comments and shares.

During the engagement period, the City became aware of the unsolicited promotion and awareness of the project by local community and activist groups:

- Westside Wolves Hockey Club – full-page advertising in the POST newspaper, a brochure insert and information on their website promoting “The Wolves need a Den”.
- A group called “Friends of the Mt Claremont Oval” produced a Facebook page, website and a flyer “Save Mt Claremont Park/oval from the Westside Wolves”. This flyer was distributed within the community, placed on the Mt Claremont Community Centre noticeboard and attached to the City of Nedlands hardcopy survey.
- A petition on change.org and a paper-based petition “Ditch the Pitch” which formed an attachment to the Friends of the Mt Claremont Oval submission.
- Petition from the Residents' Committee from Leaweena and Lisle Villages rejecting the proposal.
- Numerous Facebook posts from the Friends of Mt Claremont Oval, Westside Wolves Hockey Club and their supporters.

- Notices and statements from users of the oval were attached to the cricket practice nets at the reserve.
- There were also numerous complaints to the City regarding the behaviour of people within the community protesting the proposal and those supporting the proposal.
- Facebook posts were also placed by the POST newspaper, Western Suburbs Weekly, Sunday Times and the online publication, Perth Now.
- Approximately 30 letters to the editor in the POST newspaper and Western Suburbs Weekly.

The communication activities resulted in **6,920 visits** mostly using the methods of: typing Your Voice Nedlands into the address bar mainly from the letter (3,781 people, 55 per cent). 2,330 people (34 per cent) accessed the site via social media with another 483 people (7 per cent) using a search engine. 200 people were referred from other websites (3 per cent) and 81 (1 per cent) used a .gov site (City of Nedlands) to access the site.

Of the 6,920 visits to the engagement page, 5,427 people viewed at least one page with 3,291 people progressing further to look at the images, download the concept plans (549) and read the key dates (42) and FAQs (510).

1,613 of these people progressed to becoming engaged with the project by completing the online survey (1,582) and/or asking questions (31) of the City.

Submissions were also received from stakeholder and/or activist groups who did not support the proposal.

### 9.3 Overall results

Due to the nature of responses to the engagement activities, particularly in the completeness of hardcopy surveys, informal petitions, emails, letters etc., it has been difficult to determine the number of multiple responses by the same people.

The table below provides the level of support for the proposal from all feedback mechanisms used for this project. The City received three informal petitions, two were attached to the Friends of Mt Claremont Oval (781 signatures) submission and one (41 signatures) from the Leaweena and Lisle Villages opposing the project.

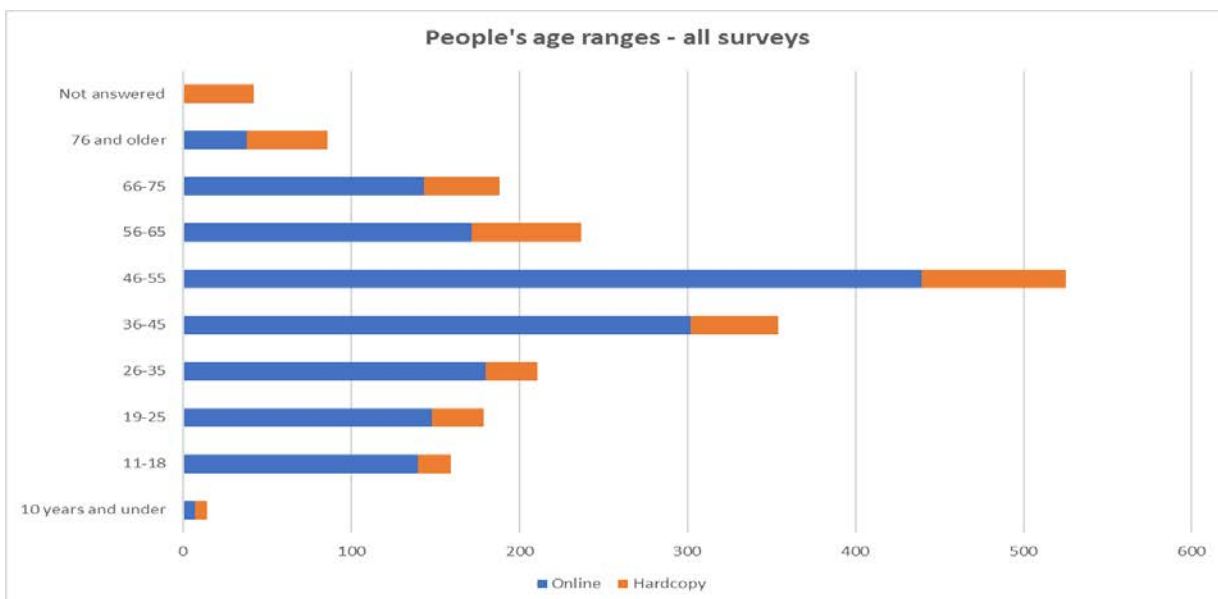
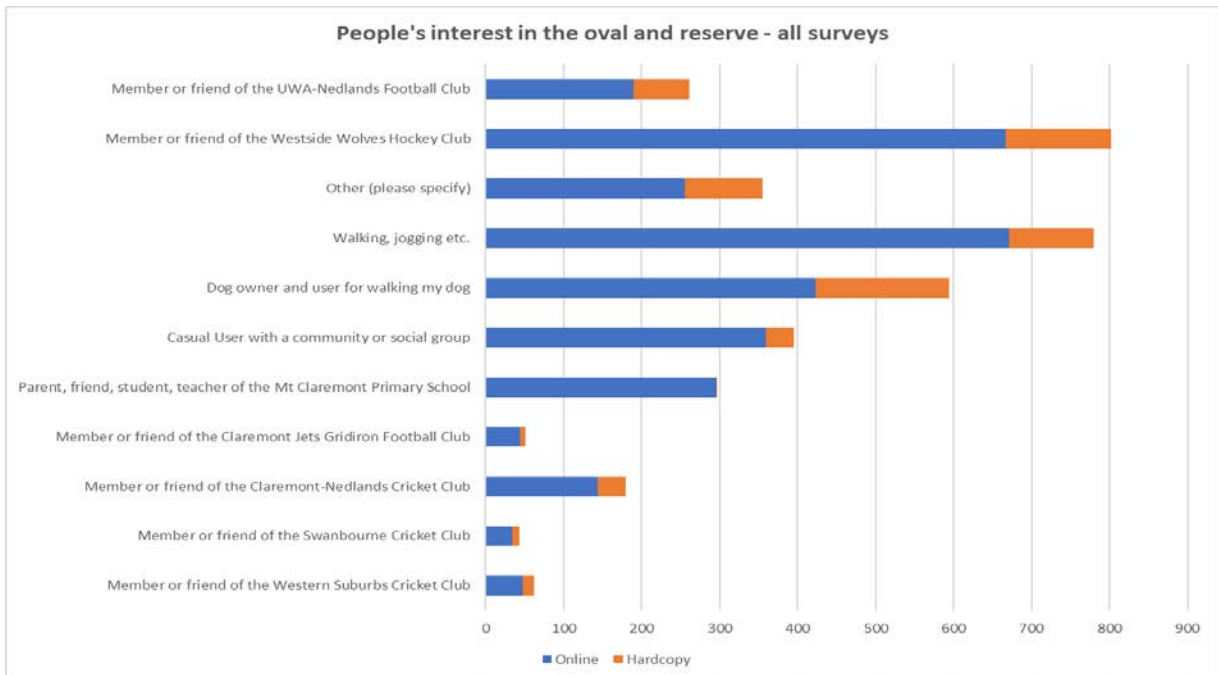
The signatures from these petitions have not been recorded in the table below, however appear to represent 45% per cent of the Mt Claremont area.

Of the surveys received, 675 (43 per cent) surveys were received from residents who indicated they lived in Mt Claremont and 195 (12 per cent) were residents who indicated they lived in Claremont. The remaining 715 (45 per cent) relate to the remainder of the western suburbs, metropolitan Perth and country Western Australia.

### SUPPORT FOR THE PROPOSAL

Support	Online Survey	Hardcopy Surveys	Stakeholder Submissions	Emails	Phone Calls	Total
Yes, I support the proposal	846	274	0	7	7	1134
No, I do not support the proposal	725	150	6	43	6	930
I am unsure	11	2	0	2	0	15
<b>Total Received</b>	<b>1582</b>	<b>426</b>	<b>6</b>	<b>52</b>	<b>13</b>	<b>2,078</b>

In regard to the survey responses, people indicated their interest in the reserve and the age range as follows:



The results of the community engagement feedback: comments recorded (online survey, hardcopy surveys, telephone conversations, emails, letters, face-to-face) during the period have been analysed and developed into key themes which emerged from the review.

Several detailed submissions were received in addition to the feedback from the surveys and letters received. These submissions have been included in this analysis. The key themes identified were:

- Hockey in the western suburbs
- Users – passive recreation
- Mt Claremont Primary School community
- Natural environment
- Concept plans/artist's impressions
- Users – organised sport
- Community and liveability
- Other potential sites.

An overview of the issues for each key theme are addressed in Section 8.8.

There has been significant community interest in this proposal resulting in a high level of engagement. The significant input from the local and broader community has resulted in there being slightly larger support for the proposal.

The feedback has also identified a variety of benefits and challenges along with other suggestions for suitable sites, which will require further research.

## 10. ADMINISTRATION COMMENT

Administration will attach this engagement report to the overarching report for Council Committee consideration and propose that Council:

1. Receives the Community Engagement Report (this report) on the community's views for the establishment of a synthetic hockey pitch and club facilities at the Mt Claremont Reserve.
2. Requests the Chief Executive Officer prepare a report for the March 2019 Council round of meetings on key options for the future use of Mt Claremont Reserve, as suggested by the community from the community engagement activities undertaken.
3. Receives the petitions submitted in opposition to the Westside Wolves Hockey Club proposal:
  - (a) Petition 1: Save Mt Claremont Oval – Ditch the Pitch
  - (b) Petition 2: Save Mt Claremont Oval – Ditch the Pitch, change.org
  - (c) Petition 3: Leaweena and Lisle Villages – Rejection of Westside Wolves Proposal.

## 11. ATTACHMENT A – COMMUNICATIONS AND ADVERTISING OVERVIEW



# Westside Wolves Proposal

## Communications and advertising overview



Mt Claremont Oval



This is an artist's impression of the amount of space the proposed facilities will take up of the green space as provided to the City by the Westside Wolves Hockey Club for the purposes of community engagement.



# Westside Wolves Proposal

## Communications and Advertising

### City of Nedlands press advertising



City of Nedlands

[nedlands.wa.gov.au](http://nedlands.wa.gov.au)

### Mt Claremont Oval Proposal from Westside Wolves Hockey Club

Want to have a say on the Westside Wolves Hockey Club proposal to build permanent hockey facilities at Mt Claremont Oval? The club wishes to use 0.9ha of the 4.2ha oval (about 21%) for their permanent home.

At the same time, the facilities will still be available for other community groups and other various community activities.

The City of Nedlands is seeking to understand the level of community support for the project. This will assist with the decision-making process on whether to approve a period for the hockey club to further investigate and develop a detailed proposal and business plan.

To find out more about this project – and to provide feedback by completing an online survey – please visit [yourvoice.nedlands.wa.gov.au](http://yourvoice.nedlands.wa.gov.au)



City of Nedlands

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To find out more about this project – and to provide feedback by completing an online survey – please visit [yourvoice.nedlands.wa.gov.au](http://yourvoice.nedlands.wa.gov.au)

Press advertisements raising awareness and encouraging community feedback on the Westside Wolves proposal were placed in The Post and the Western Suburbs Weekly.



# Westside Wolves Proposal

## Communications and Advertising

### Signage and banners



Two large red banners were placed at different sides of Mt Claremont Oval, encouraging locals and park users to visit Your Voice Nedlands to fill out the survey, or leave their thoughts in pen on the banner. Public notice posters were also placed at multiple locations on fencing around the perimeter of the park.



# Westside Wolves Proposal

## Communications and Advertising

### City of Nedlands Social Media posts

**Performance for Your Post**

**3,099** People Reached

**334** Reactions, Comments & Shares

51 Like	20 On Post	31 On Shares
10 Love	9 On Post	1 On Shares
2 Wow	0 On Post	2 On Shares
9 Angry	4 On Post	5 On Shares
248 Comments	76 On Post	172 On Shares
15 Shares	13 On Post	2 On Shares

**1,941** Post Clicks

212 Photo Views	116 Link Clicks	1,613 Other Clicks
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**NEGATIVE FEEDBACK**

0 Hide Post	0 Hide All Posts
0 Report as Spam	0 Unlike Page

Reported stats may be delayed from what appears on posts

### Tweet Activity

Impressions	216
Total engagements	7
Link clicks	3
Detail expands	3
Likes	1

The City of Nedlands posted twice on the City's Facebook account, and once on Twitter, advertising the community consultation period and encouraging visitation to Your Voice Nedlands to complete the survey.



# Westside Wolves Proposal

## Communications and Advertising

### Newspaper editorials

# Wolves report thrown to public

Victoria Rifici

A REPORT outlining Westside Wolves Hockey Club's proposal to secure an artificial hockey pitch and clubrooms at Mt Claremont Oval has been released.

City of Nedlands councillors agreed at a meeting on Tuesday that ratepayers should have a say on the

community engagement plan outlining the club's push for new facilities, with Mt Claremont Oval earmarked as the new site.

Results from consultation will be considered in December.

Mt Claremont resident Susie Moir told the council she did not support the proposal.

"I do not support this, as it is a proposal to privatise public open space which is open for users, not a special group," she said.

"It's highly utilised by the local community... and is the only large publicly open space accessible in the area, which will require fencing exclusive to the hockey park."

Claremont resident Tania Cecconi said the proposal caused conflict with traffic and existing activities at Mt Claremont oval.

Nedlands resident Simon Andrew said he was in favour of the proposal because the oval was under-utilised.

"Hockey is a popular sport in the western sub-

urbs and there is nothing dedicated for hockey - we are in desperate need to accommodate the growing game," he said.

Cr Leo McManus said the decision on whether the proposal was approved or refused would be made after the results came back.

To see the report, go to <https://bit.ly/2Je5Alf>.



A mock version of Westside Wolves Hockey Club's proposed hockey facilities.

## What did a western suburbs community say to Ric Charlesworth when he wanted to build a hockey pitch on this 'under-utilised' oval?



Parental protests at Mt Claremont Oval send a message to Ric Charlesworth. Below: An artist's impression of the plans.

**EXCLUSIVE TONY BARRASS**  
IT'S anything but jolly hockey sticks in Perth's leafy western suburbs, with sporting great Ric Charlesworth's push for a new \$3 million hockey facility sparking an Olympic-sized blue among players, residents and the City of Nedlands.  
Some locals claim they have been railroaded into supporting the Westside Wolves Hockey Club's plan for a new synthetic pitch, clubrooms and 60 parking bays at quiet, suburban Mt Claremont Oval.  
But the former federal MP has come out swinging, saying the oval was under-utilised and opposition to the state-of-the-art project was NIMBY.  
"The oval, on the corner of Alfred Road and Montgomery Avenue, is shared by senior and junior cricket and soccer clubs and the Claremont Jets Gridiron Football Club.  
It is also used throughout the year by Mt Claremont Primary School across the road.  
"Why would you want to get rid of this beautiful park and lovely grass and put synthetic turf down and put big barbed wire fences around it?" she said.  
"The little Minkey kids don't play on synthetic turf anyway, and those parents make up 52 per cent of the club's membership, so I know there's a fair bit of opposition to the plans from a grass-roots level.  
"To say that those people who are towers used by all sports. The club was kicked off Nedlands foreshore in 2011 and on Friday urged its members to fight the plan in an online petition.  
But Dr Charlesworth said it was not unknown for two Nedlands players to travel to Joondalup to play hockey, "and that's just ridiculous".  
"I suppose I'm a lightning rod for discontent because I am pushing a very positive plan, but I've yet to hear any strong argument against it," he said.  
"It'll take up less than 40 per cent of this very under-utilised oval. It will provide much-needed parking for the school and their popular Saturday morning markets and it'll save large amounts of water.  
"Other sports can still play there, the primary school kids can play hockey on a proper surface out of the elements and there's literally 70ha of parkland across the road at Lake Claremont to walk your dog."  
A big crowd is expected at the City of Nedlands' December meeting where the results of a public consultation process will be discussed.



Westside Wolves members rally in support of their club's plans for a \$3million headquarters at Mt Claremont Oval. Photo: Billie Fairclough

## P&C snapping at Wolves' heels

By BEN DICKINSON

More hurdles have been placed in the path of the Westside Wolves Hockey Club in its bid to build a synthetic pitch and clubhouse on part of Mt Claremont Oval.  
Parents on the Mt Claremont Primary School P&C, which has until now stayed out of the fierce debate about the Wolves' proposal, have announced they will oppose the plans in a submission to Nedlands council.  
In a letter to parents, P&C president Samantha Rawstorne wrote that the P&C's executive committee had concluded the development was not in the interests of the school.  
"The meeting resolved that the proposal would have an impact on the students

and school community," Ms Rawstorne said.  
The 1700-member Wolves' home ground at Cresswell Park in Swanbourne, is grass, but many senior grades of hockey are played only on synthetic pitches.  
The club has a quarter share of a synthetic pitch at Shenton College, but hopes to build its own at Mt Claremont Oval as part of the \$3million project.  
A parents' group that formed to oppose the project independently of the P&C has argued that the Wolves' new home would deprive students and locals of access to 40% of the grass oval, and cause a raft of other problems, including increased traffic.  
Friends of Lake Claremont coordinator Nick Cook said a organisation was also drafting a

submission opposing the plan.  
"We have some concerns about potential environmental impacts," Mr Cook said.  
In an open letter to parents, Wolves president Robyn Lawrence blasted the Mt Claremont P&C for refusing to meet club spokesman and former Olympic hockey player Ric Charlesworth.  
"Since February we have requested to attend P&C meetings on numerous occasions in order for parents to have the opportunity to discuss any concerns or questions," Ms Lawrence wrote.  
"On every occasion our request was ignored or denied."  
Dr Charlesworth also took aim at the P&C for refusing to allow the Wolves to run a stall at the weekly Mt Claremont Farmers' Markets, which the P&C runs.

"They don't want to know," Dr Charlesworth said.  
"If they have got a position, how did they come to it and why don't they want to hear the other side?"  
Ms Rawstorne said the P&C had rejected requests from representatives of both sides of the debate to run stalls at the farmers' markets.  
"These do not meet with the market charter and are considered to be potentially divisive in nature," Ms Rawstorne said.  
She said the P&C had refused to meet Dr Charlesworth because parents wanted to get their information from Nedlands council.  
At a pro-Wolves rally at the oval on Wednesday, club members rejected arguments that



Mt Claremont Primary parents and students rally against the Westside Wolves Hockey Club's plans for a synthetic pitch on Mt Claremont Oval. Photo: Paul McGovern

## Locals want hockey pitch ditched

By BEN DICKINSON

A group of Mt Claremont locals and primary school parents are ramping up their campaign to sink the Westside Wolves Hockey Club's plans for a synthetic pitch and clubrooms at Mt Claremont Oval.  
Kids and parents chanted "ditch the pitch" at a demonstration on Wednesday.  
"Special-interest groups should not be entitled to use part of a public open space to the exclusion of everyone else," Strickland Street resident Katie Weir said.  
"They tried to do this at Allen Park [in Swanbourne] and the idea was shot

down because it's green open space. "I cannot imagine why this would not be similarly rejected."  
Nedlands council is running a consultation on the Wolves' \$3million plan to build a fenced synthetic pitch, clubrooms and a carpark on part of the oval.  
Two banners hung at the oval by the council have become lightning rods for ferocious debate.  
"Write your thoughts here with the markers provided," read the banners.  
One contribution referred to Wolves member and former Olympic hockey player Ric Charlesworth as a "bully".  
"Group think and NIMBY nonsense," reads another.  
Many comments on both sides have

been scrawled over and crossed out.  
Dr Charlesworth said: "You would think that we were some rapacious multinational land developer who wants to build a high-rise on the local park."  
"We're a not-for-profit community club that wants to play sport on a reserve that's designated for sport."  
Ms Weir said the proposed hockey pitch would shut out locals from about 40% of the oval, because the synthetic pitch would have to be fenced to protect it from damage.  
"Mt Claremont Oval is well used by local people for fitness and recreation, including walking, jogging and dog exercising," Ms Weir said.

• Please turn to page 109

## Locals want hockey pitch ditched

• From page 5

"The nature of the facility is that it is for a single sport only."  
Ms Weir said Mt Claremont Primary School would be deprived of space for children to exercise and play sport if the proposal went ahead.  
"It is the only large publicly-accessible space in the area," she said.  
"The left-over area will not be sufficient for the athletics training or the sports carnival."  
Annie's Playschool pre-kindergarten manager Emily Dickson organised an online petition against the Wolves' plan that

attracted 184 signatures by Wednesday night.  
"We've got to protect our green space," Ms Dickson said.  
Landon Way resident Christy Boxshall said she was opposed to the plan, even though her children played minkey hockey with the Wolves.  
"I'm scared of the noise, the alcohol and the traffic it's going to bring," Ms Boxshall said.  
"We bought here to be in a quiet pocket with a park nearby."  
Dr Charlesworth said the oval was not just for the use of nearby residents.  
"That oval doesn't belong to the people who live within

300m," Dr Charlesworth said.  
"They feel like something's been taken away that belongs to them, but it belongs to everybody in Nedlands."  
"There are 5000 players in the western suburbs in this sport."  
"It's the most underutilised sporting precinct in Nedlands."  
"It's no one's home ground."  
Dr Charlesworth said he had approached the Mt Claremont Primary P&C four times to arrange a meeting, but had been knocked back.  
"They've refused to allow me to go there," he said.  
Submissions on the Wolves' plans close on November 19.



# Westside Wolves Proposal

## Communications and Advertising

### Newspaper editorials

perth **now**  
Sunday Times

NEWS SPORT ENTERTAINMENT BUSINESS LIFESTYLE VIDEO  
BREAKING NEWS WESTERN AUSTRALIA NATIONAL WORLD TECHNOLOGY OPINION WEATHER



Tania Cecconi, Susie Moir and Emily Dickson from the group "Friends of Mount Claremont Oval" with concerned local residents are fighting a \$3m hockey complex being pushed by Olympian Ric Charlesworth. Picture: Daniel Wilkins

Perth

## Feud sparked over plans for \$3m Nedlands hockey facility

Tony Barrass | PerthNow  
November 4, 2018 12:00AM

Tony Barrass

TOPICS Field Hockey Local Government

IT'S anything but jolly hockey sticks in Perth's leafy western suburbs, with sporting great Ric Charlesworth's push for a new \$3 million hockey facility sparking an Olympic-sized blue among players, residents and the City of Nedlands.

Some locals claim they have been railroaded into supporting the Westside Wolves Hockey Club's plan for a new synthetic pitch, clubrooms and 60 parking bays at quiet, suburban Mt Claremont Oval.

But the former federal MP has come out swinging, saying the oval was under-utilised and opposition to the state-of-the-art project was a case of NIMBY.

The oval, on the corner of Alfred Road and Montgomery Avenue, is shared by senior and junior cricket and soccer clubs and the Claremont Jets Gridiron Football Club.

It is also used throughout the year by Mt Claremont Primary School across the road.



Parent power: Residents at Mt Claremont Oval send a message to Ric Charlesworth. Picture: Supplied

The Wolves, formed in 1987, want a permanent home after failing to secure Swanbourne's Allen Park about five years ago. The 1700-member club is running out of options.

Tania Cecconi is a Wolves member. Her daughter Zara, eight, plays Minkey hockey, a junior form of the game, but she's annoyed at the concept. She also lives in the area.

"Why would you want to get rid of this beautiful park and lovely grass and put synthetic turf down and put big barbed wire fences around it?" she said.

"The little Minkey kids don't play on synthetic turf anyway, and those parents make up 52 per cent of the club's membership, so I know there's a fair bit of opposition to the plans from a grass-roots level.

"To say that those people who are opposed to this don't like sport is highly offensive. We all play sport and run and keep fit and encourage our kids to do so as well.

"We just don't think it's fair that the park should be taken up with one club, one code for one single use only, with a wire fence around it."

She is backed by UWA-Nedlands Football Club. It spent \$30,000 — a one-third share — on the oval's light towers used by all sports. The club was kicked off Nedlands foreshore in 2011 and on Friday urged its members to fight the plan in an online petition.

But Dr Charlesworth said it was not unknown for two Nedlands-based players in different teams to travel to Joondalup to play hockey, "and that's just ridiculous".

"I suppose I'm a lightning rod for discontent because I am pushing a very positive plan, but I've yet to hear any strong argument against it," he said.

"It'll take up less than 40 per cent of this very under-utilised oval, it will provide much-needed parking for the school and their popular Saturday morning markets and it'll save large amounts of water.

"Other sports can still play there, the primary school kids can play hockey on a proper surface out of the elements and there's literally 70ha of parkland across the road at Lake Claremont to walk your dog."

A big crowd is expected at the City of Nedlands' December meeting where the results of a public consultation process will be discussed.



Artist image of the proposed hockey complex layout at Mt Claremont Oval. Picture: Supplied

## Parents reject Wolves plan

Parents of Mt Claremont Primary School students have vowed to fight the Westside Wolves Hockey Club's plans to build a synthetic pitch over the road at Mt Claremont Oval.

"This is a proposal to privatise public space," Chessington Gardens resident Susie Moir told Nedlands councillors at Tuesday night's meeting.

"I have two daughters at Mt Claremont Primary, and they participated in the Westside Wolves minkey hockey program.

"There are 251 students at the school and it has experienced rapid growth.

"There are large numbers of aged people living near the oval.

"[It's] an important, acces-

sible space for those people."

Of the councillors present, only Andrew Mangano and Nikola Horley voted against running a public consultation on the Wolves' plans to build a fenced pitch, a clubhouse and a carpark on the south-west corner of the oval.

A group of about 10 Mt Claremont residents in the gallery clapped after Ms Moir and fellow parent Tania Cecconi slammed the proposal.

"A quarter of all artificial hockey pitches are in the western suburbs, which suggests to me that we are well catered for," Ms Cecconi told councillors.

Westside Wolves member Simon Andrew said the club had been searching for a home for a decade.

He said the Wolves' 1700 members had only a 25% share of a synthetic pitch at Shenton College, which severely limited their training times.

"The four local clubs have roughly 5000 players," Mr Andrew said.

"We have to battle for access to one pitch. We think the oval is underutilised.

Mr Mangano said: "We haven't got the full cost implications. Once things go out to consultation, it's just rubber stamping what's going to happen."

But deputy mayor Bill Hassell said that was "absurd".

Council staff will send letters to nearby residents asking for feedback by November 19, before preparing a report for December's council meeting.

## Pitch plan may go to public

Victoria Rifici

THE City of Nedlands will decide on releasing a report on the Westside Wolves Hockey Club's proposal to build an artificial hockey pitch and clubrooms for public comment at this month's meeting.

At a committee meeting on Tuesday, councillors agreed that ratepay-

ers should have a say on the plan for the club's new facilities.

Results from consultation would be considered in December.

The club wants new facilities at Mt Claremont Oval.

Former Olympic hockey player and coach Ric Charlesworth told the committee meeting Westside Wolves had

been exploring the construction prospect for 20 years.

"Having only one quarter of a pitch is not enough so we approached council five years ago," Mr Charlesworth said.

"But this project at Mt Claremont oval is less expensive than the alternatives available in the foreseeable timeframe."

POST, October 13, 2018 - Page 9

## Wolf pressure pays off

By BEN DICKINSON

Westside Wolves Hockey Club's campaign to build a synthetic pitch at Mt Claremont Oval has finally scored a goal.

At a committee meeting on Tuesday night, Nedlands councillors voted to send the club's plan for a synthetic pitch and new clubrooms to a public consultation.

The decision followed a persistent campaign spearheaded by Olympic hockey legend Ric Charlesworth.

"We're undertaking to raise over \$1million," Dr Charlesworth told councillors.

"The area's gazetted for sport, and we're one of the most popular sports in the western suburbs."

The club plans to cover a third of the estimated \$3million cost, and to ask the council and the Department of Local Government,

Sport and Cultural Industries for the rest.

In May, councillors voted 6-4 to reject the plan, citing concerns about fencing off a portion of the oval for the pitch.

"The community needs this area," councillor Nikola Horley said in May.

"It will eat away at public open space."

After the narrow knock-back in May, Dr Charlesworth vowed to attend every council meeting to lobby councillors until they changed their minds.

Club members plastered their cars with bumper stickers that read "Westside Wolves need a den".

In August the council organised a forum with representatives from sports groups, Mt Claremont Primary School and Hockey WA to

• Please turn to page 109

## Wolf pressure pays off

• From page 9

try to find an alternative site, but to no avail.

"Mt Claremont Oval is less expensive than the alternatives, and it's available in a foreseeable time frame," Dr Charlesworth said on Tuesday.

"About 60% of the present grassed area will be untouched."

The Wolves, with about 1700 members, are one of four clubs with a 25% stake in a synthetic pitch at Shenton College.

Olympic-level players train almost exclusively on synthetic pitches, the surface used for international competition.

"The only reason these hockey clubs have survived is because 20 years ago this council approved a hockey pitch on Education Department land at Shenton," Dr Charlesworth told councillors.

"Having only a quarter of a pitch is not enough.

"Our sport's changed dramatically in the past 30 years ... [synthetic] is now the default."

Councillors voted 10-1 to invite public comment on the proposal.

Councillor Leo McManus welcomed plans to add 60 car bays to the oval.

"It's enclosed by main roads, parking is at an absolute premium," Mr McManus said.

Council staff will prepare a report on the results of the community consultation for a meeting in December.

The Westside Wolves Hockey

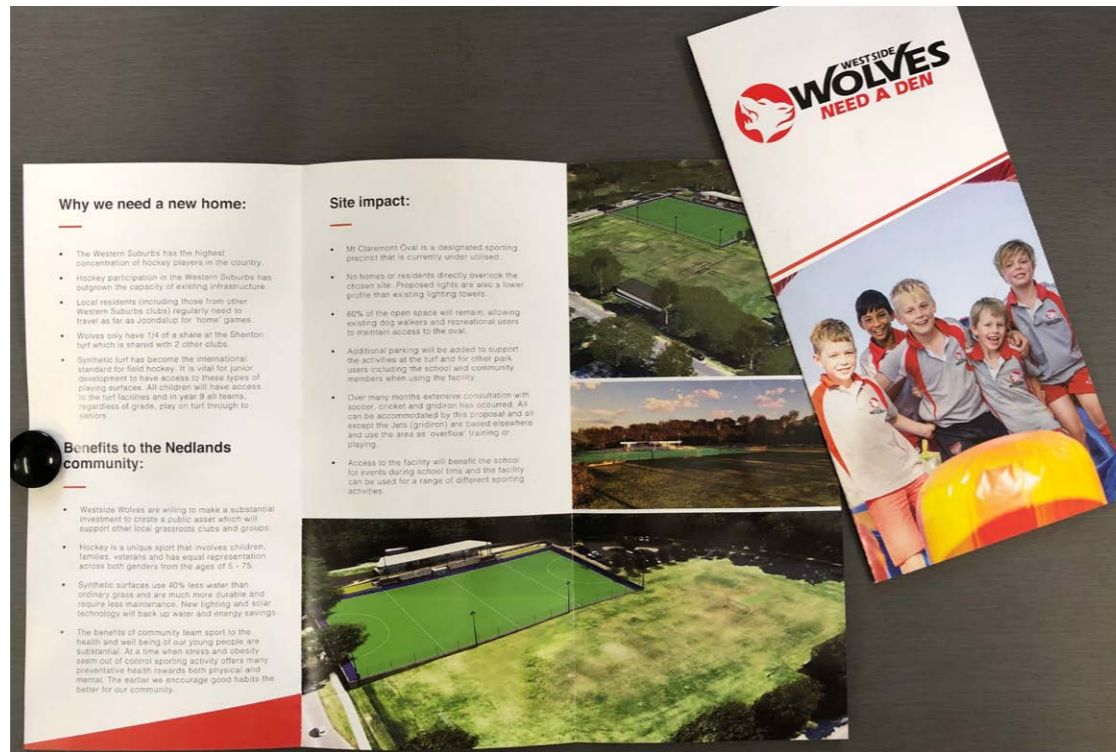


# Westside Wolves Proposal

## Communications and Advertising

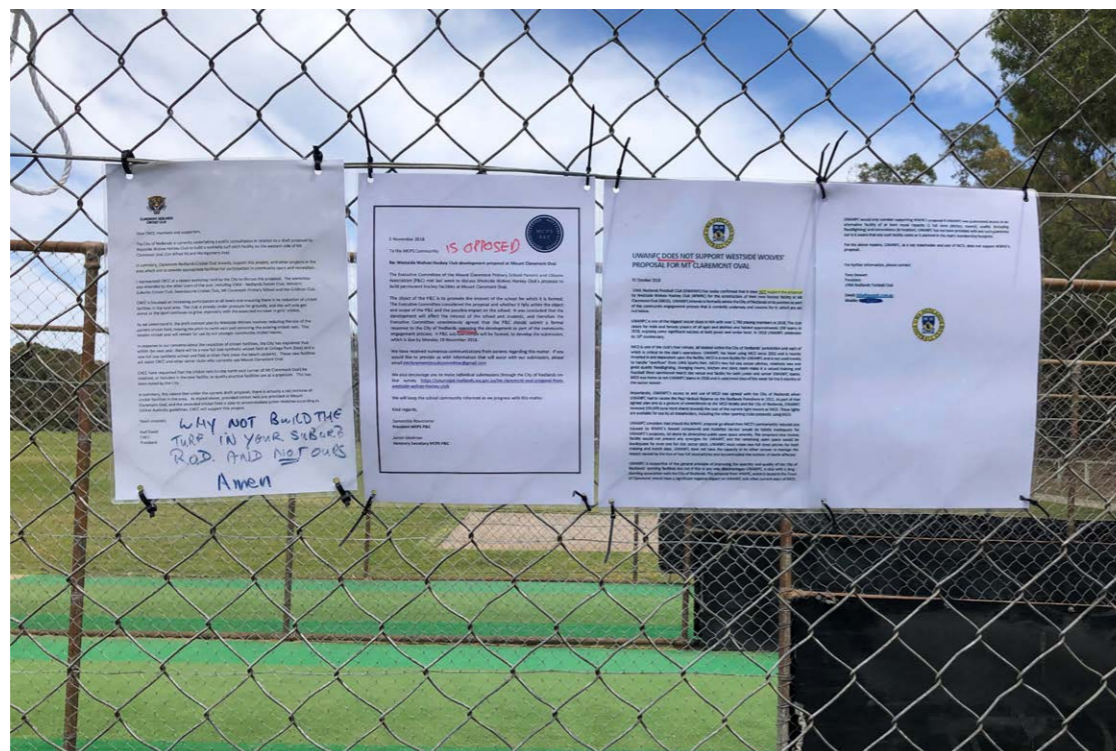
### Community-led advertising material

The Westside Wolves created their own promotional material to advertise the proposal, including a DL brochure and a full page advert in The Post.



Community groups printed and copied the City of Nedlands community engagement survey and distributed in large numbers to the local community.

Signage was posted on the fence at Mt Claremont Oval, with local clubs and groups stating whether they supported or opposed the Westside Wolves proposal.



Friends of Mt Claremont Oval created their own DL flyers, stating they opposed the Westside Wolves proposal, which were then distributed across the local area.



# Westside Wolves Proposal

## Communications and Advertising

### Community-led social media posts

**Michelle Smith Newsome** ▸ Friends of the Mount Claremont Oval  
October 26 at 12:27 PM · 🌐

Please help us keep MCO the way it is for all to use. Local sporting clubs have been asked to find alternative locations to cater to their clubs. This is a space for all members of our community, not just hockey.



9

**Christina Graham** shared a post to Friends of the Mount Claremont Oval's timeline.  
November 3 at 1:30 PM · 🌐



**POST Newspapers** is at Mount Claremont Oval.  
November 3 at 12:00 PM · Perth · 🌐

Australian Olympic hockey player and coach Dr Ric Charlesworth's proposal for a synthetic pitch at Mt Claremont Oval has been met with fierce opposition.


Chant...  
See More

4

**Friends of the Mount Claremont Oval**  
November 5 at 9:34 AM · 🌐

We say NO.  
Not because we're anti hockey, or anti Wolves, or NIMBY's.  
We say NO because there are better locations for the Wolves. We say NO because this oval is currently shared by so many different community groups, and should not be taken over by a single club. We say NO because there will not be enough oval left for other groups to use. We say NO because of the environmental impact to the Mount Claremont Lake. We say no because there other other, better locations where the Wolves can have pitches, (which is what they're previously proposed). And we say NO because our community is growing, and the future generations will need th oval.

Make sure the City of Nedlands says NO too - let them know your thoughts here : <https://bit.ly/2Pqh4AY>



PERTHNOW.COM.AU  
**Feud over Nedlands hockey facility plans**  
What did a western suburbs community say to Ric Charlesworth when he...

46 11 Sha


**Melinda Ison-Poor** ▸ Friends of the Mount Claremont Oval  
November 18 at 4:45 PM · 🌐

Well done to friends of Mt Claremont oval for fighting for the right to maintain Mt Claremont oval for current users. My son went from skinny 13 year old turning up at Mt Claremont oval to play a small foreign sport, to a trailblazer for Australian quarterbacks by playing at the University of St Francis in Illinois. Along the way, as well as many of his Claremont Jets teammates , he has played for his state and country. The Jets are a club in a minority , poorly funded sport. We need to ensure future generations of West Australian kids have the same opportunities as my son , and not leave them homeless. — with Lachlan Poor.



Team Home | Roster | Schedule  
**#17 LACHLAN POOR**

2



**WESTSIDE WOLVES**  
**NEED A DEN**

Westside Wolves Hockey Club  
@WestsideWolvesHockeyClub

Home  
About  
Photos  
Events  
Videos

Like Follow Share ...

Send Message

Westside Wolves Hockey Club  
November 6 at 5:19 PM · 🌐

Community  
Invite your friends to like this Page  
723 people like this

OPEN LETTER TO PARENTS AT MOUNT CLAREMONT PRIMARY SCHOOL :



# Westside Wolves Proposal

## Communications and Advertising

### Community-led social media posts

**Friends of the Mount Claremont Oval**  
November 1 at 2:50 PM · 🌐

Some corrections to information published by the City of Nedlands.

As part of the City's promotion of the Wolves proposal to the wider community to gauge public support, a print letter was sent to residents asking them to make their views heard. Both the letter and social media claimed the project would see the club use "0.9ha of the 4.2ha oval (about 21%)."

The City of Nedlands have acknowledged an apologised, 4.2ha is the total size of the Mount Claremont Reserve, and the proposed pitch, clubrooms, car parking areas and road access is around 40% of the area of the oval.

Enquiries: Caroline Walker, Community Engagement Coordinator, 9273 3500  
Our reference: COMMUNITY-328233331-125

14 October 2018

Dear Resident  
MT CLAREMONT WA 6010

Dear The Resident

**MT CLAREMONT OVAL  
PROPOSAL FROM WESTSIDE WOLVES HOCKEY CLUB**

The City is seeking your views on a proposal from the Westside Wolves Hockey Club to construct permanent hockey facilities on a portion (0.9ha) of the Mount Claremont Oval to use as their permanent home in the absence of suitable sites in the City of Nedlands.

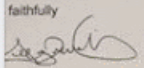
Council is requesting this feedback to assist with its decision-making to approve a period of time for the hockey club to further investigate and develop a detailed proposal and business plan. This would include designs, costing and sources of funding for the project.


This site is the potentially the most suitable for the hockey club's facilities as proposed following extensive investigations for alternative sites. Other sites were identified but discounted due to location, costs of rehabilitation, land use and funding.

For further support for the concept for permanent hockey facilities at the Mount Claremont Oval will contribute to the City's consideration of the merits in providing the Mount Claremont Oval to the Westside Wolves Hockey Club progress to the detailed planning stage.

If you would like to find out more about this project and to complete an online survey, please visit [yourvoice.nedlands.wa.gov.au](http://yourvoice.nedlands.wa.gov.au). Should you need an alternative method of providing feedback you can email or post your response to the City of Nedlands, completion of the online survey is preferred.

If you require assistance, please contact the Community Engagement Coordinator, Caroline Walker on 9273 3500.

Yours faithfully,  
  
Trevaskis  
EXECUTIVE OFFICER




10 Likes · 2 Shares

**Emily Lucas** Friends of the Mount Claremont Oval  
October 28 at 7:59 AM · 🌐

How do the Mt Claremont kids compete in athletics carnival when there's no room left for an athletics track????! How do they practice for athletics without an athletics oval?

**Photo Gallery**



3 Comments · 1 Share

**Friends of the Mount Claremont Oval**  
November 5 at 12:39 PM · 🌐

We are delighted to hear that the Mount Claremont Primary School P&C have formally opposed the Westside Wolves proposal to build permanent hockey facilities and car park on the Mount Claremont Oval.

We continue to believe that the proposal benefits the few over the many users of the Mount Claremont Oval.

Make sure your voice is heard on the City of Nedlands Your Voice page to protect green space for all members of the community : <https://bit.ly/2Pqh4AY>



39 Likes · 4 Comments · 4 Shares

Like · Comment · Share

All Comments

Write a comment...

**Simon Lewis** Generations of students at Graylands/Mount Claremont Primary School have used the Oval and with the increasing numbers at the school its imperative it is kept for the future generations of primary school students to enjoy!!  
11 Likes · Reply · 2w

**Nick Cook** Very good news!  
4 Likes · Reply · 2w


**Daria Kazanova** Why WW are not happy with other sites suggested to them before (e.g. Brockaway rd, not sure about other places)?...  
2w Likes · Reply · 2w

**Bar Pop**  
November 15 at 9:58 AM · 🌐 Like Page

**ATTENTION SPORTS FANS!** 🏏

When we're not slinging beers at Bar Pop we're slinging balls...across a hockey field!

Over 50+ members of our regular staff play hockey in WA with players having represented Australia at the Olympics and at state level including Jayde Taylor, Chris Bausor, Tim Deavin, Elly Buckley, Jemma Buckley, Coby Green, Penny Squibb, Rachel Frusher, and Kathryn Slattery! ...  
[See More](#)



[YOURVOICE.NEDLANDS.WA.GOV.AU](http://YOURVOICE.NEDLANDS.WA.GOV.AU)

**Westside Wolves Proposal - Do you support the proposal?**  
Want to have a say on the Westside Wolves Hockey Club proposal to

2 Comments

Like · Comment · Share

Oldest

**Stevo Vincent** I love hockey but this turf is in the wrong place. Affecting multiple users of the oval.  
1w Likes · Reply · 1w

**Maddy Long** Team sports!  
1 Like · Reply · 1w



# Westside Wolves Proposal

## Communications and Advertising

### Community-led social media posts

**Tom Craig**  
November 15 at 8:59 AM · 🌐

Calling all hockey/sports lovers.

The Westside Wolves are an established Perth Hockey club who have helped foster development for international players from the eastern states and around the world. They are currently in a community consultation phase for the development of their own home turf and NEED YOUR HELP.

The reality is that hockey is a sport whereby clubs need to be supported by an astro turf in order to flourish, and in some cases just to stay alive. At the moment, the club is spread across grass fields and a shared school pitch, which also supports several other clubs. Under these circumstances, the club will struggle to support the growth of the game. This is a great family club and helped make my transition to Perth a lot easier.

Anyone across Australia can fill out the survey and it takes 2mins to complete.

Survey closes 19th November.

<https://yourvoice.nedlands.wa.gov.au/mt-claremont-oval-prop...>

Westside Wolves Hockey Club

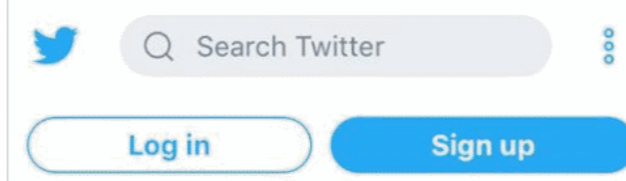
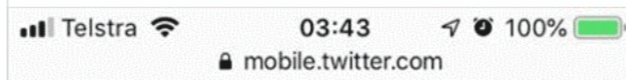


YOURVOICE.NEDLANDS.WA.GOV.AU

**Mt Claremont Oval - Proposal from Westside Wolves Hockey Club**

**Daria Kazanova** Friends of the Mount Claremont Oval  
October 31 at 7:48 PM · 🌐

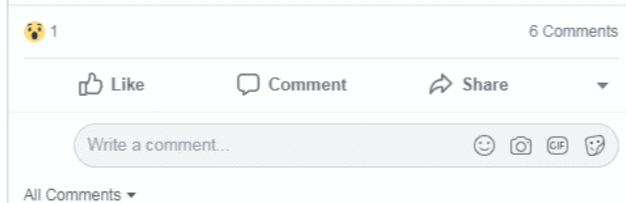
Look at that Tweet (see image below). They called local MC residents narrow minded... Seriously?.. Just because people want to save their peaceful lifestyle and want natural sporting area to be used by public, not by the club members only? I read about "% of the oval" to be taken out by wolves. However, I suspect the other "public" half will be occupied by hockey families/friends as well especially during the events. Sport is good, but not any place is suitable. MC oval is d... See More



**Westside Wolves HC**  
@WestsideWolves

Hey wolfpack! Please get down to Mt Claremont oval to have your say about our new turf project. There's a lot of misinformation being distributed by a handful of narrow minded people, we need to let the council know how the community REALLY thinks 🐾

[facebook.com/story.php?stor...](https://facebook.com/story.php?stor...)



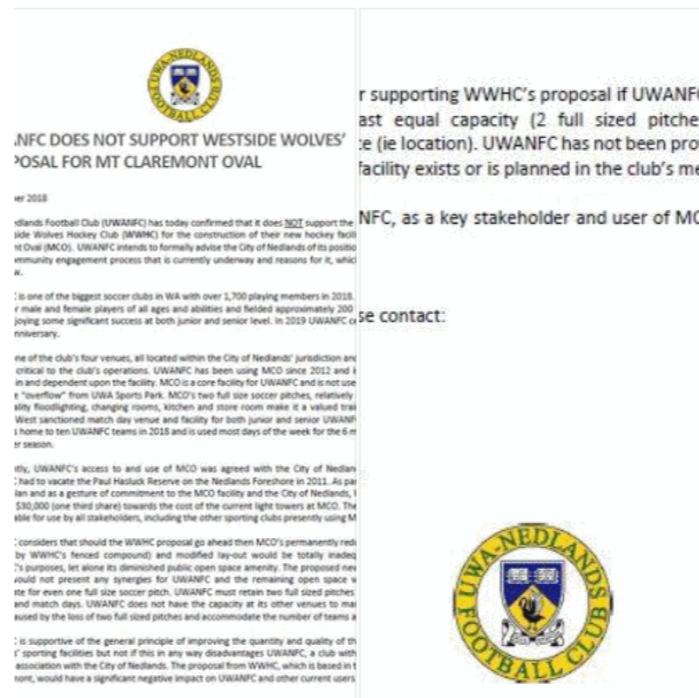
**Friends of the Mount Claremont Oval** shared a post.  
November 1 at 9:49 AM · 🌐

UWA-Nedlands Football Club statement regarding Westside Wolves proposed plans at Mt Claremont.

They are a key stakeholder and frequent user of the Mount Claremont Oval. They are AGAINST this proposal.

Please help us to protect the Mount Claremont Oval for ALL of the communities who use it - tell the City of Nedlands your opinion.

<https://bit.ly/2Pqh4AY>



**UWA Nedlands F.C.**  
November 1 at 9:05 AM · 🌐

Club statement regarding Westside Wolves proposed plans at Mt Claremont.

21 likes · 2 Comments · 3 Shares

**Jennifer Smith** Hmm I'm sure I read the the wolves had consulted with all the other sporting communities who use the oval and that they all agreed with their pitch proposal. FoMCO always knew they didn't agree and were slammed for 'lies'. Do your own research people! Don't believe FAQs - make your opinion an informed one.

Like · Reply · 2w

**Friends of the Mount Claremont Oval** Thank you for your support. The Mount Claremont Primary School P&C meets

**Friends of the Mount Claremont Oval**  
November 1 at 12:08 PM · 🌐

Some corrections to information published by the City of Nedlands

The council has marked a line on the oval so our community can visit the oval to see for themselves how far the Westside Wolves proposed turf field will encroach. This line is INACCURATE and MISLEADING. Here are the drawings we sent to them which prompted their apology (please not they were not done by a licensed surveyor, however a drone and GPS was used).

Further to the council's acknowledgement and apology for the rather large discrepancy on their Your Voice page, the line will be mowed and removed. The council has explained they only have artistic impression provided by Westside Wolves.

- Red dots highlight traffic cones that mark out a 55m x 91m pitch put next to the path.
  - Yellow lines point to the line been drawn by the council with WESTSIDE WOLVES written on it.
  - Red line is 55 metres (pitch width) from the council line going into the bush.
  - Blue line is 4 metres outside the pitch to account for a fence (1 metre one side and 3 the other for interchange bench) \* 4metres is extremely conservative.
  - Pink line is 17 metres. Which is the distance from the realistic line to the encroachment line the council has drawn. I think this is conservative, clubhouse and support facilities haven't been included.
  - The requirement for a fire break between the bushland and buildings has not been considered - it is very possible the pitch could encroach further.
- Please make your voice heard - go to the City of Nedlands Your Voice page and vote against this proposal here <https://bit.ly/2Pqh4AY>





# Westside Wolves Proposal Communications and Advertising

## Community-led social media posts

**Friends of the Mount Claremont Oval**  
November 8 at 12:08 PM · 🌐

There are so many in WA who are just as pro green space as we are. There is plenty of space in Nedlands for a turf hockey pitch without taking an oval away from so many community groups.

This is why we're against the Wolves proposal. Save Mount Claremont Oval for the many, not the few.

Make sure you make the council know your thoughts here <https://bit.ly/2Pqh4AY>



COMMUNITYNEWS.COM.AU  
**Perth: Community groups rally at State Parliament for planning changes | Community News Group**

13 · 1 Comment · 1 Share

Like · Comment · Share

All Comments ▾

Write a comment...

**Simon Lewis** The Brockway site would be a magnificent option for the Wolves.  
Like · Reply · 1w · 2

**Friends of the Mount Claremont Oval**  
November 8 at 4:40 PM · 🌐

Earlier this week, the Westside Wolves published an open letter to the parents of Mount Claremont Primary School on their own Facebook page. We understand they intend it to be published in this week's Post. Please see below the response from the MCPS P&C.

The Mount Claremont Primary School P&C unanimously reject the Westside Wolves proposal to build a plastic turf pitch, clubhouse and carpark on the only oval in the coastal ward of the City of Nedlands.

Please help us to keep the Mount Claremont Oval for the many community groups and diverse recreational users.

Make your voice heard on the City of Nedlands Your Voice page before community consultation soon closes.

Vote NO here <https://bit.ly/2Pqh4AY>



25 · 2 Comments · 5 Shares

**Simon Lewis** As an MCPS parent, I chose to respond to the open letter on the WW facebook with the below questions and have not been responded to. This is very disappointing given this feedback

**Westside Wolves Hockey Club**  
November 7 at 4:13 PM · 🌐

CALLING ALL HOCKEY FANS: The Wolves proposal for Mt Claremont Oval is so much bigger than just our club.

It's part of ensuring the future of hockey in the Western Suburbs and WA more broadly. We encourage all our members to speak with their hockey friends and even rivals from other clubs to encourage them to submit a response via the Nedlands website:

<https://yourvoice.nedlands.wa.gov.au/mt-claremont-oval-prop...>

YOURVOICE.NEDLANDS.WA.GOV.AU  
**Mt Claremont Oval - Proposal from Westside Wolves Hockey Club**

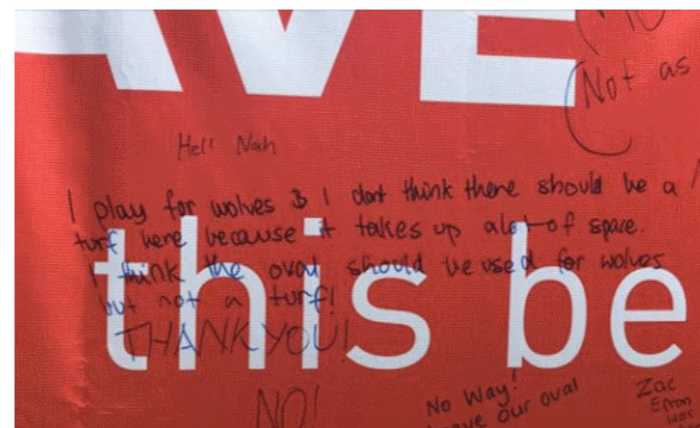
21 · 2 Comments · 15 Shares

**Friends of the Mount Claremont Oval**  
November 6 at 1:09 PM · 🌐

Many comments on the banners on the Oval from the many users of this beautiful green space.

Make sure your voice is heard on the City of Nedlands Your Voice site.

<https://bit.ly/2Pqh4AY>



**Friends of the Mount Claremont Oval**  
November 6 at 4:47 PM · 🌐

Mount Claremont Oval is not the right place for a turf pitch and car park.

There are significant environmental concerns:

- The bushland is part of the important corridor between Kings Park and Bold Park, and is home to endangered species of fauna.
- Hockey lighting is required to be 300 lux lights for local competitions and 500 lux for higher level competitions, while soccer (the UWAN FC contributed to the current lights) requires 50 lux for training, 100 for club competition and 200 for competition. The impact on nocturnal wildlife must be considered.

An expert familiar with this project has stated: "This proposal would result in the loss of 9000 m2 of important groundwater recharge zone immediately upgradient of Lake Claremont, by replacing green space with impermeable hard surfaces. This would exacerbate an already concerning loss recharge area resulting from on-going development and increased residential densities in the area. The remaining open green space becomes critical in this environment of urban in-fill development. The impact to lake recharge and the resident endangered turtles has to be very carefully considered. Is the potential risk to this sensitive wetland environment worth it? Mount Claremont Oval is not an appropriate site for this development."

The Mount Claremont Oval is not the right location. We should not be prioritising one group over the many.

Make sure your voice is heard on the City of Nedlands Your Voice page: <https://bit.ly/2Pqh4AY>



136 · 23 Comments · 32 Shares

**Fleur Zani** So many reasons why MCO is the Wrong place for the wolves den....it wasn't even their first/second/ third choice???? I hope the community sends a big clear No to this proposal  
Like · Reply · 2w · 15

**10. Urgent Business Approved By the Presiding Member or By Decision**

Any urgent business to be considered at this point.

**11. Confidential Items**

Any confidential items to be considered at this point.

**Declaration of Closure**

There being no further business, the Presiding Member will declare the meeting closed.